Mid-Atlantic Fishery Management Council
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Phone: 302-674-2331 | FAX: 302-674-5399 | www.mafmc.org
Richard B. Robins, Jr., Chairman | Lee G. Anderson, Vice Chairman
Christopher M. Moore, Ph.D., Executive Director

MEMORANDUM

Date: November 23, 2015

To: Council

From: Kiley Dancy and Julia Beaty, Staff

Subject: Summer Flounder Recreational Measures for 2016

The Council and the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Board (Board) will consider recreational measures for summer flounder in 2016. The following materials are enclosed for Council and Board consideration of this subject:

1) Advisory Panel meeting summary for summer flounder from November 17 webinar
2) Advisor email comments relevant to summer flounder
3) Monitoring Committee recommendations for summer flounder from November 9-10 meeting
4) Summer flounder staff memo dated November 6, 2015

The Council and Board must recommend that the 2016 recreational fishery be managed either under conservation equivalency (state-by-state or regional) or with coastwide measures. If recommending coastwide measures, the Council and Board will need to specify a bag limit, size limit, and season to be implemented in all states and federal waters. If recommending conservation equivalency, the Council and Board must recommend a set of non-preferred coastwide measures and a set of precautionary default measures.[1] Under conservation equivalency, the Commission's Technical Committee would develop proposals for specific state or regional measures in early 2016.

The Board will need to consider approving Addendum XXVII for public comment. The portions of this addendum pertaining to summer flounder contain options for addressing recreational measures in Delaware Bay under regional conservation equivalency.

[1] An explanation of these measures can be found in the staff memo and the Monitoring Committee recommendation summary.

Summer Flounder, Scup, and Black Sea Bass Advisory Panel Meeting Summary
2016 Recreational Measures
November 17, 2015, 4PM-7PM

Council Advisory Panel attendees: Monty Hawkins (MD), Skip Feller (VA), Mary Fabrizio (VA), James Fletcher (NC), Harvey Yenkinson (PA), Carl Benson (NJ), Jeff Gutman (NJ), Brady Lybarger (NJ), Greg Hueth (NJ), Mike Plaia* (CT), Jan McDowell (VA), Bob Pride (VA)

Commission Advisory Panel attendees: Marc Hoffman (NY), Jack Conway (CT), Paul Forsberg (NY), Art Smith (NC), Buddy Seigel (MD), Bill Shillingford (NJ), Ken Neill (VA), Victor Bunting (MD), Mike Plaia* (RI), Robert Busby (NY)

Other attendees: Kiley Dancy (Council staff), Kirby Rootes-Murdy (Commission staff), Julia Beaty (Council staff), Delaware Family Fishing, EC Newellman, Angel Willey (MD DNR), Tom Trageser, Frank Kearney

***Serves on both Council and Commission Advisory Panels.

Summer Flounder

Comment Summary:

Advisor opinions regarding regional conservation equivalency were mixed. Several advisors from New Jersey spoke against regional management, stating that it has negatively impacted southern New Jersey due to the disparity in measures in Delaware Bay. Some advisors expressed frustration with restricted seasons that in combination with restrictions on other fisheries result in boats sitting at the dock with nothing to target. Others expressed frustration with high discards of summer flounder and the rarity of anglers finding keepers to bring home. Several advisors commented in favor of developing alternative management strategies that might help address these issues, such as a slot limit or allowing a few fish in each of several size classes. Another advisor requested a cumulative length limit, where any size could be kept up to a certain total length, with required retention. A few advisors noted that a major factor driving availability and catch trends is water temperature and annual weather patterns, and these need to be considered.

Detailed Comments (paraphrased):

Harvey Yenkinson: I fish in southern NJ. The 2015 projected catch is much lower than the 2016 harvest limit and given we've had such low recruitment, it's not likely at all that we'll exceed the 2016 limit even if we keep measures the same. With recruitment being low, many boats are coming back with no keepers. Many people have given up fishing for that reason. A lot of recreational businesses in southern Jersey are doing poorly. I am not a big fan of regional management; it was a political decision and not a good move. New Jersey catch has gone down 56% relative to last year. The fisheries are very different in northern vs. southern New Jersey. Lumping them together has been disastrous to southern Jersey. I would strongly encourage the Council and Commission to consider giving southern New Jersey its own region, and we could use the bluefin tuna line of demarcation. We should also look at alternative strategies such as allowing one fish at 17.5" and another fish at 18", so at least people could come home with one fish. Another issue is the current seasonal closures: at one time we used to be able to fish well into October.

The fall is tricky with weather and the fish are moving offshore. When the season is closed, boats just sit in the marina and supplies are not sold. We need to think about keeping the fishery open longer. Few fish would actually be caught during that time and we could make the other measures more restrictive, but leaving the season open longer would leave something to fish for. The process needs to keep in mind sequential fisheries. Generally if we have to choose, I would prefer keeping the season open longer over adjusting other measures.

Bill Shillingford: I agree with Harvey's comments. South Jersey is being hit very hard. Marinas are closing. I know of at least eight boats in this area that have taken their boats to Delaware due to the regulations. I would strongly recommend addressing the Delaware Bay regulations.

Greg Hueth: I'm commenting from a New Jersey perspective. A slot limit is something we need to entertain further. We could take less fish. We could go with 4 fish if we were allowed 2 fish at 16-18" and 2 fish above 18". It would make a lot of people happy from a social and economic standpoint and hopefully would make sense from a scientific standpoint as well. Discards would go down, and so would mortality. It would keep people open and in business longer. There is something wrong with the science. I am also not a fan of regional management. We should at least look at the possibility of managing with a slot limit. We are overfishing the larger females, and the slot limit would address this. We need to take some males out as well.

James Fletcher: What the numbers do not reflect is how many undersized fish are being killed. The Council and Commission should consider a cumulative length limit with mandatory retention. The recreational landings may be under the harvest limit, but slaughter on undersized fish has increased. MRIP intercepts don't ask about discards: dead discards when the season is closed are not being accounted for.

Marc Hoffman: There will always be issues wherever there is a boundary between regions or states. This will not change; wherever you draw line there will be regulation differences. As for the low catch, this past year we had a very long and late winter. The fish historically come into the eastern region at the end of April, and normally the season starts in early May and runs there through early June and then moves on to other areas. This year they didn't show up until mid-June. Another factor is the sea bass, which are highly territorial.

Carl Benson: I agree completely. I've looked at the time series data. I've fished every year for summer flounder with hook and line. This year the fish did not come in at the beginning of May. The numbers were very depressed. I caught about a third of what I normally catch. 1989 saw a huge drop in landings, strictly due to over 10 inches of rainfall in the northeast, which changed the salinity. If conditions change in 2016, landings may come in closer to 7 million lb, meaning we may have to pay back the following year if we go over. We have to stop catch and release fishing for summer flounder: that has not been successful. We have to eliminate waste. We should set a low bag limit: 4 fish, no high grading, no minimum size, and require a 7/0 hook size. In my area, fishing is catch and filet, not catch and release.

James Fletcher: I agree with Carl.

Marc Hoffman: Water temperature needs to be taken into consideration. I didn't catch any fish in May. Water temperatures were low.

Jeff Gutman: A slot limit is something we should take a hard look at to avoid killing off all the breeding fish. I also agree with south Jersey guys, as they need fish they can keep to remain competitive with Delaware. People need something to fish for and something to take home. I support this being addressed for Delaware Bay, but it seems contrary to regional management. There would be so many regions that it would make sense to go back to state by state and let states determine what works best for their anglers.

While alternative methods like cumulative limits and required retention seem like good ideas in theory, they don't seem feasible in practice, at least not in the for-hire sector. They would be difficult to enforce, and there would be high grading. Management seems to be somewhat backwards; it's either one of two things: we need to reduce because we're catching too many because there are so many out there, or there aren't enough fish out there so we need to be cautious and not liberalize. Fisheries management is losing credibility. No matter what happens the advice is to not liberalize.

