

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 (*K. Drew*)
 - 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.

<p>4. Consider Draft Addendum III for final approval (11:30 – 11:40 a.m.) Final Action</p> <p>Background</p> <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). <p>Presentations</p> <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>) <p>Board Action for Consideration</p> <ul style="list-style-type: none"> • Consider Draft Addendum III for final approval.
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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 (*K. Drew*)
- 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

Atlantic States Marine Fisheries Commission

Winter Flounder Advisory Panel

Report on Winter Flounder Specifications

For Board Consideration

ASMFC 2013 Spring Meeting

May 20, 2013

Participants

AP Members: Charlie Witek (New York), Don Swanson (New Hampshire), and Harold (Bud) Brown (Maine)

Board Member: Richie White (Winter Flounder Management Board Chair)

Staff: Melissa Yuen (FMP Coordinator)

Summary

Three members of the Winter Flounder Advisory Panel participated in a May 6, 2013 conference call to discuss winter flounder specifications for Gulf of Maine and Southern New England winter flounder. The AP members decided to submit a report with recommendations to the Winter Flounder Management Board based on the conference call discussions and additional input from AP members who were not able to make the call, via email.

AP Recommendations

The Winter Flounder AP members would like to submit the following comments and recommendations to the Winter Flounder Management Board for consideration:

1. In the final analysis, all efforts to restore the Gulf of Maine (GOM) stock have been hampered by the stock assessments. Melissa is now yet another FMP Coordinator hearing from AP members that there are no Winter Flounder available in the GOM. After discussions with Maine's scientists, AP members are confident in saying they agree with the stock's status here in Maine and the SNE Stock.

The problem with the assessments has been that the inclusion of all GOM winter flounder into a single Stock which hampers determination of the true status. Side bar discussions with several scientists basically concludes that defining distinct stocks is too difficult a task, so they stick to what they've got. I would like to see the AP make a strong recommendation to the Board, that the Board adopt and submit a letter to John Bullard (Northeast Regional Administrator) and Bill Karp (Science & Research Director at the Northeast Fisheries Science Center) requesting a detailed and comprehensive look at that issue. Allowing more landings as implemented by Frameworks 48 and 50 will just make things worse.

2. The AP wishes to call attention to the section of NMFS's National Standard 1 Guidelines and raise the question of how harvest of the Southern New England/Mid-Atlantic stock can be increased without violating NMFS' own standard:

(30) Overfished Fishery (ii): If a stock or stock complex reached the end of its rebuilding plan period and has not yet been determined to be rebuilt, then the rebuilding F should not be increased until the stock or stock complex has been demonstrated to be rebuilt. If the rebuilding plan was based on a T_{target} that was less than T_{max} , and the stock or stock complex is not rebuilt by T_{target} , rebuilding measures should be revised, if necessary, such that the stock or stock complex will be rebuilt by T_{max} . If the stock or stock complex has not rebuilt by T_{max} , then the fishing mortality rate should be maintained at F_{rebuild} or 75 percent of the MFMT, whichever is less.

3. As indicated at the recent ASMFC public hearing in Rhode Island for Draft Addendum III to the Inshore Winter Flounder FMP, we are strongly opposed to any such relaxation of winter flounder regulations in state waters. As you know, Narragansett Bay and the RI coastal salt ponds have been closed for several years to the taking of winter flounder. These local stocks are in a near collapsed condition.

Overfishing, human induced negative environmental conditions and climate change are collectively responsible for the dramatic decline in winter flounder stocks in inshore waters. RI had an uptick in winter flounder stocks in the mid 90s, and regulations were relaxed, but very shortly thereafter, the stocks were back to near collapse.

It is good that the stocks in federal waters are improving, but to allow increased catches in state waters that can come inshore to spawn is irresponsible fisheries management. If the inshore winter flounder are ever to recover, a long range, conservative approach is necessary.

AP members on the call also brought up the issue of non-participation by AP members. They noted that since the initiation of Addendum III, today's participants in the Conference Call, along with Gary Libby from Maine prior to the last Board Meeting and George Allen's written comments, no others have been active. Therefore, the AP looks to the Board to find new members that will become involved.

The AP was pleased to hear from Melissa that the Technical Committee held a conference call to review conditions in their individual states, and that their observations are similar to those of the Advisory Panel members.

Finally, and I am paraphrasing the discussions as follows:

The AP believes that, given the severely depressed condition of both stocks (GOM and SNE/MA), the Fishery in the GOM and SNE/MA should be shut down completely and that the states should not allow landings of winter flounder harvested from the EEZ.

