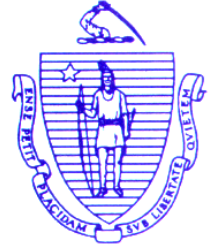




Paul J. Diodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries
251 Causeway Street, Suite 400
Boston, MA 02114
(617) 626.1520
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TO: ASMFC Summer flounder, Scup, Black Sea Bass Technical Committee

FROM: Paul Caruso, Senior Marine Fisheries Biologist

SUBJECT: Massachusetts' Proposed 2009 Recreational Summer Flounder Regulations

DATE: January 20, 2009

As per a memorandum from the Atlantic States Marine Fisheries Commission (Toni Kerns, January 6, 2009) we are required to adjust our recreational summer flounder regulations for this coming season to obtain an expected reduction in recreational fishery harvest of 24 percent, the difference between our estimated 2008 harvest (150,332 fish) and the 2009 harvest target (114,000 fish). Additional requested conditions are that 50% or more of the required reduction come from seasonal closures, that no closure be shorter than 2 contiguous weeks, and that the seasonal closure come from the wave with the largest harvest (Wave 4 for Massachusetts).

The 2008 summer flounder recreational fishery regulations were 5 fish at 17.5" with an open season from June 10 through August 15. For 2009 Massachusetts proposes the following five management options for review:

1. A 17.5" minimum size with a 3 fish possession/daily limit and an open season from June 10 – August 1.
2. An 18" minimum size with a 5 fish possession/daily limit and an open season from June 10 – August 1.
3. A 17.5 inch minimum size with a 2 fish possession/daily limit and an open season from July 7 – August 15.
4. An 18 inch minimum size with a 3 fish possession limit and an open season of July 7 – August 15.
5. An 18 inch minimum size with a three fish possession limit and open seasons from June 10 – June 30 and July 16 – August 15.

Note: Options 3 and 4 do not follow the Technical Committee recommendation of a seasonal

closure within the sample wave with the maximum harvest.

Harvest reductions from size/ bag changes were determined from Table 1. Values were derived from tables provided by Jessica Coakley, Mid-Atlantic Marine Fisheries Commission.

Seasonal reduction values from a new Weibull curve based upon 2008 harvest data were used to estimate harvest reductions based upon seasonal closures. This Weibull curve is dissimilar from the 1994 - 1998 base period used in some past analyses, but similar to that used for the latest round of harvest reductions. Since the recreational harvest has shifted to the later part of the season in response to recently implemented season closures and increased minimum sizes the 2008 Weibull distribution more accurately reflects the current distribution of landings with the 50% cumulative harvest taking place approximately eight days later than during the 2004-2006 time period when there were no season closures in effect (Figure 1). The Weibull derived harvest reduction value was zeroed out by deducting the sum of all daily rate values attributable to days not open in 2008 (a total of 35%).

Combined harvest reductions from both bag/size and seasonal closures were determined using the correction factor $r = x+y-xy$ where value x represents the estimated season harvest reduction, value y represents the estimated size/bag harvest reduction and r = the total harvest reduction from the combination of the two measures. Table 2 contains the calculations for the proposed management options listed above.

Should you need additional information regarding these proposals I will be glad to provide it on request.

Table 1. Estimated summer flounder recreational harvest reductions from changes to minimum size and bag limits for Massachusetts for 2009.

Proportional harvest reduction values			
bag	17.50	18.00	18.50
1.00	0.28	0.31	0.39
2.00	0.14	0.20	0.30
3.00	0.07	0.13	0.24
4.00	0.01	0.07	0.18
5.00	0.00	0.07	0.18

Table 2. Estimated recreational harvest reduction calculations for summer flounder in Massachusetts for 2009.

Option 1					
Size/bag	17.5/3	y			7%
Open season	June 10-Aug 1	x			21%
		x+y-xy	Adjusted		
			Total		27%
			Target		24%

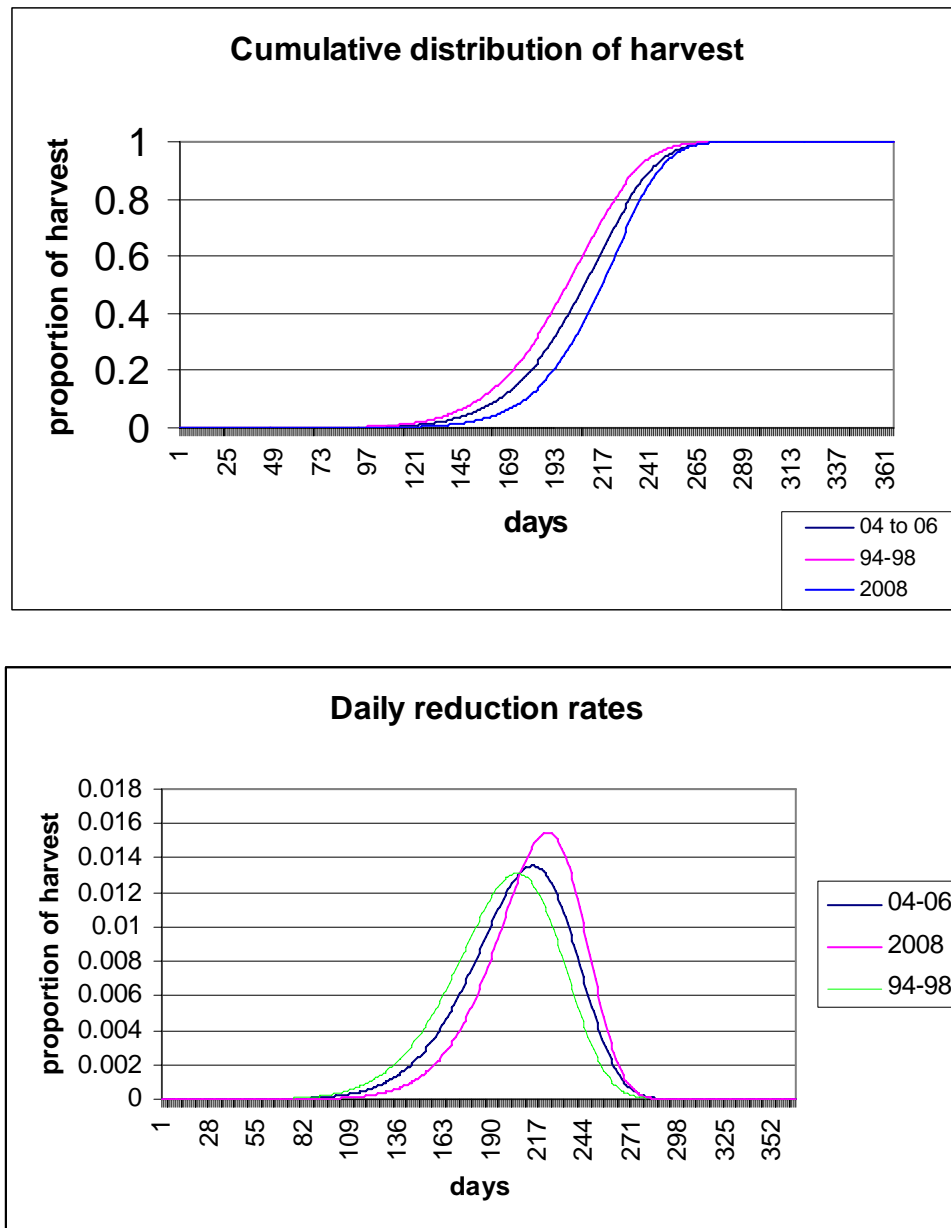
Option 2					
Size/bag	18/5	y			7%
Open season	June 10-Aug 1	x			21%
		x+y-xy	Adjusted.		
			Total		27%
			Target		24%

Option 3					
Size/bag	17.5/2	y			14%
Open season	July 7-Aug 15	x			12%
		x+y-xy	Adjusted.		
			Total		25%
			Target		24%

Option 4					
Size/bag	18/3	y	Size/bag		13%
Open season	July 7-Aug 15	x	Season		12%
		x+y-xy	Adjusted		
			Total		24%
			target		24%

Option 5					
Size/bag	18/3	y			13%
Open seasons	June 10-June 30	x			12%
	July 16-August 15	x+y-xy	Adjusted		
			Total		24%
			target		24%

Figure 1. Comparison of three Weibull distributions for recreational closed season calculations for summer flounder in Massachusetts.