Greg Hueth: Regional management has been a disaster. If we went back to state by state we would have a better idea of how to stay within the guidelines we need to follow. With regional management, it's difficult to watch what your neighbor is doing. I agree with Jeff's comments on the data. We're fishing for the wrong fish: the large females. Now recruitment isn't what we thought it would be but we continue to take big fish. A slot limit really needs to be addressed.

Art Smith: The biggest issue is discards. I agree with whoever said catch 4 fish and go home, and with Fletcher's idea about a total length limit. I really believe that discards are what's hurting the fishery.

Dancy, Kiley

From: Kirby Rootes-Murdy <krootes-murdy@asmfc.org>
Sent: Tuesday, November 17, 2015 9:50 AM
To: Dancy, Kiley; Beaty, Julia
Subject: FW: AP WEBINAR

fyi

From: captain [mailto:rbusby@optonline.net]
Sent: Tuesday, November 17, 2015 9:04 AM
To: Kirby Rootes-Murdy <krootes-murdy@asmfc.org>
Subject: AP WEBINAR

Hi Kirby,
Hope all is well with you folks down there. I met last evening with our local Captains regarding the Monitoring Committee recommendations.
Summer Flounder:
1- We are not necessarily opposed to regional management at this time.
2- We understand that there will be reductions although we do not necessarily agree with the reasons for or the need to do so.
3- We would implore that cuts not be made at the front end of the season. These days are vital to our survival as viable businesses.
4- We disagree vehemently with the "45 day rule". We believe it to be unfounded as well as unecessary.
5- We would ask that reductions be made from size and bag limit not length of season which has already been severely reduced.
SCUP:
1- We support regional management regarding Scup. Size and bag limit seem reasonable
Black Sea Bass:
1- The stock seems to be prolific at this time. Recruitment would seem to be good. As an anecdote, the boat next to me fishes commercially for lobster and whelk and says he has never seen so many Juvenile sea bass.
Regards,
Capt. Bob Busby
New York

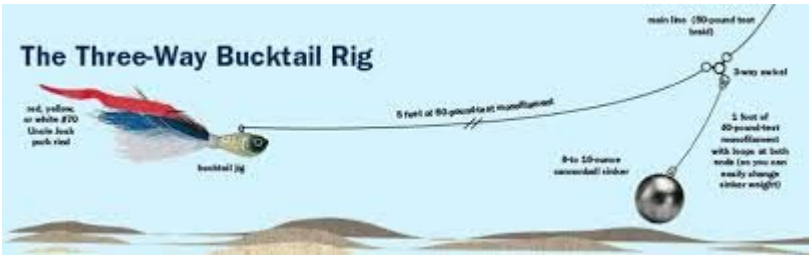
Dancy, Kiley

From: bob pride <bobpride@gmail.com>
Sent: Thursday, November 19, 2015 1:36 PM
To: Dancy, Kiley
Subject: Re: Draft AP webinar summary for review

Kiley,

The summary appears to have captured the part of the meeting I heard. I do think a nuance of Fletcher's comments about summer flounder dead discards during closed seasons were omitted. He mentioned by-catch in striped bass and bluefish recreational fisheries as examples. I tried to break in and comment, but was not successful. First, summer flounder when targeting bluefish is extremely rare. Bluefish trolling is typically mid-water and casting is top water. So, that leaves bait fishing. Bait fishing for bluefish typically involves fishing a two hook rig with some flash and bait. Unless you are drifting, encountering flounder in that circumstance is not common. It is more a surf/shore/pier technique than a boat technique anyway. As far as striped bass, the only techniques I know about that encounter summer flounder routinely is trolling with heavy weights and using a long leader from a three way swivel with a short dropper to the sinker. See image "Three-Way Bucktail Rig".. When fishing for stripers, I typically use a 30-60" dropper to the sinker. When targeting flounder, I would use a 6-12" dropper. Some of the weights now include hooks by molding a second eye at 90 degrees to the first and directly, or with a short leader attaching a feathered or baited hook. The key here is that the hook needs to be close to the bottom the catch flounder. So I disagree with Fletcher.

Bob



Dancy, Kiley

From: Vetcraft Sportfishing <vetcraft@aol.com>
Sent: Tuesday, November 17, 2015 3:24 PM
To: Dancy, Kiley
Subject: Re: AP webinar for 2016 rec. measures: Tues. Nov. 17th, 4-7 pm

Kiley

I would like to submit the following comments regarding our fluke management practices, in specific, suggestions that I feel are appropriate for the southern NJ and Delaware Bay area:

Information provided to the summer flounder, scup, and sea bass advisory panel tells us that the projected catch for fluke for 2015 is 4.69 million pounds and the RHL for 2016 is 5.42 million pounds. With recruitment below average for the previous four years, and rather good weather for 2015 with no hurricanes, there is little reason to think we will catch better in 2016 than we did in 2015, in fact, I would be willing to venture that the catch will be lower if regulations are left unchanged as I understand is being recommended by the SSC and the monitoring committee.

With that being said, I would like to comment on the plight of the businesses related to recreational fishing in the southern NJ and Delaware Bay area, and how it is currently affected by regional management. The information we were provided states that New York caught 7% less poundage comparing 2015 to 2014 when they were able to decrease their limit size to 18" from 19". With New Jersey keeping their size limit at 18" our catch was 56% less comparing the same years. Interestingly, even Delaware which fished at a 16" minimum length, caught 52% less comparing those two years.

With the implantation of the current regional management plan, a plan passed on politics and not good fishery management practices, the results were to create unreasonable and unnecessary hardship for the businesses in southern New Jersey. Many businesses including tackle shops, head boats, charter boats, and marinas are either up for sale, out of business, or showing diminished returns due to the restrictive regulations.

I would suggest the following to help southern NJ and Delaware Bay recreational fisheries businesses:

I would consider changing size limits to those more appropriate for the area. I know management is greatly concerned about exceeding the ACL but there are several reasonable options that should not cause that to happen. One consideration would be to make southern NJ and Delaware Bay their own region, using the demarcation line for Bluefin north-south as the division line. A reasonable size regulation for that region would be 17or 17.5 inches. At the minimum Delaware Bay needs to be its own region with a size limit near or the same as Delaware, though I think the first option for a new region to be the most fair and reasonable.

If regional management can not be changed in this way, I would suggest reducing the size limit to 17.5 inches. If the SSC feels this would exceed the ACL, I would consider one fish at 17.5 and the others over 18", so folks would be more likely to be able to take home a fish for dinner. If even this would be likely to exceed the ACL, which I doubt, a slot limit could be instituted for fluke.

On another related topic, seasonal closures for fluke, I would like to submit the following for consideration. I understand that the most effective way to reduce recreational fisheries catch is to reduce the length of the season. Unfortunately, on a practical basis, this can be devastating for areas like southern New Jersey. When fluke closed on 9/26, there was little to fish for till 10/22 when sea bass opened. During this time boats sat at the dock, marinas sold very little fuel, and bait and tackle shops were idle. With the fall striped bass fishery in southern NJ now very limited, the loss of a good fluke fishery could be devastating to the marine industries in the area.

I would suggest that fluke season be left open in the fall, and in fact, that all fishery management practice consider the necessity of sequential seasonal quotas to always have a fishery available to support the economy of the area. In reference to fluke fishing in the fall, there are a very limited number of days that the weather lets boats get out, and sometimes hurricanes shut it down completely for a week or so. Also the fluke start moving offshore that time of year making the catches considerably smaller then typical summer days. I think if the SSC projected wave data to what a "wave 6" period would look like, very few fish would be caught during this time frame, but at least there would be a fishery available to keep people fishing. In a worst case scenario, wave 6 could have much more restrictive regulations but at

least boats would sail in hopes of a catch. An example would be 1 fish over 20" and 1 fish over 23" or something like that.

