



# Atlantic States Marine Fisheries Commission

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

---

## Winter Flounder Technical Committee Call Summary

January 6, 2021

**Technical Committee Members in Attendance:** Paul Nitschke (Chair, NEFSC), Timothy Daniels (NJ), Paul Nunnenkamp (NY), David Ellis (CT), Alex Hansell (MA), Tony Wood (NEFSC), Richard Balouskus (RI)

**ASMFC Staff:** Dustin Colson Leaning

The Winter Flounder Technical Committee (TC) met via conference call to review the Gulf of Maine (GOM) and Southern New England/Mid-Atlantic (SNE/MA) stock assessments, New England Fishery Management Council recommendations for federal specifications, and commercial and recreational fishery trends and to discuss whether adjustments to state water specifications should be made for the 2021 fishing year.

### Stock Status

The Winter Flounder TC began by reviewing stock status information for both the GOM and SNE/MA stocks. Based on the 2020 management track assessment, the GOM stock biomass status is unknown and overfishing is not occurring. Biomass (30+ cm mt) in 2019 was estimated to be 2,862 mt. The SNE/MA stock is overfished, but overfishing was not occurring in 2019. The SNE/MA spawning stock biomass (SSB) in 2019 was estimated to be 3,959 (mt) which is 32% of the biomass target (12,261 mt), and 64% of the biomass threshold (6,130.5 mt) for an overfished stock. The stock is in a rebuilding plan with a rebuild date of 2023. However, a projection using assumed catch in 2020 and  $F = 0$  through 2023 indicated about a 5% chance of reaching the SSB target. Both the SSC and the stock assessment peer review panel discussed the need to better characterize the role that environmental indicators and climatic shifts play in the SNE/MA stock's depleted stock status. Fishing pressure on the stock has significantly decreased, but recruitment has continued to decline and remains at time series lows.

### NEFMC Recommendations for Specifications

Table 1 displays the sub-ACLs and corresponding state sub-components for both the GOM and SNE/MA stocks. A comparison of the 2020 to the 2021 fishing year sub-ACLs reveals that the GOM sub-ACL was adjusted down by 2% and the SNE/MA sub-ACL was adjusted down by 47% to reflect the results of the 2020 management track stock assessments. The state sub-component is an estimation of what the state recreational and commercial fisheries will harvest each year based on status quo state regulations, however, it is not an allocation. The commercial portion of the state sub-component is caught by vessels that do not hold federal Northeast multispecies permits, and the recreational portion is based on calibrated Marine Recreational Information Program catch estimates. The TC noted that there are no accountability measures associated with the state waters sub-component, meaning there is no payback if the state waters sub-component is exceeded. Table 1 displays the state subcomponents for both the GOM and SNE/MA stocks were set equal to average catch for the years 2017-2019. For the GOM state sub-component this represents a 40% increase, and for the SNE/MA state sub-component this represents a 42% decrease relative to the 2020 fishing year values.

**Table 1. GOM and SNE/MA Specifications and State Sub-component Average Catch.**

Stock	Sub-ACLs		State Sub-component		
	FY20 (mt)	FY21 (mt)	FY20 (mt)	FY21 (mt)	2017-2019 average catch (mt)
GOM	287	281	139	194	195.6
SNE/MA	539	288	36	21	19.9

**Technical Committee Recommendations**

The TC did not recommend any changes to the state waters specifications for the 2021 fishing year. The TC reasoned that any adjustments to commercial or recreational measures would invalidate the Groundfish PDT’s state sub-component analysis of recent catch, which was based off of the assumption that the current effort control measures would remain in place. The commercial and recreational measures listed in tables 2 and 3 have been in place since 2014. To change the measures would alter the state sub-component catch projection that the Groundfish PDT already accounted for in the setting of federal waters specifications. The TC also commented on the recent downward trend in the SNE/MA state sub-component catch. This trend suggests that state catch is unlikely to contribute to a sub-ACL overage for the 2021 fishing year.