Respectively submitted,

Winter Flounder Advisory Panel

Atlantic States Marine Fisheries Commission

Winter Flounder Technical Committee

**Report on the Federal Specifications and the Reopening of the
Southern New England-Mid-Atlantic Winter Flounder Fishery**

For Board Consideration

2013 ASMFC Spring Meeting

May 20, 2013

Recent History in the Fishery

The 2008 GARM III assessments (covering the period through 2008) indicated that SNE-MA winter flounder spawning stock biomass was extremely low (9% of SSB threshold) and overfishing was occurring. Southern New England-Mid/Atlantic winter flounder was considered to be in critical condition. In 2009, National Marine Fishery Service published a secretarial interim final rule that set zero retention limits for SNE winter flounder (for both commercial and recreational vessels). Projections from the GARM III assessment indicate that SNE/MA winter flounder was unlikely to rebuild by 2014 in the absence of any fishing mortality, but would rebuild between Fishing Year 2015 and 2016. In order to achieve a fishing mortality as close to zero as practicable, it was necessary to eliminate overfishing on the stock and facilitate rebuilding by FY 2015 or 2016.

ASMFC developed complementary measures for state water fisheries in Addendum I to Amendment 1 to the interstate fishery management plan for inshore stocks of winter flounder in 2009.

Assessment summary

A new benchmark assessment for SNE-MA winter flounder was reviewed in SARC 52. The new benchmark differed from the old benchmark in using an ASAP SCAA model instead of the ADAPT VPA. Other changes included increasing M from 0.2 to 0.3 for all ages and years. New biological reference points were developed. The model had a terminal year of 2010.

Assessment (year)	SSB _{target}	F _{msy}
GARM III (2008)	38,761 mt	0.248 (F40% proxy)
SARC 52 (2011)	43,661 mt	0.29 (F _{msy} estimate)

Stock status in 2010 indicated that SSB was 16% of the target B and overfishing was not occurring ($F=0.05$). Recruitment remains poor and the SARC report had a special comment:

A considerable source of vulnerability for SNE/MA winter flounder is the continued weak recruitment and low reproductive rate (e.g., recruits per spawner). Recruitment estimates for the last decade are lower than predicted by the stock recruitment model (Figures A5 and A12). If weak recruitment and low reproductive rate continues, productivity and rebuilding of the stock will be less than projected.

Stock recruit modeling suggests that warm winter temperatures can have a negative effect on recruitment of SNE/MA winter flounder.

Trends in Recruitment

Recruitment has generally declined throughout the time series. Six out of the last 10 year classes have been below the 25th quantile (Figure 1). The two most recent year classes have ranked 5th and 6th lowest in the 30 year time series. The last above average year class was 1996. Four young of the year indices from state waters indicates that recruitment since 2010 remains poor (Figure 5). The only exception occurs in the MADMF seine survey, where the 2011 year class appears to be near the timeseries median.

Trends in SSB

Spawning stock biomass declined from 1981 through 1993 (Figure 2). Moderate rebuilding occurred from 1993 to 2000, followed by a less precipitous decline through 2005. Spawning stock has shown small improvement since 2005. Spawning stock biomass in 2010 (7,076 tons) remains well below the biomass target (43,661 tons). Relative biomass surveys from state waters and NEFSC surveys generally remain low, with the exception of the NEFSC Fall survey.

Trends in fishing mortality

Target fishing mortality rates have changed throughout the years as selectivity and other model changes result in updated reference points. Fishing mortality rates have been well above reference points from 1981 through 2007 (Figure 3). Fishing mortality dipped below the Fmsy reference point in 2008. This was likely in response to DAS restriction in Amendment 13 and a differential DAS counting area in SNE-MA area implemented under Framework 42 in 2008. Fishing mortality declined well below the reference point in 2009, when zero possession limits (Secretarial interim final rule) and low trip limits in state waters (Addendum I) were implemented. The inability to adequately control mortality until recently, is astounding, given that both ASMFC and NEFMC to control fishing mortality have been attempting to manage fishing mortality since the mid-1990's. Strong retrospective patterns in previous stock assessments and failure to account for uncertainty have contributed to the failure to meet mortality objectives.

Stock and Recruitment

Recruits per unit of spawning biomass as modeled in the Beverton-Holt spawning recruit has shown marked declines during the most recent 12 years of recruitment. This suggests either a poor model fit or a change in survival due to changed conditions.

As a result of the large change in stock productivity, a regression tree was used to model log recruits as a function of spawning stock biomass. A tree with a single split (SSB=8577 tons) was selected as the most parsimonious fit. Diagnostics indicated the distributions of residuals were skewed left. Recruitment appeared more variable in the lower productivity bin than the high one, but this may be a function of the different number of observations between bins. This analysis suggests that productivity will remain low at SSB < 8,577 tons. Spawning stock biomass was 7,076 in the terminal year of the assessment (2010).

Stock status and updated information

The SARC 52 assessment indicated low spawning stock biomass and continued low recruitment. Survey indices all suggest that stock conditions have not improved since the assessment was conducted (terminal year 2010).

Projections

NEFSC's groundfish plan development team (PDT) ran projections for the purposes of setting OFL and ABC's for SNE-MA winter flounder. The PDT was skeptical of basing catches on projected large increases in exploitable biomass. The PDT developed two constant catch ABC:

The PDT developed two constant catch ABCs: 2,000 mt and 1,676 mt. The rationale for each is slightly different. With a constant catch of 2,000 mt for FY 2013- 2015, the Frebuild from 2016 to 2023 is nearly identical to the Frebuild from 2013 to 2023 (0.178 vs. 0.175). The 2013 F would be expected to be less than 75 pct of FMSY. This amount of catch, however, would result in a 12 percent decline in SSB from FY 2013 to FY 2015 should near-term recruitment be similar to that experienced from 1999 – 2010 rather than the recruitment predicted by the BH stock recruit curve adopted by the assessment.