Respectfully submitted,

Captain Harvey Yenkinson VMD, member advisory panel fluke, scup, and sea bass.

Dancy, Kiley

From: Kirby Rootes-Murdy <krootes-murdy@asmfc.org>
Sent: Wednesday, November 18, 2015 8:58 PM
To: Dancy, Kiley
Subject: FW: AP webinar for 2016 rec. measures: Tues. Nov. 17th, 4-7 pm

fyi

From: Conway, John D SIK [mailto:JConway@sikorsky.com]
Sent: Wednesday, November 18, 2015 4:59 PM
To: Kirby Rootes-Murdy <krootes-murdy@asmfc.org>
Subject: RE: AP webinar for 2016 rec. measures: Tues. Nov. 17th, 4-7 pm

I enjoyed the late afternoon conference call.

From a CT perspective I would like to submit the following comments.

1. Summer Flounder – the recreational fishing community in CT will be somewhat relieved to hear that the 2016 regulations will remain status quo. The CT fishing experience over the past several years has been that the fishery is better early in the year and rapidly degrades. A somewhat strong run of fish in May and June with a poor July/August fishery and September is even worse. In somewhat interesting news, I have new friends that fish summer flounder tournaments in multiple states, their overall comment is that the winning fish are much smaller, typical winning fish used to weigh in excess of 10 pounds (even as high as 13 pounds) , 2015 winners in multiple tournaments were all under 10 pounds. (just something to ponder)
2. Scup – as I stated during the call, the scup fishery in LIS over the past several years has been somewhat poor (and this is reflected in the landing data). It's actually concerning, if the stock assessment is correct I can't understand why CT is not having a banner scup fishery. The deep water reefs that are popular for tautog in Central LIS used to be loaded with scup in early tautog season, over the past several years this fishery has been very poor. In addition, to the poor fall fishery, the overall summer fishery has also been poor. There are short periods of good fishing followed by long periods of very poor fishing. CT is not landing scup due to the simple fact the fishery in LIS is a shadow of what it used to be.
3. Sea Bass – in CT the sea bass fishery has exploded and many anglers that used to target striped bass (including charter boats) are heavily targeting black sea bass. They have become the new target species for many CT anglers, in some respects the modest bag limit is a good thing if this fishery becomes the "new normal". With poor striped bass fishing, a summer flounder fishery that peaks and ends early and a somewhat troubling scup fishery, sea bass have become a very important component of the recreational fishery in LIS from a CT perspective. They are also providing relief related to a tautog fishery that is experiencing overfishing. In short, sea bass can provide a "relief valve" and provide angling opportunity as other species become less available.

Thanks- Jack

Comments from Carl Benson (11/24/15):

THERE ARE MANY FRUSTRATIONS EXPRESSED BY THE ADVISORS, SOME BEING WITH METHODS AND OTHER WITH THE RESULTS.

I WILL EXPRESS MY VIEWS, CONCERNS, OPINIONS AND RECOMMENDATIONS.

PLANNING

A few years ago, advisors' suggested that long term planning was needed. Three and five year plans were discussed. When the three year plan appeared, I recognized that management was listening to the advisors. Unfortunately I could not attend the 2014 meeting, but at the 2015 meeting I was taken aback that a fixed end point three year plan had been installed. A fixed point plan is appropriate where the goal is to be completed within the timeline. Building bridges, homes, and the World Trade Center, or landing on the MOON are appropriately used as a fixed end point plans. The flounder fishery does not have a fixed endpoint. Fisheries are expected to be in perpetuity. As we see in 2013, there was a 3 year plan. In 2014, we then had a 2 year plan and in 2015, there was a one year plan. The original discussion was to have 3 year plans to be able guide their fisheries dependent businesses. **How would this have helped?** The 2013-2015 plans, I assume, was based on the best information available. When 2013 data was complete and analyzed, a forecast of 2016 should have been created with the best info available, to generate a new 3 year plan 2014-2016. There were concerns that poor recruitment was occurring which leads to reduction of the biomass. That fact should have lowered the 2016 target. As 2014 was concluded, similarly the best info available should be applied to 2017 and the 2015-2017 plan created, and similarly with the conclusion of 2015 creates 2016-2018 plan. This type of 3 year moving planning takes out large swings and gives the businesses depending on the plan, the info they need from management.

PLANNING RECOMMENDATION

Install a planning continuum that meets the needs of fishery dependent businesses.

The council and staff have a focused knowledge in science, biology, and fisheries. The states provide council members and the logical choice seems to be the above backgrounds. In a sense, this is narrowing. Management should look to retired heads of companies or other business professionals to consult with the group to expand the group's knowledge. Northeast US has a wealth of highly skilled business personnel that could provide insight and options; much like a Board of Directors performs for companies. Like other advisors there would be no compensation.

USE OF ADVISORS

Advisors are available to add a dimension that's lacking from the normal data gathering procedures. In the handouts, it was rationalized why the 2016 RHL should not change. Many fishers are happy with this recommendation. The fact that fewer flounder were caught is clear. I personally landed 1/3 of my normal catch. The assumption (that poor recruitment and decline in biomass caused lower landings in 2015) can be tested against the commercial fishery results. If, the draggers did not land their quota or it took significantly longer tow times or the size of fish landed were not within historic ranges, then the assumption can be supported. If not then the assumption is questionable.

ANOTHER ASSUMPTION AS TO WHY THE LOWER LANDING RATES OCCURRED was provided by the advisor group. We had a cold winter, which by itself, in New Jersey, does not affect flounder migration west. Prevailing west wind did not materialize. However, we had many days during April and May of south winds. South wind upwelling causes the bottom temperature to remain low. Flounder seem to need the warmer water coming out of the bays and rivers to guide them. I tried to test this assumption, but the data of water temperature is surface temperature and not representative of bottom conditions.

SO, WHY IS THIS IMPORTANT? If normal conditions occur, the 2016 flounder harvest should return to prior levels. A similar condition occurred in 1989, when a severe drought occurred in 1988-89. New York was planning to impose water restrictions. It started to rain in April and in May there was 10+ inches reported in Central Park and more rain came in June. The flounder showed up in August. The 1988 landings were 14,624,000 and the 1989 landings dropped to 3,185,000. I assume that lower salinity issues caused the decline in landings.

USE of ADVISORS RECOMMENDATIONS

An email asking for advisor input as to why such lower landings occurred, would have provided an observational assumption that was not evaluated.

It is possible that both assumptions are correct. The stocks are declining and cold water hampered the flounder from coming into the rivers and bays.

The current plan assumes flounder landings will remain low. That assumption can have payback repercussions for 2017 and can doom recreational dependent businesses. This is **ALL IN. Review this decision.**

INSUFFICIENT LANDING OPTIONS DISCLOSURE

Each year I hear options to allow for smaller fish to be landed. Greg Hueth and Jeff Gutman both supported a slot allowance. James Fletcher suggested a cumulative length limit. This is not the first year for these suggestions. Management provides non-preferred coastwise measures and precautionary default measures. What is needed for full disclosure is length of season and possession limit reductions per fish per inch of size reduction. Not having the cost side of the equation makes it impossible to evaluate these suggestions.

INSUFFICIENT LANDING OPTIONS DISCLOSURE RECOMMENDATIONS

This is only a mathematics problem, provide option costs. We have more serious problems to solve, rather than guessing at solutions.

SUMMER FLOUNDER AS A CATCH AND RELEASE FISHERY OPTIONS

Management has a responsibility to provide for the future of this fishery. I know of no business where waste is encouraged or demanded. I should say no successful business. I believe there is no livestock business where the breeding females are targeted for removal rather than males. As was

proposed in the commercial flounder fishery, there should be a target of eliminating all discards of flounder.