Rhode Island Department of Environmental Management

DIVISION OF FISH AND WILDLIFE

3 Fort Wetherill Rd
Jamestown, RI 02835

401 423-1920
FAX 401 423-1925

TO: Toni Kearns, ASMFC

FROM: Jason McNamee, RIDFW

DATE: January 21, 2009

SUBJECT: Options for 2009 summer flounder recreational fishery in Rhode Island

The following table contains minimum sizes, bag limits and seasons for 2009 that all achieve the required reduction of 41% in recreational landings of summer flounder in 2009. The reduction is based on a 2008 target of 117,000 fish, and projected RI landings of 198,659 fish, an overage of 59%. Based on a 2009 coastwide TAL of 18.45 million pounds, an increase of roughly 17% from the 2008 TAL, RI's required 2009 reduction decreases to 41%.

Seasonal reductions are based on a weibull distribution of recreational landings by wave for the years 2005 – 2008 obtained from the MRFSS database. Data from recent years were selected because of a shift in the pattern of landings with a greater proportion of the landings occurring earlier in the season. This is apparent in the weibull distributions in Figure 1. Per discussion with the technical committee and prior tasking by the management board, the minimum size was kept the same as in 2008 (20") and a minimum of two continuous weeks during the peak wave were the parameters around which the options were tailored. These options will be presented to the Rhode Island Marine Fisheries Council and summer flounder advisory panel for comment following approval by the ASMFC Summer Flounder Management Board.

It is difficult to ascertain exactly why the reduction targets are not being met on a consistent basis. An analysis of effort based on MRFSS data indicates a decreasing trend in recent years (Table 2), so overharvesting does not appear to be caused by increasing effort. It may simply be that the population of summer flounder has expanded considerably, thus making the fish more available to anglers for longer periods of time. For this reason, the performance measure of a seasonal closure of at least 2 weeks during the peak wave may do a better job of not exceeding the target in 2009 than has been the case in the past.

Table 1a – Options for a continuous season (20” minimum size). Dates are period open.

Bag Limit	Season		
	Option1	Option 2	Option 3
7 fish	5/1-7/16	6/1-7/21	7/15-12/31
4 fish	7/15-12/31	-	-
3 fish	7/15-12/31	-	-
2 fish	7/15-12/31	-	-
1 fish	7/15-12/31	-	-

Table 1b – Options for a split season (20” minimum size). Dates are period closed.

Bag Limit	Season	
	Option 1	Option 2
7 fish	7/1-8/1	7/14-8/29
4 fish	7/14-8/25	-
3 fish	7/14-8/21	-
2 fish	7/14-8/16	-
1 fish	7/14-8/1	-

Figure 1 – Weibull distributions of recreational Summer Flounder landings in RI

Weibull Distributions of Recreational Summer Flounder Landings in RI

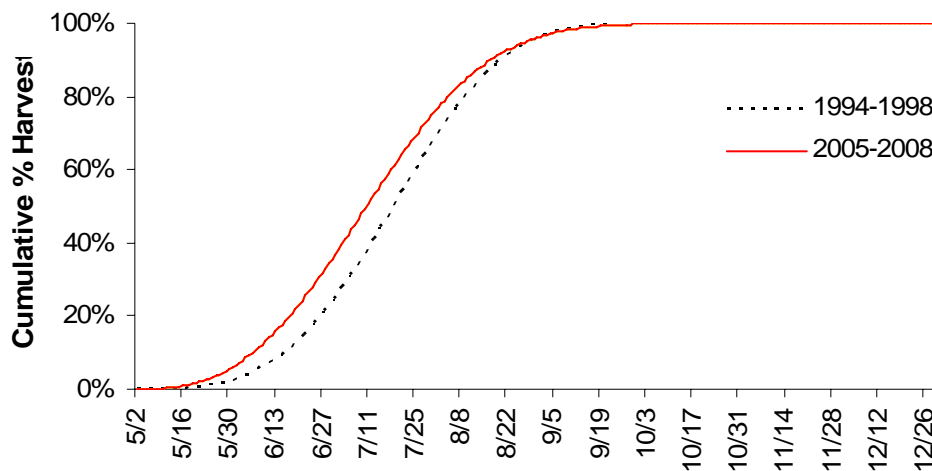
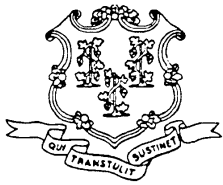


Table 2 – MRFSS RI effort data

Year	Number Trips	PSE
2006	1,704,087	5.1
2007	1,545,235	7
2008	1,504,981	7.8



State of Connecticut
Department of Environmental Protection



To: Summer flounder, Scup and Black Sea Bass Technical Committee
From: Greg Wojcik, CT DEP Marine Fisheries Division
Date: January 21, 2009

Connecticut Recreational Summer Flounder Fishery Compliance Options for 2009

Based on Table 1 in the Technical Committee's memo dated January 6, 2009, Connecticut harvested 115,896 fish in 2008. The target harvest for 2009 is 77,000 fish, requiring a 33.56% reduction in harvest in 2009. The memo also includes the provision that states that exceeded their 2008 target be required to implement seasonal closures to achieve a minimum of 50% of the required harvest reduction. The TC memo also suggests having a seasonal closure during the most productive wave to account for historical performance. During the period 2001 – 2008 Connecticut exceeded its harvest target on average of 8.2% each year.

Our 2008 regulations consisted of a 19.5 inch minimum size, 5 fish creel limit and an open season from May 24 – September 1. The 2008 closed season represents a 22.4% reduction in expected harvest versus no season closure.

In addition to options developed using the requirements outlined in the memo (Table 3), I developed options that account for the average 8.2% annual overage in place of the two week closure during our peak wave (Tables 1 and 2) . All options within each scenario meet the reduction targets. All options are in addition to the 22.4% reduction already achieved by the May 24 – September 1 open season in 2008.

There were two bag and size limit tables provided from MAFMC. One was containing 2008 MRFSS intercepts with a sample size of 21 fish, and one containing 2006 through 2008 intercepts (Table 5) with a sample size of 111 fish. Since the 2008 data alone had such a low sample size, it was not used in this analysis. As an alternative for 2008 data, I created a bag and size limit table using the 2008 Connecticut Volunteer Angler Survey data (Table 6) having a sample size of 310 fish. Scenarios with options were developed using both the 2006 through 2008 MRFSS data (Tables 1 and 3) and the 2008 Connecticut Volunteer Angler Survey data (Tables 2 and 4). For all Scenarios, only options where the season portion of the reduction were over 50% were considered as suggested by the Technical Committee.

The guidelines outlined in Toni's memo call for Weibull curves to be fit to seasonal harvest (A+B1) distributions from 1994-1998. As presented for the past four years, I compared seasonal harvest patterns from this period 2001 to 2004, since the 1994-1998 timeframe has become somewhat historical. Connecticut had no season closures during any of these years. Landings have become much more broadly distributed seasonally in recent years compared to the 1994-1998 period (Figure 1) for years where the season is open across waves. In 2008, the landings were mostly in wave 4 (77%) due to regulated season closures during waves 3 and 5 not changes distribution of availability. In light of the changing seasonal pattern in landings I used the 2001-2004 period to calculate season closures. This is the same modification to the procedures approved by the Technical Committee and used in developing regulations in Connecticut from 2005-2007.

Table 1. Options using the 2006 – 2008 MRFSS bag/size table and an 8.2% performance factor.

