

# Atlantic States Marine Fisheries Commission

## Winter Flounder Advisory Panel

### Conference Call Summary

*January 22, 2009*

**Present:** Chris Vonderweidt (ASMFC), Bud Brown (ME, Chair), Charles Witek (NY), Art DeFrancisco (CT), Don Swanson (NH).

The Winter Flounder Advisory Panel (AP) convened via phone conference to consider GARM III and the Multispecies Interim Action Proposed Rule (proposed rule) and make recommendations to the Winter Flounder Management Board (Board).

The AP suggests that the Board take action on February 3, 2009 to prohibit all fishermen from possessing winter flounder for both the Gulf of Maine (GOM) and Southern New England/Mid-Atlantic (SNE/MA) stocks. They also caution the Board that waiting until the May meeting will allow fishermen to set nets on winter flounder spawning grounds allowing them to remove individuals from the most important component of the stock.

The proposed rule is appropriate for the SNE/MA stock but will not be sufficient to rebuild depleted GOM stocks. Prohibiting possession in state waters will effectively protect the GOM winter flounder in both state and federal waters in light of insufficient regulation in the proposed rule. Prohibiting possession for the SNE/MA winter flounder will eliminate the possibility of regulatory loopholes, ensuring protection even if the Final Interim Action Proposed Rule contains measures that are less restrictive than the proposed rule. The prohibition on possession should be in place until the next stock assessment. When the results from the next stock assessment become available, management can adapt management accordingly.

The AP is confident that the GOM stock is likely in as poor shape as the SNE/MA stock is. They agree that even if the GOM stock is not yet at 9% biomass, it is moving in that direction and preventative measures should be enacted now to prevent a stock collapse. They were quick to point out that managers should not let shortcomings of the assessment (*likely* overfished with overfishing *likely* occurring) hinder rebuilding.

The AP agree that the social and economic impacts of prohibiting possession of winter flounder should be minimal because very few fishermen catch them. Recreational fishermen rarely catch winter flounder and do not catch enough to max out their possession limit of 8 and 10 fish for GOM and SNE/MA respectively.

The AP also agree that habitat loss and poor water quality are part of the reason why these stocks are so low. They would encourage the Board to look at ways to restore and protect habitat and improve water quality.