

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

**August 17, 2005  
Arlington, VA**

## **ATTENDANCE**

### **Board Members**

Lew Flagg (ME) proxy for G. Lapointe  
Patten White (ME) Gov. Ap.  
John Nelson (NH) NH F&G  
Dennis Abbott (NH) proxy for M. Blanchard  
Ritchie White (NH) Gov. Ap.  
William Adler (MA) Gov. Ap.  
Mark Gibson (RI) DEM  
Gil Pope (RI) proxy for E. Naughton  
Lance Stewart (CT) Gov. Ap.  
Gordon Colvin (NY) DEC  
Brian Culhane (NY) proxy for O. Johnson  
Pat Augustine (NY) Chair  
Bruce Freeman (NJ) DFG&W  
Ed Goldman (NJ) Proxy for R. Smith  
Erling Berg (NJ) Gov. Ap.

Dr. David Pierce (MA) proxy for P. Diodati  
Vito Calomo (MA) proxy for J. Verga  
Everett Petronio (RI) Gov. Ap.  
Eric Smith (CT) DEP  
Fred Frillici CT) proxy for G. Gunther  
Roy Miller (DE) DFW  
Bernie Pankowski (DE) Leg. Ap.  
Harry Mears (NMFS)  
Dave Perkins (USFWS)

### **ASMFC Staff**

Bob Beal  
Vince O'Shea  
Toni Kearns

*There may have been others in attendance who did not sign the attendance sheet.*

<b>WELCOME/CALL TO ORDER .....</b>	<b>5</b>
<b>APPROVAL OF AGENDA .....</b>	<b>5</b>
<b>PUBLIC COMMENT.....</b>	<b>5</b>
<b>REVIEW OF NEW JERSEYS REVISED AMMENDMENT 1 IMPLIMENTATION</b>	
<b>PROPOSAL AND TECHNICAL COMMITTEE RECOMMENDATIONS .....</b>	<b>5</b>
<b>OTHER BUSINESS.....</b>	<b>7</b>

**Motion to accept the New Jersey Proposal.**

*Motion made by Mr. Nelson, second by Mr. LaPointe. Motion passes.*

ATLANTIC STATES MARINE  
FISHERIES COMMISSION

WINTER FLOUNDER MANAGEMENT  
BOARD

RADISSON HOTEL OLD TOWN  
ALEXANDRIA, VIRGINIA

AUGUST 17, 2005

- - -

The Winter Flounder Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Suite of the Radisson Hotel Old Town, Alexandria, Virginia, August 17, 2005, and was called to order at 8:00 o'clock a.m. by Chairman Patrick Augustine.

**WELCOME/CALL TO ORDER**

MR. PATRICK AUGUSTINE: Good morning, all, and welcome, guests. We would like to open up the Winter Flounder Management Board Meeting.

**APPROVAL OF AGENDA**

I would like to look at the agenda. Are there any additions or corrections? Seeing none, the agenda is approved.

I would like to have someone make a motion the approval of the proceedings from the May 11<sup>th</sup>, 2005 meeting.

MR. WILLIAM A. ADLER: So moved.

MR. AUGUSTINE: Mr. Adler; Mr. Nelson seconds. Any objections to the motion? Seeing none, the proceedings are approved. Are there any public comments at this point in time relative to our activities today on the agenda?

**PUBLIC COMMENT**

Seeing none, we will move to Item 4, Review and Approval of New Jersey's Revised Amendment 1 Implementation Proposal. It's going to require some action; so if we could turn this over to Ruth now, we'll have her proceed with that.

**REVIEW OF NEW JERSEYS REVISED  
AMMENDMENT 1 IMPLIMENTATION  
PROPOSAL AND TECHNICAL  
COMMITTEE RECOMMENDATIONS**

MS. RUTH CHRISTIANSEN: Thank you, Mr. Chairman. Very quickly this morning, we are going to review New Jersey's revised Amendment 1 implementation proposal and technical committee recommendations.

From the last board meeting, you will recall that the Amendment 1 standard for the Southern New England/Mid-Atlantic stock of winter flounder required states to implement a 12-inch minimum size limit, a 10-fish creel limit, a 60-day open season, with 20 days closed during the months of March and April.

You will also recall that the standard against which conservation equivalency should be judged is the technical committee's view on whether any proposed alternatives are equivalent to the Amendment 1 standards; for example, a longer season may need to be compensated for with a larger size limit and/or lower creel limits.