Option	Size	Bag	Bag/ Size Reduction	New Seson Reduction	Reduction from full Season	Open Season	
1	20	5	0.179	0.291	0.515	7/4/2009	8/28/2009
2	20	5	0.179	0.291	0.515	7/9/2009	9/7/2009
3	19.5	2	0.068	0.375	0.599	7/4/2009	8/16/2009
4	19.5	2	0.068	0.375	0.599	7/18/2009	9/7/2009
5	20	3	0.186	0.285	0.509	7/4/2009	8/29/2009
6	20	3	0.186	0.285	0.509	7/8/2009	9/7/2009

Table 2. Options using the 2008 CT VAS bag/size table and an 8.2% performance factor.

Option	Size	Bag	Bag/ Size Reduction	New Seson Reduction	Reduction from full Season	Open Season	
1	20	5	0.139	0.324	0.548	7/4/2009	8/23/2009
2	20	5	0.139	0.324	0.548	7/13/2009	9/7/2009
3	19.5	2	0.199	0.273	0.497	7/4/2009	8/31/2009
4	19.5	2	0.199	0.273	0.497	7/7/2009	9/7/2009
5	20	3	0.223	0.25	0.474	7/4/2009	9/5/2009
6	20	3	0.223	0.25	0.474	7/4/2009	9/7/2009

Table 3. Options using the 2006 – 2008 MRFSS bag/size table and a two week closure during the peak wave.

Option	Size	Bag	Bag/ Size Reduction	New Seson Reduction	Reduction from Full Season	Open Season 1		Open Season 2	
1	20	5	0.179	0.191	0.415	6/5/2009	6/30/2009	7/15/2009	9/7/2009
2	20	5	0.179	0.191	0.415	6/7/2009	8/15/2009		
3	20	5	0.179	0.191	0.415	7/15/2009	12/31/2009		
4	19.5	2	0.068	0.287	0.511	6/20/2009	6/30/2009	7/15/2009	9/7/2009
5	19.5	2	0.068	0.287	0.511	6/22/2009	8/15/2009		
6	19.5	2	0.068	0.287	0.511	7/15/2009	9/23/2009		
7	20	3	0.186	0.184	0.408	6/3/2009	6/30/2009	7/15/2009	9/7/2009
8	20	3	0.186	0.184	0.408	6/6/2009	8/15/2009		
9	20	3	0.186	0.184	0.408	7/15/2009	12/31/2009		

Table 4. Options using the 2008 CT VAS bag/size table and a two week closure during the peak wave.

Option	Size	Bag	Bag/ Size Reduction	New Seson Reduction	Reduction needed from Full Season	Open Season 1		Open Season 2	
1	20	5	0.139	0.228	0.452	6/11/2009	6/30/2009	7/15/2009	9/7/2009
2	20	5	0.139	0.228	0.452	6/13/2009	8/15/2009		
3	20	5	0.139	0.228	0.452	7/15/2009	12/31/2009		
4	19.5	2	0.199	0.171	0.395	6/1/2009	6/30/2009	7/15/2009	9/7/2009
5	19.5	2	0.199	0.171	0.395	6/4/2009	8/15/2009		
6	19.5	2	0.199	0.171	0.395	7/15/2009	12/31/2009		

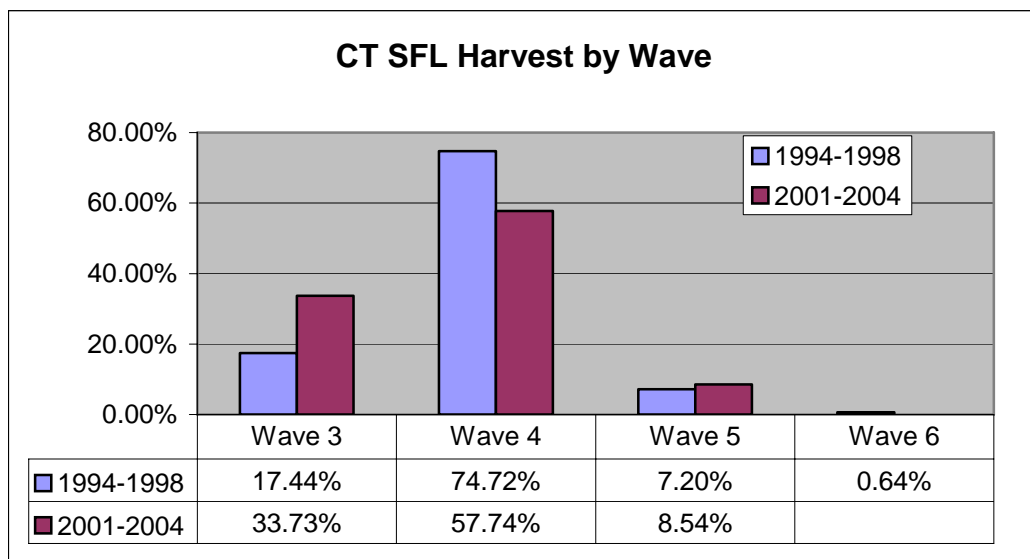
Table 5. 2006 - 2008 MRFSS Reduction table provided by MAFMC n=111

bag	19.5	20	20.5	21	21.5	22	23	24	25
1	0.1896	0.3059	0.3318	0.3758	0.4117	0.4554	0.549	0.5686	0.5947
2	0.0683	0.2120	0.2424	0.3127	0.3864	0.4302	0.549	0.5686	0.5947
3	0.0247	0.1857	0.2161	0.3058	0.3864	0.4302	0.549	0.5686	0.5947
4	0.0066	0.1788	0.2093	0.3058	0.3864	0.4302	0.549	0.5686	0.5947
5	0.0000	0.1788	0.2093	0.3058	0.3864	0.4302	0.549	0.5686	0.5947

Table 6. 2008 Connecticut VAS Reduction table n=310

	19.5	20	20.5	21	21.5	22	23	24	25
1	0.2168	0.3254	0.4543	0.5124	0.5958	0.6614	0.8004	0.8863	0.9419
2	0.1993	0.3104	0.4421	0.5015	0.5867	0.6539	0.7960	0.8838	0.9406
3	0.0979	0.2230	0.3714	0.4384	0.5344	0.6101	0.7701	0.8691	0.9331
4	0.0350	0.1688	0.3276	0.3992	0.5019	0.5829	0.7541	0.8599	0.9284
5	0.0000	0.1387	0.3032	0.3774	0.4839	0.5677	0.7452	0.8548	0.9258

Figure 1. Distributional changes in summer flounder harvest (A+B1) by wave in Connecticut from 1994-1998 to 2001-2004.



New York State Department of Environmental Conservation

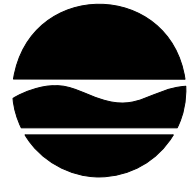
Division of Fish, Wildlife & Marine Resources

Bureau of Marine Resources

205 North Belle Mead Road, Suite 1, East Setauket, New York 11733

Phone: (631) 444-0430 \$ **FAX:** (631) 444-0434

Website: www.dec.ny.gov



TO: Toni Kerns, ASMFC

FROM: Alice Weber, NYSDEC

DATE: January 26, 2009

SUBJECT: **New York's 2009 Summer Flounder Recreational Fishery Options**

New York's proposal for managing the 2009 recreational fishery for summer flounder is as follows:

In 2008, marine recreational anglers landed an estimated 583,031 summer flounder in New York. The 2008 harvest limit for New York was 361,000 fish, resulting in an overage of 61%. For 2009, New York's harvest limit is 365,000 fish which requires New York to develop measures to constrain its harvest by 37% relative to 2008. Following the conservation equivalency guidelines established by the ASMFC Technical Committee in your memo dated January 6, 2009, states that exceeded their 2008 target are required to implement seasonal closures to achieve a minimum of 50% of the required harvest reduction. Additionally, the ASMFC Summer flounder technical committee recommended that seasonal closures be a minimum of two weeks and should occur during waves with the highest effort.