If long-term recruitment is closer to the recent 1999 – 2010 experience rather than the BH stock-recruit prediction, then long-term yield would be about 1,676 mt. This constant catch quota would result in a smaller reduction in SSB from 2013 to 2015 (7 percent) under the low-recruitment scenario. Rebuilding would occur more rapidly under the BH recruit assumption than would be the case at 2,000 mt.

Given the recent history of this stock, the PDT recommends the constant ABC of 1,676 mt. This is about double the current 2013 ABC, and is more than the catch in any year since 2007. This catch should also be sustainable if recruitment in the future does not decline from what was observed during the last 12 years of the assessment (1999 – 2010).

It is important to note that one of the key rationalizations for removing restrictions on SNE-MA winter flounder catches is the extension of rebuilding timeframe from 2014 to 2023, not improved stock conditions. Note that rebuilding by 2023 requires an average annual percentage rate of 15% (Figure 6). During the past 30 years, the median annual percent increase was 8.9% during rebuilding periods, well below the required 15% for rebuilding by 2023. At 8.9% growth, the stock will be at approximately 21,436 metric tons in 2023 (49% of Bmsy, still overfished). However, the period of these low annual growth rates occurred simultaneously with high fishing mortality rates and declining recruitment. Periods when growth was near or exceeded 15% were associated with above median recruitment (mid-1990's) or the recent period with low recruitment and relatively low fishing mortality rates. The Technical Committee's skepticism about meeting the new 2023 rebuilding timeframe appears well founded. As part of Amendment 16's rebuilding control rule, rebuilding F are adjusted when new survey information suggest that the rebuilding program is not meeting rebuilding objectives.

ASMFC's Winter Flounder Technical Committee Comments

Stock status remains poor and lifting of catch restrictions will result in further stock deterioration. State waters fisheries will likely be targeting winter flounder during pre- and post-aggregation for spawning. The lifting of restrictions will likely attract an increase of fishing effort. Sector rosters are frozen on April 30th. There will be no increase in common pool vessels in the Southern New England area in 2013 (personal communication, Doug Christel (NERO)).

The technical team can not estimate the effect of raising trip limits on catches within state waters. The technical team reiterates that loosening of federal restrictions within state waters is not related to improved stock conditions. Any increase in the trip limit should be accompanied by adoption of annual quota and accountability measures. Adequate real time monitoring will be required to monitor catches so that the target quota is not exceeded. Another issue that the Management Board may wish to consider is allocation among user groups (recreational/commercial) and allocation of quota among states.