SUMMER FLOUNDER AS A CATCH AND RELEASE FISHERY RECOMMENDATIONS

1) CATCH AND KEEP

I am proposing that CATCH AND KEEP be the model for the future. I know that the numbers have to be worked out. Let me give an example, catch limit is 4 flounder, any size, May 15- Sept 15, utilizing 7/0 hook. Once you catch 4 you are DONE. If you wish to keep flounder or not is your choice, but 4 and DONE.

This has been practiced on the west coast with salmon and halibut, so it's not a new concept in fishery management.

Disadvantages

COMPLIANCE –any proposal to change status quo has compliance issues. The current system has compliance issues.

Advantages

No discards, therefore no discard mortality.

Transfer the poundage penalty from discard mortality to landings. In 2013 - 2015 landings could have been increased by over 2,000,000 pounds per year rather than be discarded. In 2016 this option could add 1,420,000. pounds to landings. (From Table 5 of 11/06/15 handout)

This option significantly lowers the landing average weight. Takes pressure off female flounder.

Can still target larger or trophy fish by using even larger hooks and baits.

Option can reduce the prevalent unreported compliance issue of catch and filet.

Eliminates the need for MRIP, saves money, and rids management of a THORN, instead base decisions on stock assessment from money saved.

Note: The 2014 BREP study indicated that most hooks labeled for (summer) flounder were in the 2/0 size range. By using 7/0 hooks you will average larger flounder but fewer sub legal fish. By using 7/0 hooks rather than 2/0 hooks, the number of discarded fish is reduced by 65%,

Pilot this option at controlled sites in NJ and CT and Delaware Bay

2). CATCH AND RELEASE ONLY-NO KEEP

Control of the recreation sector is equivalent to herding cats. Trying to find a solution that utilizes the resource and yet remains in control has been a challenge. Recommend a 5/0 barbless hook even though not studied for flounder.

Disadvantages

Many flounder fisher's fish for food. Party and charter boats would not survive.

Compliance- Catch and filet may be the new standard

Advantages

Easy to understand

Eliminates the need for MRIP, saves money, and rids management of a THORN, instead base decisions on stock assessment from money saved.

COMPLIANCE ISSUES

There have been some compliance issues in the commercial sector, but on the whole the checks and balances of fisher and dealer seem reasonable.

The main issue is in the recreational sector. The tone at meetings both local and regional indicates hostility towards management and management decisions. Data collection and the never ending reductions in different fisheries just create mistrust of the system. It’s never good news. With that backdrop, compliance in NJ is very low. Short flounder are landed whole or as filet; the justification is “It costs so much to go fishing, I need to come home with some fish.” And they do. These landing go unreported.

COMPLIANCE RECOMMENDATIONS

Increase penalties for non-compliance, such as financial and captain's permits and fishers license (boat, fishing and hunting). Currently, the penalty is insignificant to be a deterrent.

Summer Flounder, Scup, and Black Sea Bass Monitoring Committee
2016 Recreational Measures Recommendations

Attendees: Mike Bednarski (MA DMF), Greg Wojcik (CT DEEP), John Maniscalco (NY DEC), Peter Clarke (NJ F&W), Rich Wong (DNREC), Steve Doctor (MD DNR), Katie May Laumann (VMRC), Holly White (NC DMF), Kiley Dancy (MAFMC Staff), Julia Beaty (MAFMC Staff), Kirby Rootes-Murdy (ASMFC Staff), Moira Kelly (NMFS GARFO), Mark Terceiro (NEFSC; via webinar)

The Monitoring Committee met on Monday, November 9 and Tuesday, November 10, 2015 in Providence, RI to recommend 2016 recreational management measures for summer flounder, scup, and black sea bass.

Summer Flounder

The Monitoring Committee agrees with the staff recommendation for conservation equivalency in 2016, and recommends continuing the regional approach. Due to concerns about stock status and the benefits of maintaining consistent measures over a number of years, **the Committee recommends *status quo* measures in all regions, with the exception of possible changes in Delaware Bay**. It is particularly important not to substantially liberalize measures in 2016 due to the decline in the harvest limits expected for 2017 and 2018. The Committee is particularly concerned about the unexpectedly low harvest estimate in New Jersey for 2015.

The Committee does not oppose exploration of alternative approaches for addressing the disparity in measures in Delaware Bay; however, the Committee recommends considering this issue in a cautious manner and making any size limit changes in a stepwise manner for 2016. The Committee recommends that additional recreational sampling be conducted in Delaware Bay, to augment sporadic Marine Recreational Information Program (MRIP) sampling at that spatial scale.

Conservation equivalency requires the specification of a set of non-preferred coastwide measures, as well as a set of precautionary default measures.[1] For the non-preferred coastwide measures, the Committee recommends the same minimum size (18 inches TL) and possession limit (4 fish) used in 2015. For the non-preferred coastwide season, the Committee recommends an open season of May 15-September 15. This is 30 days shorter than the non-preferred coastwide season approved for 2015 (a reduction of 15 days in May and 15 days in September, to be more consistent with the current season lengths in the states with the largest harvest). The Committee recommends this

[1] As described in the staff memo, the non-preferred coastwide measures are a set of measures that would be expected to constrain harvest to the RHL if implemented on a coastwide basis. The combination of state or regional measures under conservation equivalency is designed to be "equivalent" to these coastwide measures. The non-preferred coastwide measures are included in the federal regulations but waived in favor of state- or region-specific measures. The precautionary default measures are a conservative set of measures that would be implemented in any state or region that failed to develop measures consistent with the conservation equivalency guidelines.

change to the non-preferred season given that it would be more likely to constrain landings to the 2016 harvest limit if implemented on coastwide basis.

For the precautionary default measures, the Committee recommends the same minimum size (20 inches TL) and bag limit (2 fish) used in 2015. For the precautionary default season, the Committee recommends an open season of May 15-September 15, to be consistent with the recommended changes to the non-preferred coastwide measures that would be more likely to constrain landings to the harvest limit. The Committee considered revising the precautionary default measures to be the combination of the most restrictive measures (bag, size, and season) across all states, but felt that this set of measures may not be sufficiently strict to encourage states to comply with the required regulations.

Mid-Atlantic Fishery Management Council
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Richard B. Robins, Jr., Chairman | Lee G. Anderson, Vice Chairman
Christopher M. Moore, Ph.D., Executive Director

M E M O R A N D U M

Date: November 6, 2015

To: Chris Moore, Executive Director

From: Kiley Dancy and Julia Beaty, Staff

Subject: Summer Flounder Recreational Management Measures for 2016

In August 2015, the Council and the Atlantic States Marine Fisheries Commission's (Commission's) Summer Flounder, Scup, and Black Sea Bass Board (Board) recommended multi-year commercial quotas and recreational harvest limits for summer flounder for the 2016-2018 fishing years, based on the advice of the Scientific and Statistical Committee (SSC) and Monitoring Committee. The final rule implementing the 2016 commercial quota and recreational harvest limit (RHL) has not yet published, but is expected to include a 2016 recreational harvest limit for summer flounder of 5.42 million lb.

The Monitoring Committee must recommend recreational management measures for 2016 that will constrain landings to the recreational harvest limit. The following is a review of recreational catch and landings data for the summer flounder fishery, as well as a staff recommendation as a starting point for discussion.

Recreational Catch and Landings

Recreational catch of summer flounder has fluctuated since 1981, from a peak of 32.06 million fish in 1983 to a time series low of 2.68 million fish in 1989. Landings have fluctuated from a peak of 27.97 million lb in 1983 to a low of 3.16 million lb in 1989. Landings were estimated to be 7.40 million lb in 2014 (Table 1), approximately 5.6% above the 2014 RHL of 7.01 million lb.