Harvest reductions associated with various size and possession limits were calculated using New York's size and possession limit table (see Table 1), while seasonal reductions were derived from a Weibull distribution based on New York's 1994-1998 MRFSS landings by wave (Fig 1). Season closure reductions were further adjusted to account for the 2008 season closures, eliminating any credit for a prior closure. Since cumulative reductions associated with size/possession limits and season closures are not additive, total reductions (TR) were derived using the total reduction formula $TR = X + [(1-X) * Y]$, where X = the percent reduction associated with a season closure and Y = the percent reduction associated with a size/possession limit.

Following the guidelines described in the ASMFC's conservation equivalency memo, Table 2 lists six alternative options that are expected to achieve a harvest reduction of 37% in New York's recreational fishery in 2009. In all six options, the season closure accounts for at least 50% of the required harvest reduction.

TABLE 1. New York Size and Possession Limit Table (provided by J. Coakley, MAFMC staff)

The effect of various size and possession limits on 2008 summer flounder recreational landings in the state of New York. The tables contain the proportional reduction in number of summer flounder landed associated with each size and bag limit combination.

bag	20.5	21.0	21.5
1	0.321	0.357	0.419
2	0.085	0.164	0.250
3	0.008	0.107	0.197
4	0.000	0.099	0.197

FIGURE 1. New York % Distribution of Harvest by Day, 1994-1998

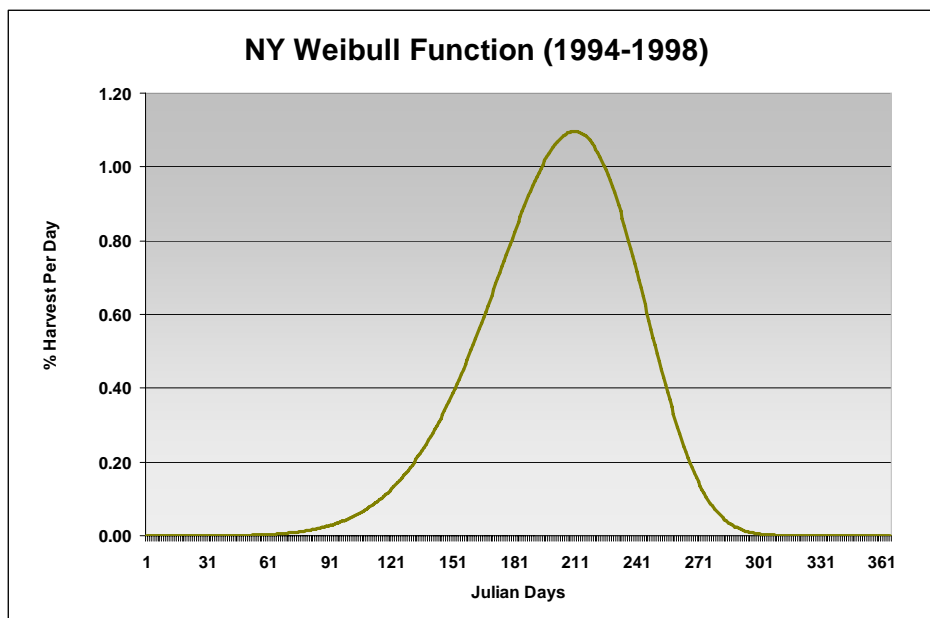


TABLE 2. New York's Recreational Summer Flounder Fishery Options for 2009

Option	Size Limit	Possession	Open Season
1	20.5	4	June 7 - July 31
2	20.5	4	July 19 – Sept 7
3	20.5	4	July 1 – August 15
4	20.5	2	July 1 – Aug 22
5	21	4	July 1 – Aug 22
6	21	2	July 4 – Sept 2



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

JON S. CORZINE
Governor

DIVISION OF FISH AND WILDLIFE
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David Chanda, Director
Visit our Division Website: www.njfishandwildlife.com

MARK N. MAURIELLO
Acting Commissioner

MEMORANDUM

TO: Toni Kerns/FMP Coordinator

FROM: Thomas Baum, Principal Biologist
Bureau of Marine Fisheries

DATE: January 21, 2009

SUBJECT: 2009 New Jersey Summer Flounder Recreational Fishery Management

Attached are New Jersey's options to manage the 2009 summer flounder recreational fishery. Each option contains a combination of a size limit, possession (bag) limit and season that satisfies the requirements of conservation equivalency as established by the ASMFC.

New Jersey is required to achieve a 4.1% reduction in the 2009 summer flounder recreational harvest. Harvest reductions associated with various size and possession limits were calculated using New Jersey's size and possession limit reduction table developed by Jessica Coakley (attached). Harvest reductions associated with seasonal closures were calculated from a Weibull distribution using New Jersey's 1994-1998 MRFSS wave data. Reductions associated with seasonal closures were adjusted to discount any reductions credited for previous year seasonal closures. Finally, total reductions were adjusted to account for the fact that cumulative reductions associated with size/possession limits and seasonal closures are not additive using the total reduction formula.

If you or members of the Technical Committee have any comments or questions regarding the above or attached, please contact me at 609-748-2020.

New Jersey 2009 Summer Flounder Recreational Management Options

2008 Regulations: 18" size limit, 8 fish possession limit, open season May 24 to September 7

Table A. 2009 NJ Summer Flounder Options that meet Board approved motion that at least 50% of the required reduction should come from a closed season. Seasons were calculated using the 1994 – 1998 Weibull distribution.

Size Limit inches	Bag Limit	Open Season	Reduction using Weibull	Reduction from 2008 wave data
18.0	8	June 6 – Sept 7	4.2%	6.7%
18.0	6	June 1 – Sept 7	4.5%	5.8%
18.0	4	May 31 – Sept 7	6.3%	7.4%
18.0	8	May 23 – Sept 1	4.2%	0.7%
18.0	6	May 23 – Sept 4	4.0%	2.5%
18.0	4	May 23 – Sept 3	6.8%	4.7%

Table B. 2009 NJ Summer Flounder Options developed using adjusted percent reduction.*

Size Limit inches	Bag Limit	Open Season	Reduction using Weibull	Reduction from 2008 wave data
18.0	8	June 17 – Sept 7	8.8%	12.4%
18.0	6	June 13 – Sept 7	9.0%	12.5%
18.0	4	June 8 – Sept 7	9.0%	11.5%
18.0	8	May 23 – Aug 26	9.0%	7.2%
18.0	6	May 23 – Aug 28	9.3%	6.8%
18.0	4	May 23 – Aug 31	9.0%	5.1%
18.0	8	June 1 – Aug 29	9.2%	10.8%
18.0	6	May 30 – Aug 31	9.0%	5.5%
18.0	4	May 29 – Sept 2	9.2%	6.9%
18.5	8	May 9 – Oct 4	8.9%	12.2%

* Adjusted reduction equals the required reduction of 4.1% plus the updated performance factor of 4.6% = 8.7%. All options meet the Board approved motion that at least 50% of the required reduction should come from a closed season. Seasons were calculated using the 1994 – 1998 Weibull distribution.

Table C. 2009 NJ Summer Flounder Options meeting the Board approved motion that at least 50% of the required reduction should come from a closed season **and** the Technical Committee recommendation that the closed season should come from the wave of highest harvest. Seasons were calculated using the 1994 – 1998 Weibull distribution.