Trend in age 1 recruitment for
SNE-MA winter flounder in SARC 52

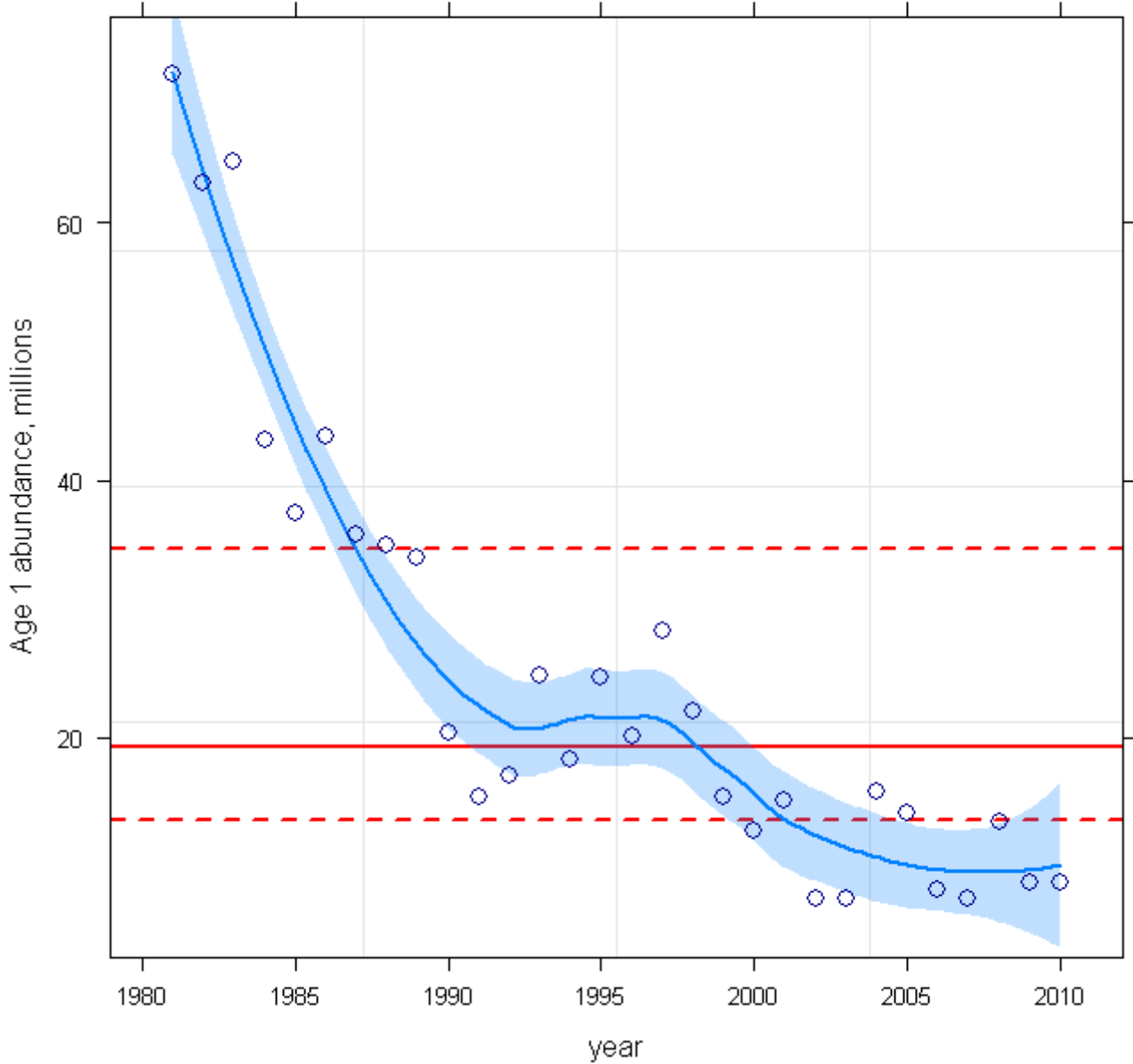


Figure 1. Trend in age 1 abundance (millions) from SARC 52 assessment of SNE-MA winter flounder assessment. Solid red line is time series median, dashed red lines are the 75th and 25th quantiles for the time series. The blue line is loess fit with span=0.66 and blue colored area are approximate 95% confidence limits on loess fitted values.