Marine Recreational Information Program (MRIP) data for 2015 are incomplete and preliminary. To date, only the first four waves (January through August) of catch and landings data for the current year are available. The Monitoring Committee reviews the MRIP data once wave 4 data are available because the Council and Commission agreed that recommendations need to be made late in the current year (i.e., 2015) to give the states enough time to enact changes in their regulations for the upcoming year (i.e., 2016). Preliminary data indicate that 10.35 million summer flounder have been caught and 1.45 million summer flounder have been landed through wave 4 in 2015. By weight, landings through wave 4 were 4.20 million lb, with the mean weight at approximately 2.90 lb (Table 2).

Preliminary wave 1-4 data for 2015 can be used to project catch and landings for the entire year by assuming the same proportion of catch and landings by wave in the previous year. These projections are

typically assumed to be overestimates for states with more restrictive seasonal measures in the current year, and underestimates for those with less restrictive seasonal measures. However, because state measures under regional conservation equivalency remained *status quo* between 2014 and 2015, the proportions by wave are not expected to differ substantially. Projected catch for 2015 is 11.64 million fish, and projected landings are 4.69 million lb or 1.65 million fish (Table 1).

Landings by state in recent years, in thousands of fish, are shown in Tables 4 and 5 (for waves 1-4 and all waves, respectively).

Past Harvest Limits and Management Measures

RHLs for summer flounder were first implemented in 1993. Since that time they have varied from a high of 11.98 million lb in 2005 to a low of 5.42 million lb proposed for 2016 (Table 5). Under the Council's typical risk policy, this proposed 2016 harvest limit would have originally been lower (approximately 4.20 million lb). However, the SSC, at the request of the Council, recommended a phase-in approach to reductions in catch and landings limits for 2016-2018. As a result, the Council and Board approved a 2016 RHL of 5.42 million lb.

Over the time period from 1993-2001, coastwide measures were in place for all states and federal waters, with possession limits ranging from 3-10 fish and size limits ranging from 14.0-15.5 inches. Starting in 2002, conservation equivalency was implemented, and has been used as the preferred management system each year since. Under conservation equivalency, individual states or multi-state regions set measures that collectively are designed to constrain landings to the coastwide harvest limit. Federal regulations are waived and all anglers are subject to the summer flounder regulations of the state in which they land.

Last December, the Council and Board adopted conservation equivalency for the summer flounder recreational fishery in 2015. Beginning in 2014 and continued in 2015, the Commission's Board approved the use of regional conservation equivalency, as opposed to state-by-state conservation equivalency adopted in previous years. Under this approach, each region adopts the same management measures, and the combination of regional measures is expected to constrain the coastwide harvest to the RHL. In 2015, region-specific possession limits ranged from 2-8 fish with size limits ranging from 15.0-18.0 inches, with various seasons (Table 6).

Under conservation equivalency, the Council and Board must adopt two additional sets of measures: the non-preferred coastwide measures, and the precautionary default measures. The non-preferred coastwide measures are a set of measures that would be expected to constrain harvest to the RHL if implemented on a coastwide basis. The combination of state or regional measures under conservation equivalency is theoretically designed to be "equivalent" to this set of non-preferred coastwide measures. These coastwide measures are included in the federal regulations, but waived in favor of state- or region-specific measures. The non-preferred coastwide measures adopted in 2015 include a 4-fish possession limit, an 18-inch total length (TL) minimum size, and an open season from May 1 to September 30.

The precautionary default measures would be implemented in any state or region that failed to develop adequate measures to constrain or reduce landings as required by the conservation equivalency guidelines.

The precautionary default measures in 2015 include a 2-fish possession limit with a 20-inch TL minimum fish size and an open season from May 1 to September 30.

Accountability Measures

In 2013, the Council modified the recreational accountability measures (AMs) for Mid-Atlantic species via the Omnibus Recreational Accountability Measures Amendment. This amendment removed the in-season closure authority for the summer flounder recreational fishery that was previously held by the NMFS Regional Administrator. Additionally, in the event of a recreational Annual Catch Limit (ACL) overage, recreational accountability measures no longer necessarily include a direct pound-for-pound payback of the overage amount in a subsequent fishing year. Instead, accountability measures are tied to stock status, and though poundage paybacks may be required in some circumstances, any potential payback amounts would be scaled relative to biomass, as described below.

The modified recreational AMs are as follows: the 3-year recreational sector ACL is evaluated against a 3-year moving average of total catch. Both landings and dead discards are evaluated in determining if the 3-year average recreational sector ACL has been exceeded. If the recreational ACL is exceeded, the appropriate AM will be determined based on the following criteria:

1. If the stock is overfished ($B < \frac{1}{2} B_{MSY}$), under a rebuilding plan, or the stock status is unknown: The exact amount, in pounds, by which the most recent year's recreational ACL has been exceeded, will be deducted in the following fishing year, or as soon as possible once catch data are available.
2. If biomass is above the threshold, but below the target ($\frac{1}{2} B_{MSY} < B < B_{MSY}$), and the stock is not under a rebuilding plan:
    a. If only the recreational ACL has been exceeded, then adjustments to the recreational management measures (bag, size, and seasonal limits) would be made in the following year, or as soon as possible once catch data are available. These adjustments would take into account the performance of the measures and the conditions that precipitated the overage.
    b. If the Acceptable Biological Catch (ABC = recreational ACL + commercial ACL) is exceeded in addition to the recreational ACL, then a single year deduction will be made as a payback, scaled based on stock biomass. The calculation for the payback amount in this case is: (overage amount) * $(B_{msy}-B)/\frac{1}{2} B_{msy}$.
3. If biomass is above the target ($B > B_{MSY}$): Adjustments to the recreational management measures (bag, size, and seasonal limits) would be made in the following year, or as soon as possible once catch data are available. These adjustments would take into account the performance of the measures and the conditions that precipitated the overage.

Accountability measures have not been triggered for the recreational summer flounder fishery based on a comparison of average 2012-2014 catch to the 2012-2014 average ACL. Although there was an overage of the recreational ACL in 2014, recreational catch was below the recreational ACL in 2012 and 2013, resulting in a 3-year average of catch that is below the 3-year average ACL. Recreational performance for

2015 will be evaluated in 2016, once final catch estimates are available, and taken into account in next year's recreational specifications process if necessary.

Methodology

The Monitoring Committee must consider and recommend whether coastwide measures or conservation equivalency (state-by-state or voluntary regional) are appropriate for 2016 (Table 7). Specifically, the Committee must recommend measures that will ensure the recreational harvest limit is not exceeded in 2016. Based on the projected landings estimate of 4.69 million lb for 2015, landings would not have to be reduced to achieve the 2016 harvest limit of 5.42 million lb. Projected 2015 landings are approximately 13% lower than the 2016 harvest limit. As previously mentioned, these projections are typically sensitive to prior year landings proportions. However, given that measures remained *status quo* between 2014 and 2015, the proportions by wave are not expected to be substantially different.

In February 2015, the Board approved an Addendum to the Commission's FMP to allow regional conservation equivalency in 2015 with the option to extend this management regime into 2016. If conservation equivalency (state-by-state or regional) is adopted at the December Council and Board joint meeting, the Commission's staff will project 2015 landings by state/region when 2015 wave 5 data become available, prior to the development of state/regional proposals.

The Monitoring Committee must make recommendations for non-preferred coastwide measures and precautionary default measures that would be applied under conservation equivalency. The methodology detailed in Framework 2 (Addendum III) to the Summer Flounder, Scup and Black Sea Bass FMP and Framework 6 to the FMP (Addendum XVII) can be used to develop state-specific or regional regulations to meet the state-specific or region-specific targets (Table 7).