Size Limit inches	Bag Limit	Open Season	Reduction using Weibull	Reduction from 2008 wave data
18.0	8	May 23 - July 20 & Aug 3 - Sept 7	11.2%	18.0%
18.0	6	May 23 - July 20 & Aug 3 - Sept 7	13.1%	19.6%
18.0	8	May 20 - July 20 & Aug 3 - Sept 9	9.0%	15.7%
18.0	6	May 20 - July 20 & Aug 3 - Sept 12	9.0%	15.7%
18.0	8	May 15 - July 20 & Aug 3 - Sept 13	4.4%	12.3%
18.0	6	May 13 - July 20 & Aug 3 - Sept 16	5.0%	13.4%
18.0	8	May 23–Aug 2 & Aug 10–Sept 7	5.7%	8.5%
18.0	6	May 23–Aug 2 & Aug 10–Sept 7	7.8%	10.6%
18.0	4	May 23–Aug 2 & Aug 10–Sept 7	9.8%	12.8%
18.0	8	May 22–Aug 2 & Aug 10–Sept 9	4.1%	7.7%
18.0	6	May 19–Aug 2 & Aug 10–Sept 11	4.1%	9.9%
18.0	4	May 19–Aug 2 & Aug 10–Sept 11	6.2%	12.0%

NJ again requests to have a 1-day opening on Sunday, October 4, 2009; area specific to Island Beach State Park; for the annual Governor’s Surf Fishing Tournament

Number of summer flounder harvested during the Governor’s Surf Fishing Tournament

Year	2008	2007	2006	2005	2004	2003	2002	2001	2000
# Summer Flounder Harvested	6	Closed season	10	3	4	4	Closed season	N/A	33

Note: Other options may be developed after consultation with Summer Flounder Recreational Advisors and the New Jersey Marine Fisheries Council. These options will be developed using the same methodology as above.

Performance of New Jersey's Summer Flounder Regulations

Year	Needed Reduction	Size Limit (inches)	Bag Limit	Season	Landings	Target	%O/U
2000		15.5	8	May 6 - Oct 20			
2001	34%	16	8	May 12 - Sept 11	2,070,234	1,555,000	33.13%
2002	16.7%	16.5	8	May 18 - Sept 24	988,878	1,719,000	-42.47%
2003	-56%	16.5	8	May 3- Oct 13	1,784,356	1,612,000	10.69%
2004	1.3%	16.5	8	May 8 - Oct 11	1,887,193	1,736,000	8.71%
2005	-5.52%	16.5	8	May 7 - Oct 10	1,395,626	1,873,000	-25.49%
2006	9.73%	16.5	8	May 6 - Oct 9	1,548,457	1,443,000	7.31%
2007	39.5%	17	8	May 26 - Sept 10	1,317,191	954,000	38.07%
2008	41.8%	18	8	May 24 - Sept 7	843,365	809,000	4.3%

The effect of various size and possession limits on 2008 summer flounder recreational landings in the state of **New Jersey.**

Bag Limit	Size Limit (inches)								
	18	18.5	19	19.5	20	20.5	21	22	23
1	24%	31%	44%	50%	57%	59%	62%	71%	75%
2	8.42%	23%	39%	47%	54%	57%	60%	70%	74%
3	5.37%	23%	39%	47%	54%	57%	60%	70%	74%
4	4.29%	23%	39%	47%	54%	57%	60%	70%	74%
5	3.22%	23%	39%	47%	54%	57%	60%	70%	74%
6	2.15%	23%	39%	47%	54%	57%	60%	70%	74%
7	1.07%	23%	39%	47%	54%	57%	60%	70%	74%
8	0%	23%	39%	47%	54%	57%	60%	70%	74%



COMMONWEALTH of VIRGINIA

L. Preston Bryant, Jr.
Secretary of Natural Resources

Marine Resources Commission

*2600 Washington Avenue
Third Floor
Newport News, Virginia 23607*

Steven G. Bowman
Commissioner

January 21, 2009

Memorandum:

TO: ASMFC Summer Flounder, Scup and Black Sea Bass Technical Committee

FROM: Robert O'Reilly
Virginia Marine Resources Commission

SUBJECT: Virginia's proposed management plan for the 2009 recreational summer flounder fishery

Please find our proposal for establishing management measures for the Virginia recreational summer flounder fishery in 2009.

BACKGROUND:

The 2008 Virginia recreational landings of summer flounder were estimated as 229,381 fish, with Wave 6 landings estimated from those average Wave 6 landings of 2005 and 2006 (= 1579 fish). In 2008 the Virginia recreational summer flounder fishery was managed by a 19" minimum size limit and 5-fish possession limit, on a statewide basis, and the closed season extended from July 21 through July 30. The 2008 unadjusted target for Virginia landings of summer flounder was 342,254 fish, and Virginia's estimated 2008 landings were below the target by 33%. Virginia did apply a performance factor to its 2001-07 landings, and that factor lowered the 2008 target landings to 311,562 fish.

Given the 2009 target landings of 345,000 summer flounder, Virginia can implement a plan for 2009 that would potentially allow for a 50% increase from 2008 landings. At the same time, the ASMFC management board and technical committee, for this species, have requested states to complement the standard reduction or liberalization methods (use of state-specific ASMFC bag/size reduction tables), in order to lessen the possibilities of an overage of the coast-wide limit. Virginia is proposing two measures to satisfy the board's request: a 2001-08 performance factor and a projection of an abundance increase in age 3 and older summer flounder in 2009.

Table 1 shows the performance measure for Virginia, if implemented, would require the 2009 target to be adjusted downward by 6.1%. This means the 2009 target landings (345,000 fish) would reduce to 323,955 fish, or 41% greater than 2008 landings of 229,381 fish.

There is not consensus among technical committee members, in favor of using this performance measure, since it was already applied to the 2008 management plans by several states, and may simply represent a buffer against target overages. However, many states have applied “performance measures” to their plans, in past years, simply by not choosing to liberalize to the full extent, when the opportunities were present.

Table 2 shows the projected increase in numbers of age 3+ summer flounder in 2009, as compared to that age group’s abundance in 2008, 2007 and 2006. Several years are referenced, for this projection, as Virginia had to rely on all 3 years’ ASMFC size/bag reduction tables to estimate the effects of various management options. For example, the increase in age 3+ summer flounder is projected as 12.6%, from 2008 to 2009.

The technical committee recently proposed that states abide by additional data requirements in their 2009 management plans. The technical committee requests that each state provide not only the Weibull distribution(s) that best fit states’ 2009 management options but also a table that shows states’ landings per day of the various Waves. In addition to these data treatments, the technical committee will recommend to the management board that any seasonal reduction be at least 2 weeks in length and occur during the Wave with the highest landings.

Table 3 shows various Weibull distributions, according to harvest years. Although 1994-98 data were used, for the 2008 closed season calculation (and that Weibull distribution approximated the 2007 distribution closely), the 2008 Weibull distribution diverges from the 2007 and 1994-98 distributions, and provides more harvest to Wave 3, as compared to 2007 or 1994-98 distributions. The best Weibull to choose may depend on the size limit (and to a lesser extent, the possession limit) Virginia implements in 2009. Table 4 provides the results, for Virginia, of the daily proportional method endorsed by the technical committee. This table does show that Wave 3 accounts for the largest per day percentage of 2008 landings, at 0.79% per day of Wave 3. Wave 3 has been the Wave of highest landings in 8 of the past 11 years, as shown in Table 5.

OPTIONS:

Methods

The VMRC used the ASMFC Virginia-specific savings-reduction tables provided by Jessica Coakley, MAFMC. The 2006, 2007 and 2008 bag/size savings tables were adjusted, recently, by Jessica Coakley, for any changes in the MRFSS data, to conform to the same format as the 2008 data tables. The only option (see below) based on the 2008 ASMFC savings-reduction table involved maintaining a 19-inch minimum size limit, for the 2009 fishery. Options based on an 18 ½” size limit were based on 2007 reduction tables, and any options based on size limits less than 18 ½ inches were based on 2006 ASMFC-savings-reductions tales (Table 6). These particular reduction tables were used because each data year corresponds to the last time that Virginia had a statewide minimum size limit of 19 inches (2008), 18 ½ inches (2007) and less than 18 ½ inches (16 ½-inch minimum size limit, in 2006).

As Virginia’s 2008 Virginia landings were 33% under the 2008 target, all options represent liberalization proposals, for the 2009 fishery. All landings projections for 2009 followed the same methods used, for liberalization options in the 2005 fishery plan. For that plan, Virginia was allowed to increase its 2004 landings, by 37%, in 2005, using these same landings increase projection methods (1 – fractional reduction, for a given size/possession limit combination in 2008 divided by 1 – fractional reduction (savings), for a given

size/possession limit combination in 2009). Attached worksheets entitled Option A through F provide the calculations for the 5 sets of options. Please note that 4 sets of options A through D and F contain 2 variations of the same option. The reason for this is because the technical committee has proposed that any seasonal closures should occur in the Wave of the highest landings. In 2008 and most other years Wave 3 is associated with the highest wave-specific landings, but Virginia has traditionally used Wave 4 closures, as industry usually indicates there are more opportunities to pursue other fisheries in July.