Trend in spawning stock biomass for
SNE-MA winter flounder in SARC 52

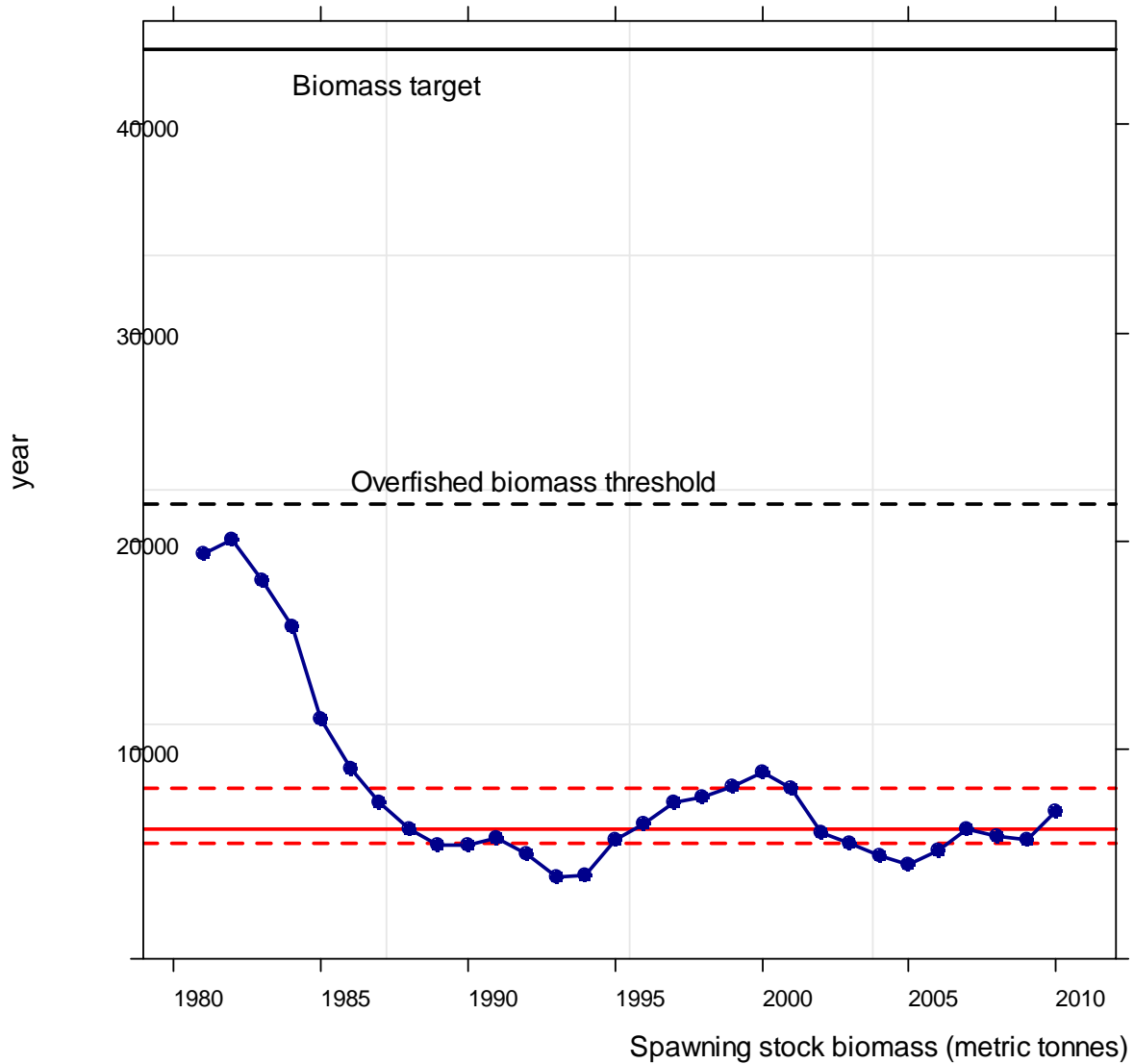


Figure 2. Trend in spawning stock biomass (metric tonnes) from SARC 52 assessment SNE-MA winter flounder assessment. Solid red line is time series median, dashed red lines are the 75th and 25th quantiles for the time series. The solid black line is the biomass target, the black dashed line is the biomass threshold that defines overfished.

Trend in fully recruited fishing mortality for SNE-MA winter flounder from SARC 52

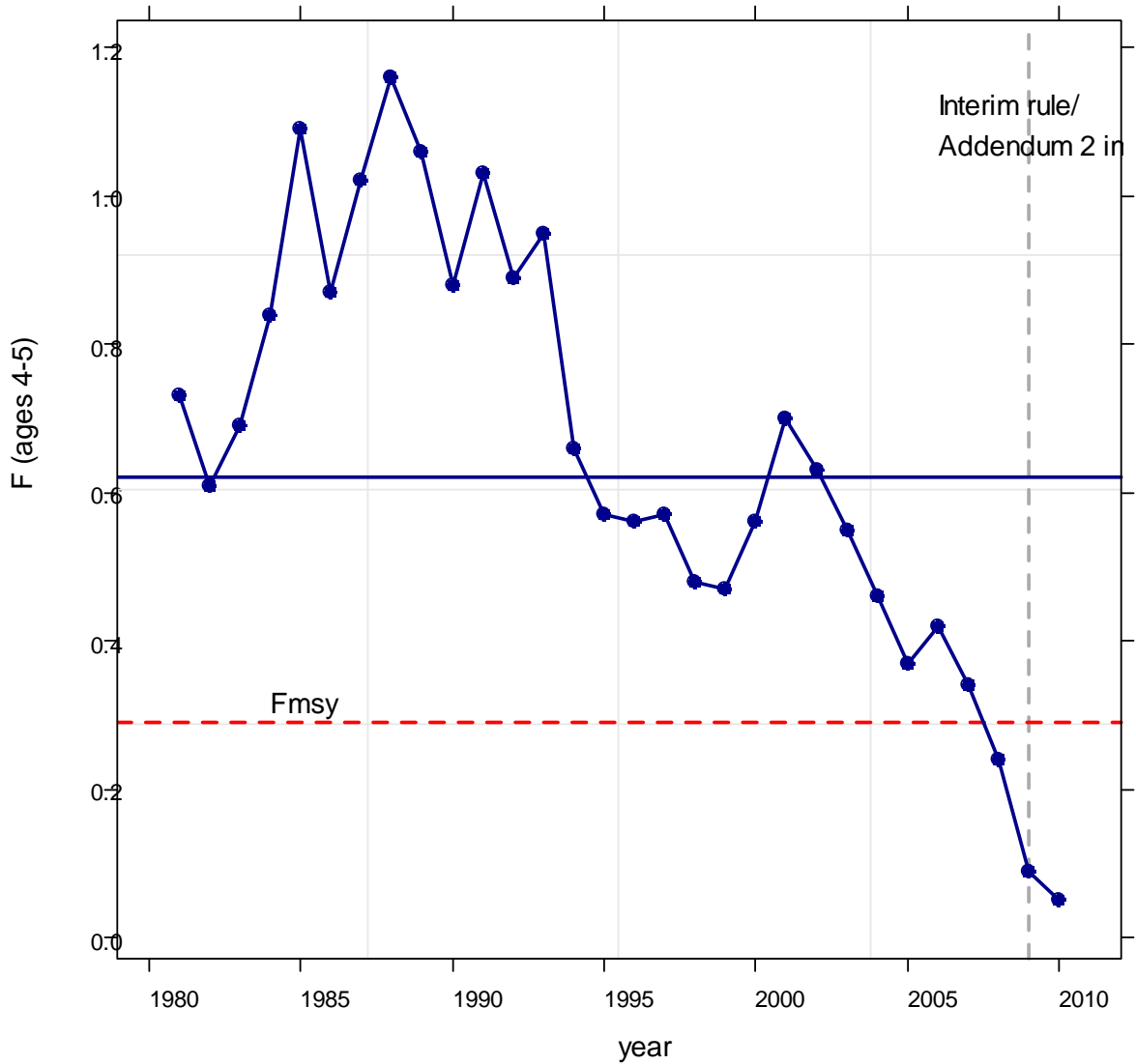


Figure 3. Trend in fully recruited fishing mortality (ages 4-5) from SARC 52 assessment SNE-MA winter flounder assessment. Solid blue line is time series median, dashed red line is Fmsy threshold. Vertical dashed gray line indicates implementation of Secretarial interim final rule and Addendum I in 2009.