The TC also highlighted the SNE/MA commercial trip-limit analysis that was conducted in 2018, which further supports the recommendation to leave measures unchanged. The 2018 TC analysis revealed that relatively few trips appear to be exclusively targeting winter flounder, and very few trips were at or near the trip limit of 50 lbs. This indicates that a reduction in the SNE/MA trip limit is unlikely to decrease total catch. The analysis suggests that the 50 lb trip limit is achieving its stated goal of solely accounting for bycatch. The TC reasoned that if the 50 lb trip limit were reduced, it could convert incidental catch of winter flounder from landings to discards. In other words, the TC was concerned that reducing the trip limit would not achieve a reduction in F, but would instead create a wasteful regulatory discarding issue under limited monitoring. One TC member also shared the view that the current commercial and recreational limits allow for the collection of valuable scientific information. If instead fishermen were required to discard the winter flounder they caught incidentally due to more restrictive limits, there would be less data on winter flounder landings with increased unknown mortality through discards, which would likely result in higher uncertainty in the stock assessment.

TC representatives from SNE/MA states shared stakeholder comments who say that the recreational bag limits are often not being met and thus are not limiting because winter flounder abundance is so low. Additionally, commercial fishermen say that there are no directed state permit commercial fisheries for winter flounder and so the commercial trip limits are not being met frequently either. The TC noted that there is a mismatch between the recreational measures in federal versus state waters (table 3). The bag limit is unlimited with a year round open season in federal waters, while much more restrictive measures are in place in state waters in the GOM and SNE/MA. The TC clarified that even if anglers fished in federal waters, they would need to abide by the stricter regulations when traveling back through state waters. In effect, recreational anglers are beholden to the state water measures so the mismatch between state and federal water recreational regulations is not an issue.

Lastly, the TC cautioned about the SNE/MA stock’s low probability of rebuilding to the biomass target by 2023 and the resulting consequences that could occur. If the stock is not able to meet the biomass target by the end of the rebuilding plan, there may be further reductions in fishing mortality, which

could result in a lower ABC. However, the TC is more concerned that fishing mortality may not be the cause of the stock's inability to rebuild since fishing mortality has been low for over a decade. More analysis is needed to better understand how environmental indicators play a role in winter flounder recruitment. This will likely need to be addressed through the next research track stock assessment.

**Table 2. Commercial Fishery Winter Flounder Regulations.**

<b>State</b>	<b>Stock Unit</b>	<b>Size Limit</b>	<b>Trip Limit</b>	<b>Seasonal Closure (dates inclusive)</b>	<b>Min. Mesh Size</b>
<b>Maine</b>	GOM	12"	500 lbs	May 1 – June 30	6.5"
<b>New Hampshire</b>	GOM	12"	500 lbs	April 1 – June 30	6.5"
<b>Massachusetts</b>	GOM	12"	500 lbs	Open all year	6.5"
	SNE/MA	12"	50 lbs	Open all year	6.5"
<b>Rhode Island</b>	SNE/MA	12"	50 lbs	Open all year	6.5"
<b>Connecticut</b>	SNE/MA	12"	50 lbs or 38 fish	March 1 – April 14	6.5"
<b>New York</b>	SNE/MA	12"	50 lbs	June 14 – Nov 30 (for all gear besides fyke nets, pound and trap nets)	6.5"
<b>New Jersey</b>	SNE/MA	12"	38 fish	June 1 – Nov 30 (all gear except for fyke nets) Feb 20 – Oct 31 (Fyke net)	6.5"

**Table 3. Recreational Fishery Winter Flounder Regulations.**

<b>State</b>	<b>Stock Unit</b>	<b>Creel Limit</b>	<b>Size Limit</b>	<b>Seasonal Closure (dates inclusive)</b>
<b>Maine</b>	GOM	8	12"	Open all year
<b>New Hampshire</b>	GOM	8	12"	Open all year
<b>Massachusetts</b>	GOM	8	12"	Open all year
	SNE/MA	2	12"	January 1- February 28
<b>Rhode Island</b>	SNE/MA	2	12"	January 1 – February 28
<b>Connecticut</b>	SNE/MA	2	12"	January 1 – March 31
<b>New York</b>	SNE/MA	2	12"	May 31 – March 31
<b>New Jersey</b>	SNE/MA	2	12"	January 1 – February 28
<b>Federal Waters</b>	GOM & SNE/MA	Unlimited	12"	Open all year