

Atlantic States Marine Fisheries Commission

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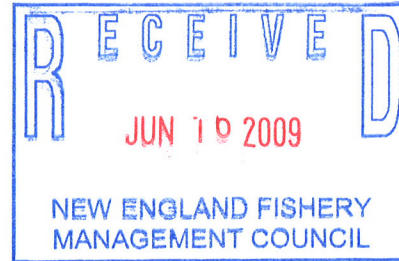
George D. Lapointe (ME), Chair
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John V. O'Shea
 Executive Director

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

June 9, 2009

Patricia A. Kurkul
 Regional Administrator
 National Marine Fisheries Service
 55 Great Republic Road
 Gloucester, Massachusetts 01930-2276



Dear Ms. Kurkul,

The Atlantic States Marine Fisheries Commission's Winter Flounder Management Board (Board) provides the following comments on the Northeast Multispecies Final Interim Rule (Rule) as published in the Federal Register on April 13, 2009 (0648-AW87).

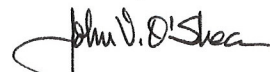
The Board supports the actions taken in the Rule to reduce fishing mortality to achieve F_{msy} for the Gulf of Maine (GOM) stock and initiate rebuilding the Southern New England/Mid-Atlantic (SNE/MA) stock. Through the recent approval of Addendum 1 to the Interstate Fishery Management Plan for Inshore Stocks of Winter Flounder, the Board took action to reduce fishing mortality in state waters and prevent effort from shifting into state jurisdictions. A summary of the actions taken by the Board is attached.

While the actions taken by the National Marine Fisheries Service and the Board will not achieve the $F_{rebuild}$ target for the SNE/MA stock, they are a critical first step to significantly reduce fishing mortality and initiate rebuilding. The Board foresees that additional actions will need to be taken to achieve the rebuilding goals for this historically important resource. Those actions include: the renewal of the Rule prior to its expiration, continued conservative measures under Amendment 16 to achieve $F_{rebuild}$, and consideration of time area closures to minimize the impacts of bycatch.

The no-possession provision of the Rule for the SNE/MA stock will likely raise concerns about increased bycatch. Increased at-sea observer coverage will be needed to determine the magnitude of winter flounder bycatch. The no-possession provision will also reduce the data available to support future stock assessments; however this data can also be collected through increased observer coverage.

The sacrifices needed to restore these stocks will place significant burdens on the recreational and commercial fishermen. However, given the status of the SNE/MA stock, these sacrifices are necessary to generate the future benefits provided by rebuilt winter flounder populations.

Sincerely,


 John V. O'Shea

cc: Winter Flounder Management Board

CONNECTICUT, DELAWARE, FLORIDA, GEORGIA, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE,
 NEW JERSEY, NEW YORK, NORTH CAROLINA, PENNSYLVANIA, RHODE ISLAND, SOUTH CAROLINA, VIRGINIA

Summary of Management Measures in Addendum I to the Interstate Fisheries Management Plan for Inshore Stocks of Winter Flounder

Gulf of Maine Recreational: States adjacent to the GOM stock are required to implement measures to reduce F in the recreational fishery by 11% from the average of 2006-2007. Reductions can be achieved through bag limits, seasons, or other measures that will achieve an 11% decrease in F. States are required to maintain the 12” minimum size limit and 8 fish bag limit as established in Amendment 1.

Gulf of Maine Commercial: Commercial vessels that have not been assigned a federal groundfish permit may possess a maximum of 250 lbs of winter flounder. The Winter Flounder Technical Committee (TC) estimated that a 250 pound possession limit will reduce harvest levels by 31% for vessels that only fish in state waters. States are required to maintain the 12” minimum size limit and 6.5” mesh size as required by Amendment 1.

Southern New England/Mid-Atlantic Recreational: Recreational anglers may possess a maximum of 2 winter flounder that were taken in state waters of the SNE/MA stock area. The TC estimates that a 2-fish bag limit will reduce harvest by 46% for anglers that only fish in state waters. States are required to maintain the 12” minimum size limit and maximum 60 day open season with 20 days closed during March and April as established in Amendment 1.

Southern New England/Mid-Atlantic Commercial: Commercial vessels that have not been assigned a federal groundfish permit may possess a maximum of 50 lbs of winter flounder. The TC estimates that a 50 pound possession limit will reduce harvest by 65% for vessels that only fish in state waters. States are required to maintain the 12” minimum size limit and 6.5” mesh size as required by Amendment 1.