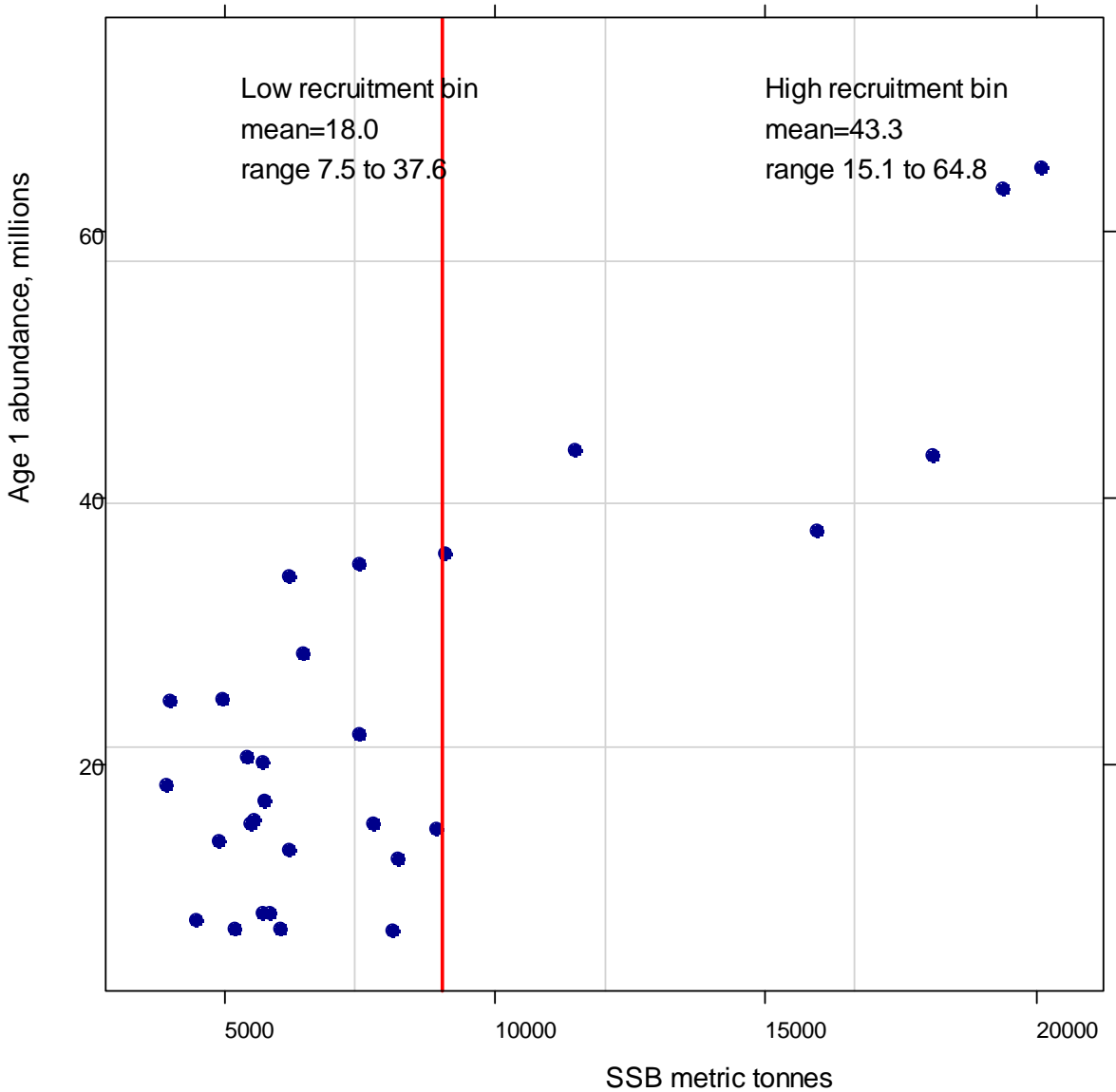


Figure 4. Recruit abundance and spawning stock biomass. Solid red line splits the SSB into a high recruitment (≥ 8577 SSB) and a low recruitment (< 8577 SSB) bins based on a regression tree model. The amount of spawning stock biomass that spawned the 1980 yearclass of approximately 72 million age 1 recruits is unknown, but is extremely likely to be in the high recruitment bin (> 8577). SSB in 2010 was 7076 metric tons.