Because of the long-term implementation of state-specific regulations, the use of a coastwide reduction table (for minimum size and possession limits) to analyze coastwide regulations is no longer feasible. Staff note that the level of precision of annual harvest estimates from MRIP data depend on the survey sample sizes, the frequency of sampled angler trips that caught the species, and the variability of numbers caught among those trips. Harvest estimates are always progressively less precise at lower levels of stratification; annual estimates are more precise than bimonthly estimates, coastal estimates are more precise than regional estimates, and regional estimates are more precise than state estimates. For the development of 2015 measures, states used a variety of data sources to analyze the effects of adjustments at the state and regional levels, including state-specific data sources.

The Monitoring and Technical Committees held a workshop in October 2015 to address methods and data used to evaluate recreational measures. The Committees have identified several areas of improvement for recreational specifications, and will continue to work to develop these approaches.

Fishing Trips and Year Class Effects

Table 8 provides an overview of coastwide recreational fishery performance and estimates of the number of trips where summer flounder was reported as the primary target. A comparison of summer flounder directed trips to total trips suggests that summer flounder trips continue to be a substantial component of total angler trips, ranging from about 13-20 percent of total trips from 1995-2015 (Table 8). Predicting the

number of summer flounder trips that might be taken in 2016 is complicated because many factors affect the demand for angler fishing trips. Changes in angler behavior are also complex and difficult to predict, and may violate the assumptions associated with specific sets of regulations and their anticipated results.

Year-class effects, in terms of fish availability, can influence the expected impacts of management measures and should be considered. The stock assessment update for 2015[1] indicates that several consecutive years of poor recruitment have been observed for summer flounder (2010-2013), resulting in a decline in biomass over the past several years. Despite constant recreational measures between 2014 and 2015, a substantial reduction in both catch and landings has been observed in 2015. Although total stock biomass is projected to increase slightly in 2016, summer flounder year classes expected to become available to the fishery in 2016 are estimated to be below average. Staff do not expect availability of summer flounder to increase on a coastwide basis during this time.

2016 Staff Recommendation

For 2016, staff recommend continued use of regional management under conservation equivalency. The current combination of regional measures is projected to result in 2015 landings below both the 2015 harvest limit (by ~ 36%) and the 2016 RHL (by ~13%), based on preliminary MRIP data and prior year proportions by wave. Fishery performance by state and region should be evaluated once additional 2015 data become available. Despite a decrease in the RHL from 7.38 million lb to 5.42 million lb between 2015 and 2016, it appears likely that the current regional conservation equivalency approach would constrain landings to the harvest limit in 2016, given apparent declines biomass and availability.

Staff caution against making adjustments to the current management measures, in particular any liberalizations, given the substantial decrease in the harvest limit in 2016 and uncertainties associated with availability. From a technical perspective, it is also beneficial to have several years of stable management measures to more accurately evaluate the effectiveness of those measures. Many stakeholders have indicated that they value stability in recreational management measures, particularly from a business perspective for for-hire operators.

As described above, if conservation equivalency is selected by the Council and Board, a set of non-preferred coastwide measures must be identified, along with a set of precautionary default measures. The non-preferred coastwide measures must consist of a minimum fish size, possession limit, and season for 2016 that if implemented on a coastwide basis, would be expected to constrain harvest to the harvest limit in 2016. Under conservation equivalency, these measures are written into the federal regulations, but waived in favor of the state- or region-specific measures. Staff recommend the same set of non-preferred coastwide measures that were approved for the past three years, including an 18-inch minimum size, a 4-fish possession limit, and an open season from May 1-September 30.

The precautionary default measures are defined as the set of measures that would achieve at least the highest percent reduction in landings for any state. These measures are intended to be unappealing for any state to implement, to deter states from deviating from the conservation equivalency guidelines. The Commission would require adoption of the precautionary default measures by any state that either does

[1] http://www.mafmc.org/s/Summer_flounder_2015_Assess_Update.pdf

not submit a summer flounder management proposal to the Commission's Summer Flounder Technical Committee, or submits measures that are inconsistent with the conservation equivalency guidelines. Staff recommend that the precautionary default measures remain unchanged from 2015, and consist of a 20-inch TL minimum size, a 2-fish possession limit, and a coastwide season from May 1-September 30, 2016. This default is likely to be more restrictive than any measure an individual state would implement in 2016.

In summary, staff recommend that the summer flounder recreational fishery be managed under regional conservation equivalency in 2016. Staff recommend non-preferred coastwide measures that include an 18-inch TL size limit, a 4-fish possession limit, and an open season from May 1-September 30, 2016, as well as precautionary default measures that include a 20-inch TL minimum size, 2 fish possession limit, and open season from May 1-September 30, 2016.

Table 1: Summer flounder recreational catch and landings by year, Maine through North Carolina, 1981-2015, all waves. The number of fish released is presented as a proportion of the total catch (% Released).[a]

Year	Catch ('000 fish)	Landings ('000 fish)	Landings ('000 lb)	% Released	Mean weight of landed fish (lb)
1981	13,579	9,567	10,081	30%	1.05
1982	23,562	15,473	18,233	34%	1.18
1983	32,062	20,996	27,969	35%	1.33
1984	29,785	17,475	18,765	41%	1.07
1985	13,526	11,066	12,490	18%	1.13
1986	25,292	11,621	17,861	54%	1.54
1987	21,023	7,865	12,167	63%	1.55
1988	17,171	9,960	14,624	42%	1.47
1989	2,677	1,717	3,158	36%	1.84
1990	9,101	3,794	5,134	58%	1.35
1991	16,075	6,068	7,960	62%	1.31
1992	11,910	5,002	7,148	58%	1.43
1993	22,904	6,494	8,831	72%	1.36
1994	17,725	6,703	9,328	62%	1.39
1995	16,308	3,326	5,421	80%	1.63
1996	18,994	6,997	9,820	63%	1.40
1997	20,027	7,167	11,866	64%	1.66
1998	22,086	6,979	12,477	68%	1.79
1999	21,378	4,107	8,366	81%	2.04
2000	25,384	7,801	16,468	69%	2.11
2001	28,187	5,294	11,637	81%	2.20
2002	16,674	3,262	8,008	80%	2.45
2003	20,532	4,559	11,638	78%	2.55
2004	20,336	4,316	11,022	79%	2.55
2005	25,806	4,027	10,915	84%	2.71
2006	21,400	3,950	10,505	82%	2.66
2007	20,732	3,108	9,337	85%	3.00
2008	22,897	2,350	8,151	90%	3.47
2009	24,085	1,806	6,030	93%	3.34
2010	23,722	1,501	5,108	94%	3.40
2011	21,559	1,840	5,956	91%	3.24
2012	16,528	2,272	6,490	86%	2.86
2013	16,151	2,534	7,387	84%	2.92
2014	19,457	2,459	7,399	87%	3.01
2015 (proj.)[b]	11,639	1,646	4,692	86%	2.85

[a] Source: Pers. Comm. with the National Marine Fisheries Service, Fisheries Statistics Division, October 23, 2015. 1981-2003 data are from MRFSS, 2004-2013 data are from MRIP.

[b] Projected using proportion by wave from 2014 MRIP data and 2015 MRIP wave 1-4 data.