As a check on the landings projections associated with this method (1 – Savings), length-frequency data from the 2008 Maryland Department of Natural Resources Volunteer Angler Survey and the MRFSS length data from the 2006 and 2007 intercepts in Virginia (kept fish only) were used to roughly determine the effects on 2009 landings associated with lowering the 2008 minimum size limit (19”) to 18 ½”, 18”, 17 ½” and 17”. All options apply to a statewide basis of management. All options include an expected, proportional increase in landings that is tied to an increase in stock abundance of age 3 and older summer flounder (as described above and shown in Table 2).

RESULTS:

Options, for technical committee review, are shown in Table 7. Option A simply removes the closed season (7/21-30) of 2008 and maintains the 19-inch size limit and 5- fish limit of 2008, for 2009. All options are based on a 5-fish limit. The projected landings, for all 18 ½” options fall below the 2009 target landings of 345,000 fish. However, the removal of the 2008 closed season, in 2009, and lowering the minimum size limit to 18 ½” (Option C—2 parts) is less conservative than Option B which maintains the closed season. Were the management board to require a revised target (based on performance) of 323,955 fish, all 18 ½” options would be less than that revised target. However, when stock growth is considered, only Option B (2 parts) projected landings are less than the 345,000 fish target. A raising factor of 12.2% was used to project the stock growth (abundance of age 3 and older summer flounder, from 2008 to 2009), for the 18 ½” options (B and C, Table 7). The basis for the landings projections is the 2007 ASMFC reduction tables. Using this approach, Option B (with a closed season) is associated with landings projections that would be under target in 2009; whereas Option C (both parts) would exceed the 2009 target, if stock growth is considered.

Table 8 provides a comparison of landings projections (same methods as used for options calculation based on ASMFC reduction tables), from the 2008 Maryland Department of Natural Resources Volunteer Angler Survey (MDVAS) and from NMFS MRFSS intercepts in 2007 (to correspond to 18 ½” minimum size limit options) and 2006 (to correspond to options that would establish an 18” or lower minimum size limit). The basis for these projections is to seek conformity to landings increases derived from ASMFC reduction tables. The MD VAS (discards and kept fish) data, when used to project landings increases, from the 2008 landings of 229,381 fish, indicate a 35.6% increase in 2009 landings (a projected landings of 311,128 fish). The MRFSS estimate (2007 length data) indicates a 32% increase in landings, in 2009. Both estimates, based on lowering the 19” size limit (2008) to 18 ½”, in 2009, closely approximate the projected landings in Option C (see Table 7) and Option B. The same correspondence exists, if a stock growth factor or multiplier is applied to the landings projections.

The VMRC also used these auxiliary data sets to compare their projected landings increases, for an 18” size limit (Option D). The results in Table 8 do not uniformly correspond to the results of landings projections based on 2006 ASMFC reduction tables. For example, the MD VAS projects landings of 456,322 summer flounder, the MRFSS (2006) data projects 2009 landings of

322,320 fish and the landings, as projected from ASMFC reduction tables are slightly more than 228,000 fish. We also looked at length data collected from two Virginia programs, the 2008 volunteer angler survey (small sample size) and the 2007 and 2008 Virginia Game Fish Tagging Program (Table 9). As indicated in this table, there is a good correspondence between the pooled Virginia length data and the MD VAS data for 2008. In turn, the percentage increase, from lowering the 2008 size limit of 19 inches to 18 ½ inches is similar to the landings increase (%) associated with option C (an 18 ½" minimum size).

We also used a comparative approach correspondence among different years of ASMFC reduction tables (Table 10). Table 10 (a) provides savings (reductions) associated with minimum size limits, from 19" to 20 ½". In terms of savings, the 2008 ASMFC data provide the least amount of savings, and the 2006 data provide the highest savings. Since liberalization of regulations involves projecting landings increases (1-S), Table 10 (b) shows that the 2007 ASMFC tables when used to project landings, closely approximate the 2008 data tables, and are generally as conservative (would predict roughly equal and much higher landings than the 2006 data from ASMFC). The 2006 data would predict, from 50% to 70% lower landings than the 2007 data, at size changes to 18 ½" through 20".

Once these details of Tables 8, 9 and 10 were presented to our Finfish Management Advisory Committee, they unanimously supported establishing a more conservative basis, for calculating 2009 landings projections for options D, E and F, as compared to options A through C. This committee recommended setting the product of the landings increase and the stock growth factor, for any option that would establish a minimum size limit less than 18 ½", to 345,000 fish (or less), in order to determine the extent of the closed season. Stock growth increases were either for age 2+ (options E and F) or for age 3+ (option D; see Table 2).

Summary

The VMRC provides the technical committee with options designed to approach the 2009 target landings of 345,000 summer flounder, for management of the 2009 Virginia recreational summer flounder fishery. Options are associated with maintaining or reducing the 2008 minimum size limit of 19", using a 5-fish limit, for all options. There is increasingly more risk that options associated with less than a 19-inch size limit could result in an overage of the 2009 target, yet options that would establish an 18 ½" minimum size limit (especially those that include a 2-week closed season), despite being based on 2007 data tables, could produce landings in 2009 that would be less than the target (345,000 fish). Each landings projection is accompanied by an alternate projection of landings, based on a stock increase factor. In addition, the VMRC provides an adjusted target, based on a 2001-08 performance factor.

Virginia summer flounder landings were 33% under target, in 2008. However, there is some disadvantage to using a landings projection (increase) method, based on 2007, and, especially 2006 ASMFC bag-size reduction tables. For that reason, the VMRC used various other methods to corroborate landings projection, including volunteer survey data, from Maryland and Virginia, as well as length data from the MRFSS. Based on these procedures, the 2007 ASMFC reduction tables are less risk-prone than the 2006 tables.

The VMRC requests technical committee approval of the options listed in Table 7. Our Commission, using its public hearing process, will establish an effective management program, for the 2009 Virginia recreational summer flounder fishery, on February 24.



North Carolina Department of Environment and Natural Resources

Beverly Eaves Perdue, Governor
Dee Freeman, Secretary

Division of Marine Fisheries

Dr. Louis B. Daniel, III, Director

To: ASMFC Summer Flounder, Scup and Black Sea Bass Technical Committee

From: Chris Batsavage

Date: January 20, 2009

Subject: Summer Flounder Recreational Management Measures

The ASMFC Summer Flounder, Scup, and Black Sea Bass Management Board (Board) and the Mid-Atlantic Fisheries Management Council (Council) met on December 9, 2008 and voted for conservation equivalency measures rather than implement a coastwide management program for the recreational summer flounder fishery. The recreational allocation for North Carolina in 2009 is 116,000 fish. The projected harvest for 2008 is ~66,000 fish, which is 42.6% below the 2008 allocation of 115,000 fish and the lowest in 11 years (Table 1). This memo outlines North Carolina's management strategy for the 2009 summer flounder recreational fishery based on the process approved by the Board and the Council.

Proposed Management Strategies for 2009

North Carolina intends to liberalize regulations to provide anglers a better opportunity to harvest summer flounder in the State. The following management options are proposed for 2009 (Table 2):

- 15-inch minimum size limit, 8 fish bag limit, no closed season
- 14.5-inch minimum size limit, 8 fish bag limit, closed season from 28 to 151 days
- 14-inch minimum size limit, 8 fish bag limit, closed season from 39 to 165 days

The preferred management measures for 2009 are a 15-inch minimum size limit, 8 fish bag limit and no closed season for the Atlantic Ocean and eastern inland waters north of Browns Inlet. As was the case in 2008, the western portions of the Albemarle and Pamlico sounds and the Neuse, Pamlico and Pungo rivers and ocean and inland waters from south of Browns Inlet to the South Carolina state line will be exempted from all of the proposed management measures (Figure 1). The regulations in these waters will be a 14-inch minimum size limit, 8 fish bag limit and no closed season.