For the recreational winter flounder fishery, New Jersey's revised proposal outlines a 12-inch minimum size limit, a 10-fish creel limit, a 60-day open season beginning after March 20<sup>th</sup> and running for 60 consecutive days.

After reviewing New Jersey's revised proposal, the technical committee concluded

that it is consistent with the Amendment 1 standard. That's it.

CHAIRMAN AUGUSTINE: Thank you very much, Ruth. Are there any comments? I don't think we need any. I think New Jersey went through a tremendous amount of effort to come into alignment with the plan.

They did a lot of extra work based on a letter that I had sent to them, which was unfortunately misinterpreted. I believe when they might have had conservation equivalency, they presented a plan that in their mind met the requirement.

However, when the technical committee reviewed it, it obviously did not. I personally would like to thank New Jersey for taking such quick, positive action in coming back in line with the requirements of Amendment 1.

I would like to have a motion, if we are ready for one, unless there's discussion. Mr. Nelson.

MR. JOHN I. NELSON: Mr. Chairman, I would move acceptance of the New Jersey Proposal.

CHAIRMAN AUGUSTINE: Thank you. Do I have a second? Mr. LaPointe seconds. Discussion on the motion? Are there any objections to the motion? Any comments from the public? Seeing none, the motion is approved. Mr. Freeman, please.

MR. BRUCE FREEMAN: Thank you, Mr. Chairman. There's several comments I'd like to make relative to the action that was taken. We had gone through a very arduous analysis several times on this entire issue. We still have some serious concerns.

By adopting what we have, which is the basis for the plan, our analysis indicates that we're going to take between a 55 and 60

percent reduction in the recreational harvest in New Jersey.

As indicated in the text of the plan, what we're trying to do recreationally is predicated on what New England Council has done for the groundfish, and in particular the reduction that is assumed will occur in the winter flounder fishery in the commercial side, which by their analysis is somewhere between 37 and I think 49 percent.

We're very concerned that for the first time now we don't have compatibility between the recreational and the commercial side. There's a split here. As it affects New Jersey, it's something we have serious concerns if we don't see certainly an increase in the resource, after taking what we believe are draconian measures, we will certainly look upon the New England Council coming up with meaningful measures to reduce the harvest of winter flounder in the EEZ.

We understand the fact that this commission can't set the agenda for the New England Council, but on a coast-wide basis we're seeing major reductions in the winter flounder fishery in all our bays and estuaries. There seems to be no explanation for it.

It's one of these unknowns. We have gone through this with weakfish yesterday, seeing a decline in the resource. It's not an issue so far as the fishing mortality and yet we're seeing continued declines, the reasons of which we don't know. This has apparently happened in the winter flounder as well.

But, in the future we look upon the New England Council of finding meaningful ways to reduce the mortality of winter flounder.

CHAIRMAN AUGUSTINE: Thank you for those comments, Mr. Freeman. Dr. Pierce.

DR. DAVID PIERCE: Bruce's comments are very valid. I'm chairman of the Groundfish Committee of the New England Council. The committee will be meeting at the end of this month to review a set of assessments that are being worked on this week, as a matter of fact, down in Woods Hole.

A number of assessment scientists are turning the crank, so to speak, on all of these assessments that relate to the groundfish species, and, of course, winter flounder is one of the group. So, we will be, at the end of this month, receiving in a preliminary way that assessment information, and that will eventually be the basis for our, then, developing potentially some further restrictions that will address mortality on winter flounder.

We will see whether mortality has gone up above the target; and if indeed it has, then we will respond in kind; and by doing so, the New England Council will be taking the necessary steps consistent with this board's concerns about the status of the winter flounder resource.

CHAIRMAN AUGUSTINE: Thank you for that heads up, Dr. Pierce. Mr. Colvin.

MR. GORDON C. COLVIN: I appreciate that update from Dave Pierce. It kind of confirms discussions we've had in the past. I think it would be really helpful if our staff would make sure that the results of the current assessments that David spoke of are compiled and gotten to all the members of this board as soon as possible.

Sometimes it takes time for things to trickle back through the New England Council to all of us who are not on the council; so if we

can make an effort to get it to us, it would be really appreciated.

CHAIRMAN AUGUSTINE: Thank you, Mr. Colvin, we have noted that and staff can do that. Any other comments around the table from the board? Any comments from the public?

### **OTHER BUSINESS**

Do we have any other business? We'll entertain a motion to adjourn. So moved by Patten White and seconded by Vito Calomo. We're adjourned.

(Whereupon, the meeting was adjourned at 8:12 o'clock a.m., August 17, 2005.)

- - -