Various Winter Flounder survey biomass indices

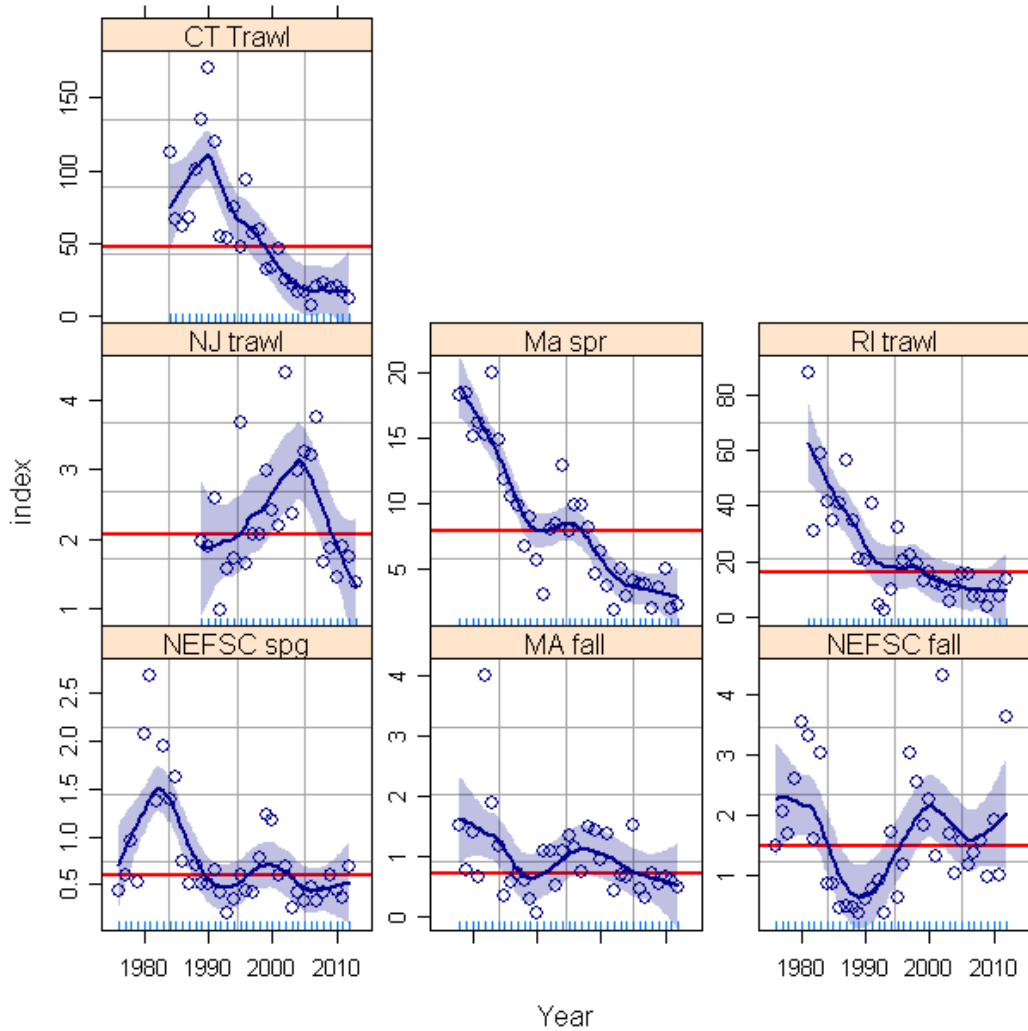


Figure 5. Seven relative biomass indices for state and NEFSC surveys. Note that series cover different periods. Y-axis scales vary among panels. Red line is time series median. Blue line is loess fit with span=0.4 and family=Gaussian. Blue polygon covers approximate 95% confidence interval on loess fitted values. NEFSC surveys have been calibrated for door, gear and vessel changes.