Justification for Management Strategy

In 2008 the minimum size limit for areas of the State where summer flounder are most commonly caught increased to 15.5 inches (Table 3). This management measure was implemented to meet the required summer flounder harvest reduction that year while minimizing the impact on the recreational southern flounder fishery. The minimum size limit increase was the most significant change to the

management measures in 2008, so it is very likely that the 15.5-inch minimum size limit was responsible for the very low harvest estimate in 2008. Anecdotal reports from anglers also support this claim.

The potential harvest from these management options were examined by applying the proposed minimum size limits to the annual and average weighted length frequencies of summer flounder in North Carolina from 2004 to 2007 (Table 4). A Weibull curve using the predicted daily harvest of summer flounder from 1994 to 1998 served as the basis for determining season closures for the management options. The minimum size limits during these years were at or below the minimum size limits proposed for 2009 (Table 3). However, the 14-inch minimum size limit analysis did not include 2007 because the minimum size limit in the ocean was 14.5 inches that year. Because there is a small proportion of undersized summer flounder in the annual harvest, that proportion was added to the harvest estimates for the different management options. When a 15-inch minimum size limit is applied to the 2004-2007 weighted length frequencies, the annual harvest estimates averaged 109,158 fish and ranged from 76,038 fish in 2005 to 138,083 fish in 2007. When a 14.5-inch minimum size limit is applied to the 2004-2007 weighted length frequencies, the annual harvest estimates averaged 139,278 fish and ranged from 105,028 fish in 2005 to 169,393 fish in 2007. In order to constrain the harvest to the 116,000 fish allocation for 2009, the average harvest of 139,278 fish must be reduced by 16.7% through a closed season. When a 14-inch minimum size limit is applied to the 2004-2006 weighted length frequencies, the annual harvest estimates averaged 150,538 fish and ranged from 128,926 fish in 2005 to 171,932 fish in 2004. The average harvest of 150,538 fish must be reduced by 22.9% through a closed season in order to constrain the harvest to the 116,000 fish allocation for 2009.

Based on the average harvest estimates in Table 4, all three management options are predicted to constrain the summer flounder harvest to the 116,000 fish allocation. Based on the annual harvest estimates, however, each management option has a chance of exceeding the 2009 allocation. The 14-inch and 14.5-inch management options are the riskier options despite season closures associated with these options. From 2003 to 2007—years when the minimum size limit was greater than or equal to the proposed minimum size limits (Table 3), the modal size class of summer flounder recreationally harvested in North Carolina was 14.5 inches (Figure 2). A 15-inch minimum size limit removes the vast majority of these fish from the harvest. In addition, summer flounder 18 inches and greater are relatively uncommon in the North Carolina recreational fishery, so a 15-inch minimum size limit results in a rather truncated size range of fish available for harvest. Nonetheless, NCDMF staff will monitor monthly intercept data, and the recreational management measures will be adjusted via the Director's proclamation authority if the MRFSS intercept data indicate high catches of summer flounder.

Season closures are not a preferred management option for the recreational summer flounder fishery in North Carolina. Early season closures are not very effective at controlling harvest because of the variable catches of summer flounder resulting from low fishing effort and variable water and weather conditions during this time of year. As a result, high catches in Wave 4 can offset the reductions from early season closures. Season closures during the summer are problematic because of difficulties communicating these closures to a large number of anglers and the enforcement problems associated with closures during the busy summer months. Non-compliance (summer flounder harvested during a closed season) could be significant due to the peak catches during this time of year. If the effect of season closures is minimized by non-compliance, then the potential for harvest exceeding the 2009 allocation is increased.

The proposed management measures for the 2009 summer flounder recreational fishery are designed to avoid exceeding the 2009 harvest allocation while minimizing summer flounder discards and minimizing the impact on management measures implemented by the North Carolina Southern Flounder Fishery Management Plan (FMP). The proposed management measures will focus on the areas in the State where summer flounder catches and abundance are highest. The proposed exempted areas in 2009 are the same ones implemented in 2008. Summer flounder intercept data by county show that summer flounder in the counties bordering the western portions of the Albemarle and

Pamlico sounds and the Neuse, Pamlico and Pungo rivers are very rare. Summer flounder intercept data by county north of Browns Inlet (Dare, Hyde (Ocracoke Island), and Carteret counties) and south of Browns Inlet (Onslow, Pender, New Hanover, and Brunswick counties) were examined to observe the summer flounder harvest that occurs in these counties (Table 5). Overall, 90% of the summer flounder sampled by the MRFSS from 2002 to 2008 were from counties north of Browns Inlet—the counties that will be impacted by these regulations. The relatively high proportions of summer flounder intercepts from south of Browns Inlet in 2003, 2005 and 2008 were a result of very low numbers of intercepts north of Browns Inlet in those years; the numbers of summer flounder intercepts south of Browns Inlet during those years were similar to other years. Therefore, these annual changes in the proportion of catch south of Browns Inlet do not indicate a shift in summer flounder distribution; southern flounder remains the most common flounder species caught in this part of the State (Table 6).

Table 1. Landings of recreationally harvested summer flounder in North Carolina from 1998 to 2008 by area.

Year	Inland			Ocean \leq 3 miles			Ocean > 3 miles			Statewide	
	Number Landed	PSE	Percent Inland	Number Landed	PSE	Percent \leq 3 miles	Number Landed	PSE	Percent >3 miles	Number Landed	PSE
1998	314,030	9.9	80.3	76,673	23.6	19.6	433	81.6	0.1	391,136	9.2
1999	158,095	18.4	66.8	78,370	14.1	33.1	326	100.2	0.1	236,791	13.2
2000	258,554	14	69.0	116,202	15.4	31.0	0	0.0	0.0	374,756	10.8
2001	249,563	11.4	76.3	74,872	14.8	22.9	2,814	97.3	0.9	327,249	9.4
2002	168,082	13.4	88.7	20,119	29.5	10.6	1,257	70.9	0.7	189,458	12.3
2003	36,839	23.5	41.9	47,297	30.5	53.8	3,716	98.1	4.2	87,852	19.6
2004	64,433	21.1	37.3	104,016	18.4	60.2	4,286	73.2	2.5	172,735	13.7
2005	75,899	19.7	58.9	49,021	24.1	38.0	4,006	71.5	3.1	128,926	14.9
2006	92,707	18.2	60.7	43,337	23.9	28.4	16,619	42.6	10.9	152,663	13.8
2007	140,741	19.7	76.3	30,795	23.3	16.7	12,940	48.8	7.0	184,476	15.9
2008*	44,405	18.1	71.8	16,513	24	26.7	903	70.6	1.5	61,820	14.6

* landings through Wave 5 only

Table 2. Proposed management options for the 2009 North Carolina recreational summer flounder fishery.

Size Limit	Bag Limit	Season Closure Options	Closure Duration (Days)
15"	8	None	-
14.5"	8	Jan 1 - May 31	151
		Jun 1 - Jul 5	35
		Jul 1 - Jul 29	29
		Aug 1 - Aug 28	28
		Sep 28 - Dec 31	95
14"	8	Jan 1 - Jun 14	165
		Jun 1 - Jul 16	46
		Jul 1 - Aug 8	39
		Aug 1 - Sep 8	39
		Sep 15 - Dec 31	108

Table 3. Regulations for the recreational summer flounder fishery in North Carolina from 1993 to 2008.