Table 2: Summer flounder recreational catch and landings for waves 1-4 (January-August), Maine through North Carolina, 1981-2015.[a]

Year	Catch ('000 fish)	Landings ('000 fish)	Landings ('000 lb)	Mean Weight of landed fish (lb)
1981	11,774	8,071	8,899	1.10
1982	20,108	12,599	15,289	1.21
1983	26,979	17,128	22,523	1.31
1984	26,355	14,614	15,245	1.04
1985	10,626	8,535	9,691	1.14
1986	21,321	8,885	13,274	1.49
1987	18,749	6,656	10,393	1.56
1988	13,906	7,918	11,728	1.48
1989	2,120	1,465	2,715	1.85
1990	7,277	3,025	4,125	1.36
1991	13,977	5,186	6,796	1.31
1992	9,830	3,992	5,688	1.42
1993	17,636	4,750	6,553	1.38
1994	15,052	5,499	7,603	1.38
1995	14,315	2,765	4,629	1.67
1996	17,206	6,175	8,685	1.41
1997	14,466	4,657	7,636	1.64
1998	19,015	5,944	10,568	1.78
1999	19,113	3,629	7,441	2.05
2000	22,131	6,867	14,148	2.06
2001	25,661	4,810	10,651	2.21
2002	14,442	2,842	7,008	2.47
2003	18,177	4,123	10,615	2.57
2004	17,998	3,931	10,088	2.57
2005	22,874	3,630	9,800	2.70
2006	20,515	3,685	9,813	2.66
2007	18,659	2,898	8,803	3.04
2008	21,792	2,277	7,951	3.49
2009	23,482	1,758	5,905	3.36
2010	22,725	1,428	4,902	3.43
2011	19,347	1,708	5,511	3.23
2012	14,390	1,968	5,680	2.89
2013	14,642	2,305	6,759	2.93
2014	17,214	2,206	6,704	3.04
2015	10,350	1,450	4,200	2.90

[a] Source: Pers. Comm. with the National Marine Fisheries Service, Fisheries Statistics Division, October 23, 2015. 1981-2003 data are from MRFSS, 2004-2015 data are from MRIP.

Table 3: Summer flounder recreational landings (in thousands of fish) by state for waves 1-4 (January-August), 2005-2015.[a]

State	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
ME	-	-	-	-	-	-	-	-	-	-	-
NH	-	<1	-	<1	-	-	-	<1	-	-	-
MA	258	211	138	232	50	45	33	74	29	113	65
RI	153	261	173	203	71	118	152	103	126	184	154
CT	130	128	111	146	45	35	47	62	268	115	81
NY	1,082	743	844	609	298	331	349	482	501	491	457
NJ	1,187	1,475	1,040	752	817	551	719	905	1,095	1,046	452
DE	60	82	101	33	78	50	56	44	49	86	42
MD	98	32	44	34	64	14	10	19	36	27	36
VA	602	674	342	243	275	235	301	249	171	118	136
NC	61	77	104	25	59	50	40	31	30	25	28

[a] Source: Pers. Comm. with the National Marine Fisheries Service, Fisheries Statistics Division, October 23, 2015.

Table 4: Summer flounder recreational landings (in thousands of fish) by state for all waves (January-December), 2005-2015.[a]

State	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015 (proj)[b]
ME	-	-	-	-	-	-	-	-	-	-	-
NH	-	<1	-	<1	-	-	-	<1	-	-	-
MA	267	239	138	232	50	45	58	76	31	113	65
RI	165	264	176	204	72	118	161	103	128	185	154
CT	157	138	112	146	45	35	47	63	270	120	84
NY	1,163	752	866	609	299	334	376	509	518	509	474
NJ	1,300	1,556	1,067	762	825	552	737	1,130	1,244	1,175	508
DE	73	88	108	35	87	54	67	45	58	93	45
MD	117	37	104	58	65	25	15	23	53	80	104
VA	684	763	397	260	289	260	318	260	187	139	160
NC	101	112	139	44	75	77	60	63	45	46	53

[a] Source: Pers. Comm. with the National Marine Fisheries Service, Fisheries Statistics Division, October 23, 2015.

[b] Projected using proportion by wave from 2014 MRIP data and 2015 MRIP wave 1-4 data.

Table 5: Summary of federal management measures for the summer flounder recreational fishery, 1993-2016.

Measure	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
ABC (m lb)	-	-	-	-	-	-	-	-	-	-	-	-
Recreational ACL (land+disc; m lb)	-	-	-	-	-	-	-	-	-	-	-	-
Harvest Limit (m lb)	8.38	10.67	7.76	7.41	7.41	7.41	7.41	7.41	7.16	9.72	9.28	11.21
Landings (m lb)	8.83	9.33	5.42	9.82	11.87	12.48	8.37	16.47	11.64	8.01	11.64	11.02
Possession Limit	6	8	6/8	10	8	8	8	8	3	[a]	[a]	[a]
Size Limit (TL in)	14	14	14	14	14.5	15	15	15.5	15.5	[a]	[a]	[a]
Open Season	5/15 - 9/30	4/15 - 10/15	1/1 - 12/31	1/1 - 12/31	1/1 - 12/31	1/1 - 12/31	5/29 - 9/11	5/10 - 10/2	4/15 - 10/15	[a]	[a]	[a]
Measure	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**	**2015**	**2016[c]**
ABC (m lb)	-	-	-	-	21.50	25.50	33.95	25.58	22.34	21.94	22.57	16.26
Recreational ACL (land+disc; m lb)	-	-	-	-	-	-	-	11.58	10.23	9.07	9.44	6.84
Harvest Limit (m lb) - landings only	11.98	9.29	6.68	6.22	7.16	8.59	11.58	8.49	7.63	7.01	7.38	5.42
Landings (m lb)	10.92	10.51	9.34	8.15	6.03	5.11	5.96	6.49	7.01	7.40	-	-
Possession Limit	[a]	[a]	[a]	[a]	[a]	[a]	[a]	[a]	[a]	[b]	[b]	-
Size Limit (TL in)	[a]	[a]	[a]	[a]	[a]	[a]	[a]	[a]	[a]	[b]	[b]	-
Open Season	[a]	[a]	[a]	[a]	[a]	[a]	[a]	[a]	[a]	[b]	[b]	-

[a] State-specific conservation equivalency measures.

[b] Region-specific conservation equivalency measures.

[c] Proposed.

Table 6: Summer flounder recreational management measures and landings (in number of fish; 2015 projected) by state and region, 2014 and 2015.

Region	State	2014				2015			
		Min. Size (in)	**Poss. Limit**	**Open Season**	**Landings ('000 fish)**	**Min. Size (inches)**	**Poss. Limit**	**Open Season**	**Proj. Landings ('000 fish)**
1	**MA**	16	5 fish	May 22-Sept. 30	113	16	5 fish	May 22-Sept. 23	65
2	**RI**	18	8 fish	May 1-Dece. 31	185	18	8 fish	May 1-Dec. 31	154
3	**CT**	18 16 (45 designated shore sites)	5 fish	May 17- Sept. 21	120	18 16 (45 designated shore sites)	5 fish	May 17- Sept. 21	84
	NY	18	5 fish	May 17- Sept.21	509	18	5 fish	May 17- Sept. 21	474
	NJ	18 16 (1 pilot shore site)	5 fish 2 fish	May 23- Sept. 27 May 23-Sept. 27	1,175	18 16 (1 shore site)	5 fish 2 fish	May 22- Sept. 26 May 22-Sept. 26	508
4	**DE**	16	4 fish	Jan. 1- Dec. 31	93	16	4 fish	Jan. 1- Dec. 31	45
	MD	16	4 fish	Jan. 1- Dec.31	80	16	4 fish	Jan. 1- Dec.31	104
	PRFC	16	4 fish	Jan. 1- Dec.31	--	16	4 fish	Jan. 1- Dec.31	--
	VA	16	4 fish	Jan. 1- Dec. 31	139	16	4 fish	Jan. 1- Dec. 31	160
5	**NC**	15	6 fish	Jan. 1- Dec. 31	46	15	6 fish	Jan. 1- Dec. 31	53

Table 7: Procedures for establishing summer flounder recreational management measures.

August
Council/Commission's Board recommend recreational harvest limit.
October
MRIP data available for current year through wave 4.
November
Monitoring Committee meeting to develop recommendations to Council:
Overall % reduction required.
Use of coastwide measures or state conservation equivalency.
*Precautionary default measures.
**Coastwide measures.
December
Council/Board meeting to make recommendation to NMFS
State Conservation Equivalency
or
Coastwide measures

State Conservation Equivalency Measures

Late December
Commission staff summarizes and distributes state-specific and multi-state conservation equivalency guidelines to states.