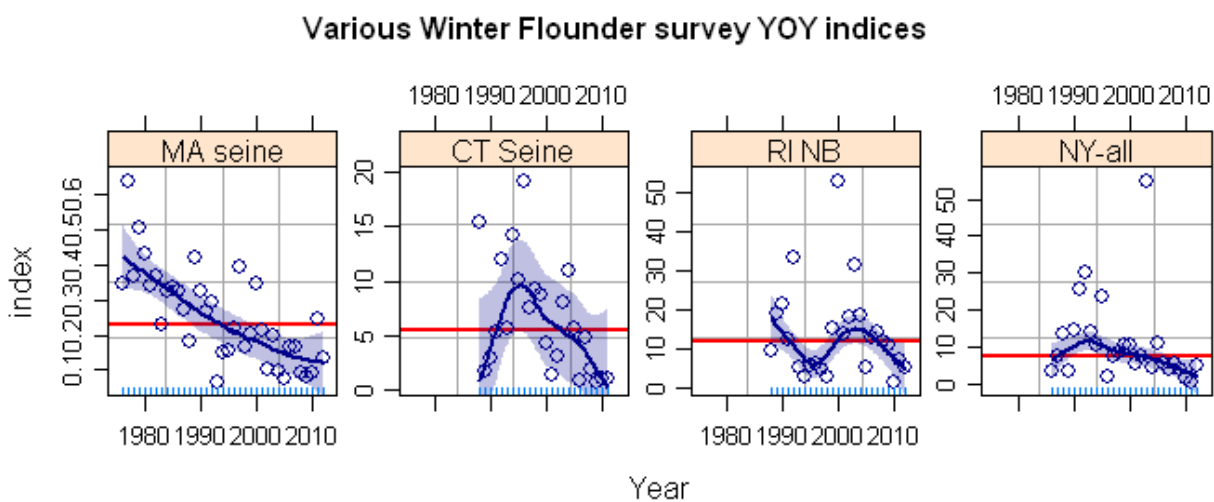


Figure 6. Young of the year indices from four state surveys. Note that series cover different periods. Y-axis scales vary among panels. Red line is time series median. Blue line is loess fit with span=0.5 and family=symmetric.

Annual percentage change in SSB (1981-2010)

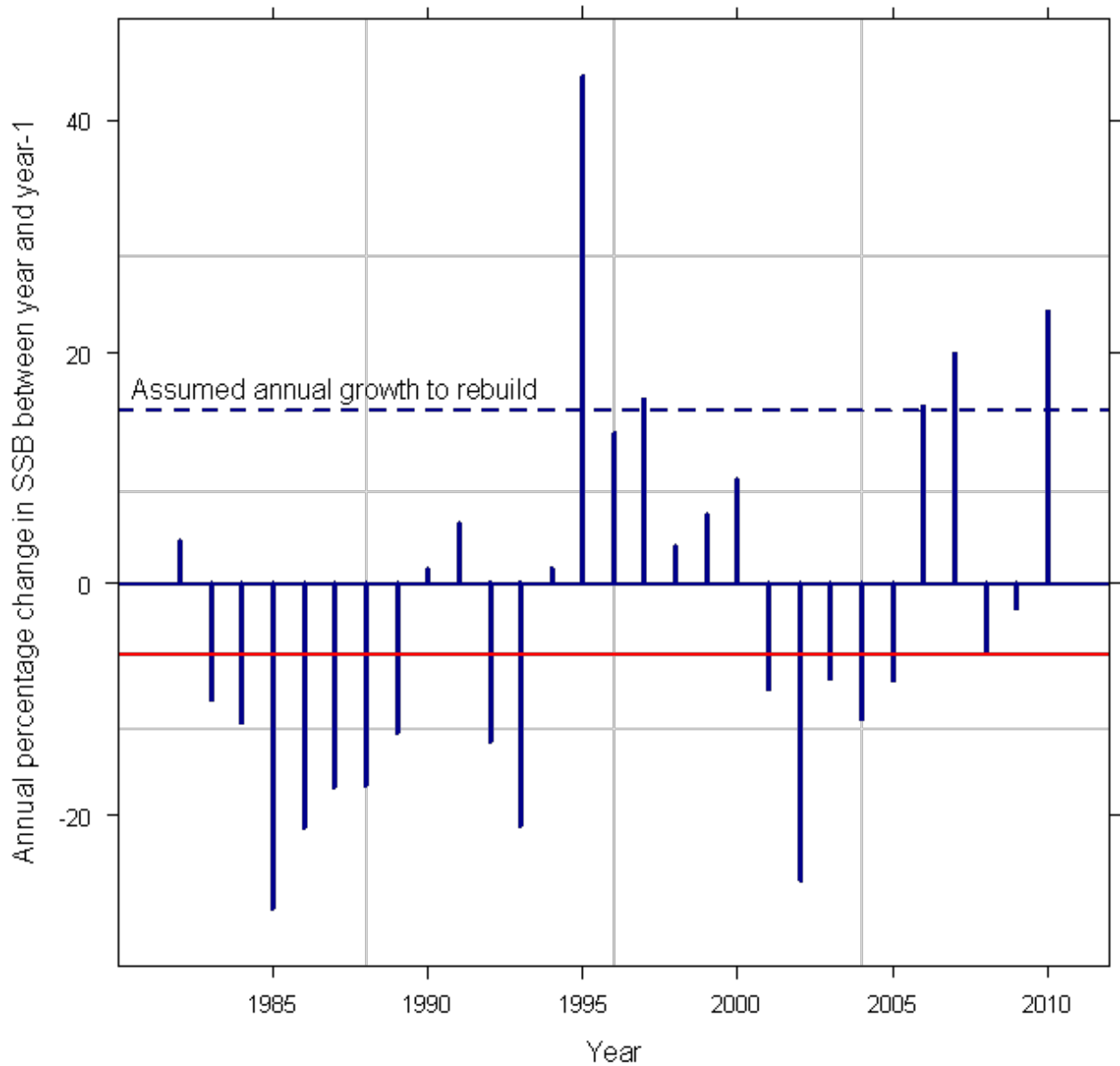


Figure 7. Annual percent change in SSB from 1981-2012. Red dashed line is median percent change over the entire period. The blue dashed line is the average annual percent increases in SSB to rebuild by 2023.