Year	Inland Waters			Ocean Waters		
	Size Limit	Bag Limit	Closed Season	Size Limit	Bag Limit	Closed Season
1993	13"	----	----	13"	----	----
1994	13"	----	----	14"	8 (1/1-10/31)/ 6 (11/1-12/31)	----
1995	13"	----	----	14"	8	----
1996	13"	----	----	14"	8	----
1997	13"	----	----	14" (1/1-3/31)/ 14.5" (4/1-12/31)	8 (1/1-3/31)/ 10 (4/1-12/31)	----
1998	13"	----	----	14.5" (1/1-6/6)/ 15" (6/7-12/31)	10 (1/1-6/6)/ 8 (6/7-12/31)	----
1999	13"	----	----	15"	8	----
2000	13"	----	----	15"	8	----
2001	13"	----	----	15.5"	8	5/1-5/14
2002	13" (1/1-9/30)/ 14" (10/1-12/31)	----	----	15.5"	8	4/3-7/4
2003	14"	----	----	15"	8	----
2004	14"	----	----	14"	8	----
2005	14"	8 (4/1-12/31)	----	14"	8	----
2006	14"	8	----	14"	8	----
2007	14"	8	----	14.5"	8	----
2008	14"/15.5"*	8	----	14"/15.5"*	8	----

* 14" minimum size limit in western portions of Albemarle and Pamlico sounds and its tributaries, and ocean and estuarine waters south of Brown's Inlet to the SC border; 15.5" minimum size limit in eastern estuarine and ocean waters north of Brown's Inlet to the VA border.

Table 4. Estimated harvest of summer flounder from 2004 to 2007 under the proposed management options.

15", 8 fish bag

Year	Total harvest	Harvest <15"	New total	# undersized	% undersized	Estimated harvest	2009 target	% reduction
2004	171,932	52,985	118,947	5,960	3.5%	123,070	116,000	5.7%
2005	128,926	56,332	72,594	6,116	4.7%	76,038	116,000	-52.6%
2006	150,756	55,730	95,026	7,007	4.6%	99,443	116,000	-16.7%
2007	184,476	54,384	130,092	11,331	6.1%	138,083	116,000	16.0%
Average	159,023	54,858	104,165	7,604	4.8%	109,158	116,000	-6.3%

14.5", 8 fish bag

Year	Total harvest	Harvest <14.5"	New total	# undersized	% undersized	Estimated harvest	2009 target	% reduction
2004	171,932	23,789	148,143	5,960	3.5%	153,278	116,000	24.3%
2005	128,926	28,655	100,271	6,116	4.7%	105,028	116,000	-10.4%
2006	150,756	26,913	123,843	7,007	4.6%	129,599	116,000	10.5%
2007	184,476	24,886	159,590	11,331	6.1%	169,393	116,000	31.5%
Average	159,023	26,061	132,962	7,604	4.8%	139,278	116,000	16.7%

14", 8 fish bag

Year	Total harvest	2009 target	% reduction
2004	171,932	116,000	32.5%
2005	128,926	116,000	10.0%
2006	150,756	116,000	23.1%
Average	150,538	116,000	22.9%

Table 5. Distribution of NC MRFSS summer flounder observations by area, 2002-2008.

Observed Catch	2002		2003		2004		2005		2006		2007		2008		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
N. Counties*	4,193	98.7%	299	77.1%	1,007	87.3%	761	69.1%	862	93.5%	1,985	89.8%	101	55.5%	9,208	90.2%
S. Counties [#]	56	1.3%	89	22.9%	146	12.7%	340	30.9%	60	6.5%	226	10.2%	81	44.5%	998	9.8%
Total	4,249		388		1,153		1,101		922		2,211		182		10,206	

* Dare, Hyde (Ocracoke Island), and Carteret counties

[#] Onslow, Pender, New Hanover, and Brunswick counties

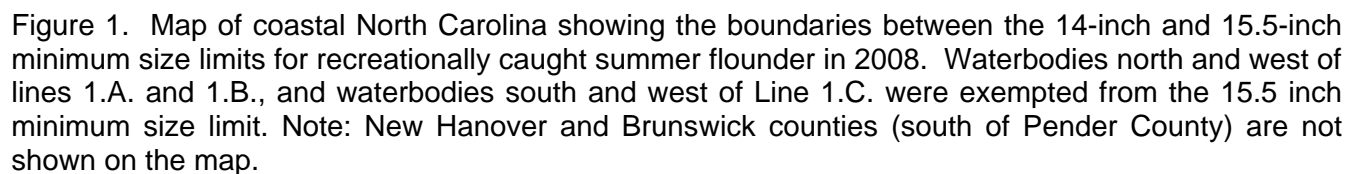
Table 6. Distribution of NC MRFSS southern flounder observations by area, 2002-2008.

2002-2008		
Observed Catch	Number	Percent
N. Counties*	781	9.9%
S. Counties [#]	6,019	76.0%
W. Counties ^{\$}	1,116	14.1%
Total	7,916	

* Dare, Hyde (Ocracoke Island), and Carteret counties

[#] Onslow, Pender, New Hanover, and Brunswick counties

^{\$} Beaufort, Pamlico, Hyde (Mainland), Pamlico and Craven counties



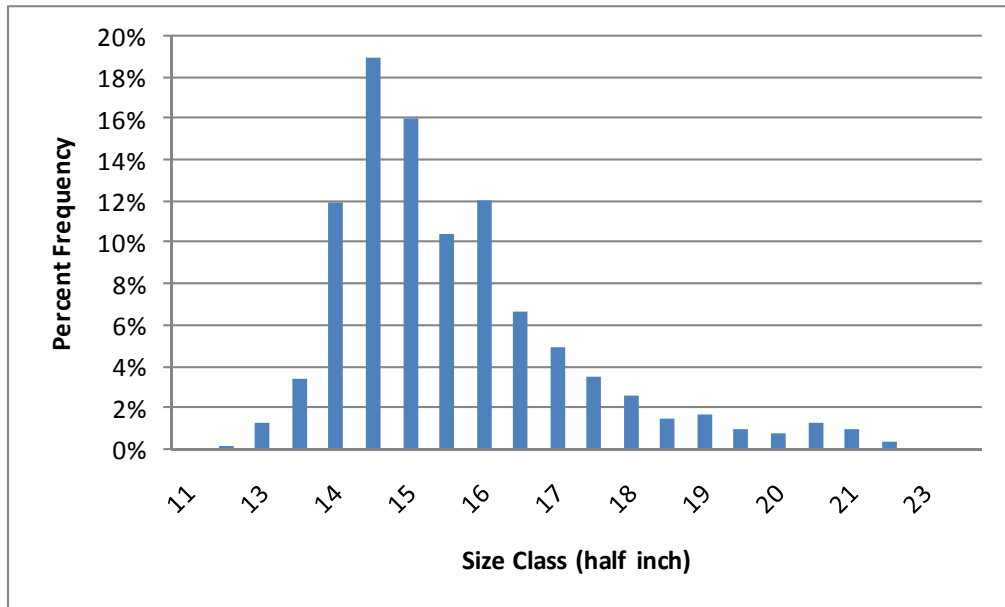


Figure 2. Percent frequency of summer flounder harvested recreationally in North Carolina, 2003-2007.

Atlantic States Marine Fisheries Commission

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MEMORANDUM

January 26, 2009

To: Summer Flounder, Scup, and Black Sea Bass Management Board
From: Toni Kerns, ISFPM Coordinator
RE: 2009 Winter I trip limits

The following trip limit regulations were sent to states in a memorandum dated November 6, 2008:

Scup Winter I Possession Limit

The Winter I TAL is 2,426,308 pounds after deducting the RSA. The Federal possession limit in Winter I is 30,000 pounds per trip for Scup, with states implementing a two week landing limit of 30,000 pounds. The first two week landing period will be a total of 17 days (until January 17) since the January 1 falls mid-week. All other weeks will be a 14 day period. When 80% of TAC is reached, the possession limit will drop to 1,000 pounds per day.

The Board adopted this rule in order to prevent a vessel from landing no more than 30,000 pounds in a single two week period. There has been confusion in some states in implementing a landing limit verses a possession limit. In other states there have been problems tracking if a vessel has landed fish in a different state during a two week period. The Scup Winter I trip limit will be discussed at the February Board meeting. The discussion will focus on the Board intention for a landing limit and how states can implement effective landing limits or alternative regulations.