Early January
Council staff submits recreational measure package to NMFS. Package includes:
- Overall % reduction required.
- Recommendation to implement conservation equivalency and precautionary default measures (Preferred Alternative).
-Coastwide measures (Non-preferred Alternative).

States submit conservation equivalency proposals to ASMFC.

January 15
ASMFC distributes state-specific or multi-state conservation equivalency proposals to Technical Committee.

Late January
ASMFC Technical Committee meeting:
-Evaluation of proposals.
-ASMFC staff summarizes Technical Committee recommendations and distributes to Board.

February
Board meeting to approve/disapprove proposals and submits to NMFS within two weeks, but no later than end of February.

March 1 (on or around)
NMFS publishes proposed rule for recreational measures announcing the overall % reduction required, state-specific or multi-state conservation equivalency measures and precautionary default measures (as the preferred alternative), and coastwide measures as the non-preferred alternative.

March 15
During comment period, Board submits comment to inform whether conservation equivalency proposals are approved.

April
NMFS publishes final rule announcing overall % reduction required and one of the following scenarios:
-State-specific or multi-state conservation equivalency measures with precautionary default measures, or -Coastwide measures.

Coastwide Measures

Early January
Council staff submits recreational measure package to NMFS. Package includes:
-Overall % reduction required.
-Coastwide measures.

February 15
NMFS publishes proposed rule for recreational measures announcing the overall % reduction required and Coastwide measures.

April
NMFS publishes final rule announcing overall % reduction required and Coastwide measures.

*Precautionary default measures - measures to achieve at least the % required reduction in each state, e.g., one fish possession limit and 15.5 inch bag limit would have achieved at least a 41% reduction in landings for each state in 1999.
**Coastwide measures - measure to achieve % reduction coastwide.

Table 8: Number of summer flounder recreational fishing trips, harvest limit, landings, and fishery performance (i.e., percent overage or underage) from Maine through North Carolina, 1995 to 2016.

Year	Number of Summer Flounder Directed Trips (millions)[a]	Percentage of Directed Trips Relative to Total Trips[a,b]	Recreational Harvest Limit (million lb)[c]	Recreational Landings of Summer Flounder (million lb)[d]	Percentage Overage (+)/ Underage(-)
1995	4.68	17.2%	7.76	5.42	-30%
1996	4.89	17.9%	7.41	9.82	+33%
1997	5.60	18.8%	7.41	11.87	+60%
1998	5.27	20.5%	7.41	12.48	+68%
1999	4.22	16.8%	7.41	8.37	+13%
2000	5.80	16.7%	7.41	16.47	+122%
2001	6.13	16.6%	7.16	11.64	+63%
2002	4.56	14.8%	9.72	8.01	-18%
2003	5.62	16.0%	9.28	11.64	+25%
2004	4.86	14.3%	11.21	11.02	-2%
2005	5.85	16.0%	11.98	10.92	-9%
2006	4.99	13.6%	9.29	10.51	+13%
2007	5.49	14.5%	6.68	9.34	+40%
2008	4.93	13.4%	6.21	8.15	+31%
2009	4.60	15.6%	7.16	6.03	-16%
2010	4.45	15.1%	8.59	5.11	-41%
2011	4.50	16.8%	11.58	5.96	-49%
2012	4.24	16.4%	8.59	6.49	-24%
2013	3.73	14.6%	7.63	7.39	-3%
2014	4.06	15.6%	7.01	7.40	+6%
2015	NA	NA	7.38	NA	NA
2016	NA	NA	5.42	NA	NA

[a] Estimated number of recreational fishing trips (expanded) where the primary target species was summer flounder, Maine through North Carolina. Source: Pers. Comm. with the National Marine Fisheries Service, Fisheries Statistics Division, October 23, 2015.
[b] Source of total trips for all species combined: Pers. Comm. with the National Marine Fisheries Service, Fisheries Statistics Division, October 26, 2015.
[c] RHLs for 2003 through 2014 are adjusted for research set-aside.
[d] Source: Pers. Comm. with the National Marine Fisheries Service, Fisheries Statistics Division, October 23, 2015.
NA = Data not available.

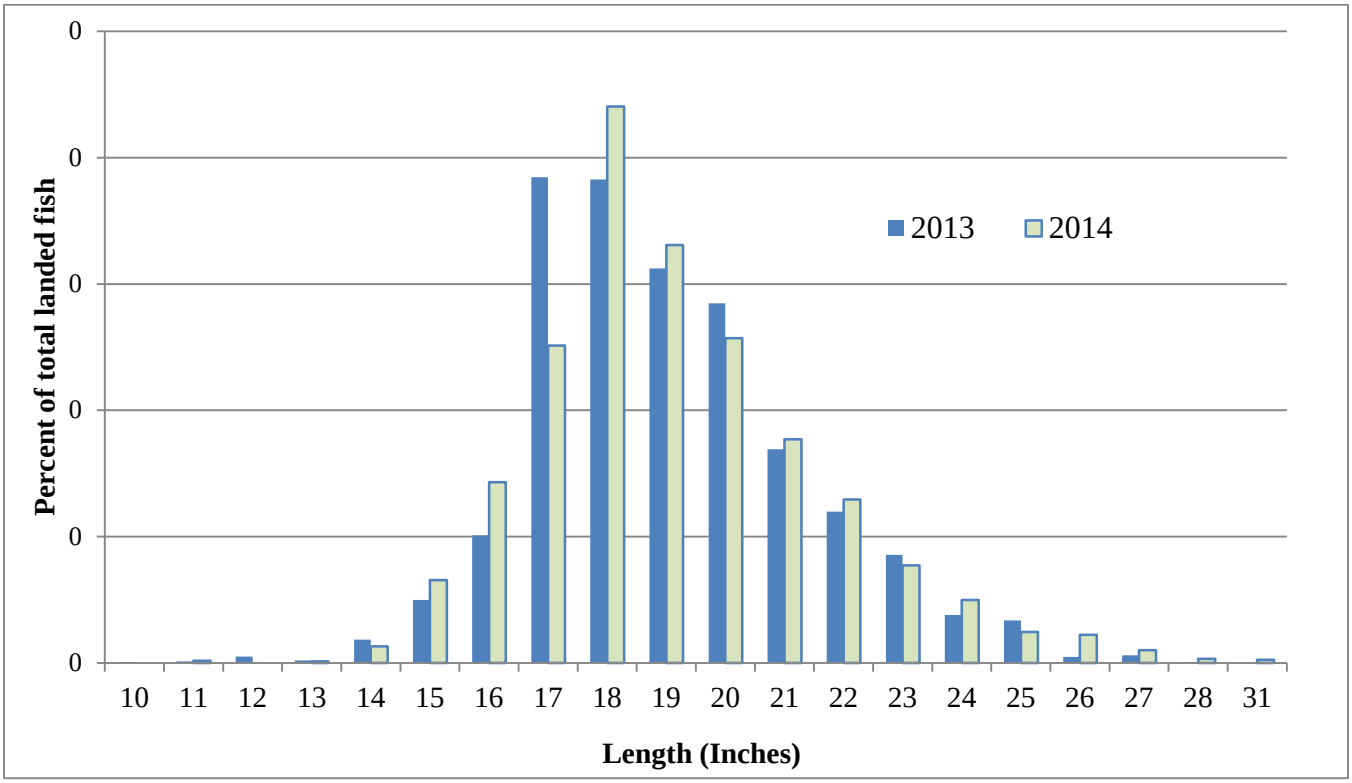

Figure 1: Expanded length frequencies of landed summer flounder from 2013 and 2014 MRIP data, as a percentage of total landed fish. Each length bin contains fish from X.0 to X.99 inches. Source: Pers. Comm. with the National Marine Fisheries Service, Fisheries Statistics Division, November 1, 2015.