

**Meeting Minutes of the RI Marine Fisheries Council**  
**Winter Flounder Advisory Panel**  
**September 15, 2009 - 6:00 PM**  
**Corless Auditorium, URI-GSO, Narragansett, RI**

**There were 9 people present (\* AP member)**

Kenneth Ketcham, Chair  
Michael Colby \* -- Hook and Line  
Steven Travismo \* -- Recreational  
Ian Parente \* -- Gillnet  
Stephen Parente  
George Allen  
Mark Gibson -- RIDEM-DFW  
Eric Schneider -- RIDEM-DFW

***Pre-Agenda Discussion***

Ken Ketcham, chairman, stated that we did not have a quorum, but would proceed with the meeting given the timely importance of the information to be presented by RIDEM – Marine Fisheries (RI-MF) staff. He indicated that the group would not vote on anything, however all proposals and comments would be reflected in the minutes and forwarded to the Council.

***Agenda Items***

K. Ketcham stated that E. Schneider had a slide presentation (see attached) that covered the first three agenda items. He asked E. Schneider to proceed with the presentation.

**1. Summary of GARM III findings**

E. Schneider introduced himself and stated that the slide presentation (see attached) summarizes the GARM III Stock Assessment findings and the commercial and recreational measures required by ASMFC (i.e. agenda items 1, 2, & 3). E. Schneider began the presentation by showing a map of the SNE/MA winter flounder stock assessment area and summarized the fishery dependant and independent data collected both regionally and locally in RI, and identified data used in the GARM III Stock Assessment. E. Schneider noted that, in general, fishery independent data appeared to agree with catch data, suggesting that such indices are likely capturing winter flounder abundance within the stock area. E. Schneider then summarized the statistical approach used in the stock assessment and illustrated how the current assessment (GARM III) model is improved relative to the last two assessments, primarily in regards to reducing the retrospective pattern that was present in previous assessments. The retrospective pattern caused an underestimation of F, resulting in overestimates of SSB.

E. Schneider then summarized the GARM III findings, stating that winter flounder is overfished and overfishing is occurring. E. Schneider reported that based on 2007 estimates  $F_{2007}$  (0.649) is greater than 2½ times that of  $F_{MSY}$  (0.248) and estimates of  $SSB_{2007}$  (3,368 MT) where at 9% of  $SSB_{MSY}$  (36,761 MT). The GARM III produced projections for 2009-2014 SSB at both  $F_{0\%}$  and  $F_{40\%}$ ; however, neither projection had a greater than 1% probability of reaching  $SSB_{MSY}$  (38,761 MT) by 2014 as required by Magnusson. E. Schneider suggested although it doesn't appear that we can rebuild SSB to  $SSB_{MSY}$  by 2014, the GARM III projects that we can achieve substantial

biomass increase in next 5 years, and that the target  $SSB_{MSY}$  may be reduced in the future due to ecosystem considerations, as we've seen with other species. E. Schneider then presented that under the scenario of  $F_{40\%}$ , we could expect a 4-fold increase in SSB by 2014 to 14,202 MT. M. Gibson later added that if we reduce  $F$  to near zero and below  $F_{40\%}$  it may be possible to return winter flounder to medium levels of abundance. It is not likely to return to what we observed in the 1980's, but a moderate increase would be a large step forward compared to its present status.

## **2, 3. Commercial and Recreational Measures require by ASMFC**

E. Schneider then presented slides summarizing the proposed changes required to comply with ASMFC Addendum 1 to Amendment 1 - Interstate Fishery Management Plan (FMP) for Inshore Stocks of Winter Flounder.

Given that there would likely be more discussion regarding commercial measures, E. Schneider first presented the ASMFC required Recreational Measures. E. Schneider stated that ASMFC requires reducing the daily bag limit to 2 fish per person per day and maintain the current minimum size of 12 inches. Recreational seasons will stay status quo, which is presently two 30 day seasons beginning the fourth Saturday of April (4/24/10) and September (9/25/10). Recreational measures in federal waters are status quo, which is currently no possession/retention in federal waters. E. Schneider stated, for clarity, that charter/party boat vessels with a federal groundfish permit must adhere to the federal measures of no possession/retention.

Regarding commercial measures, E. Schneider stated that the RIFMC may consider two options for vessels with no federal groundfish permit:

- (a)  $\leq 50$  lbs per vessel per day, or
- (b) an option allowing for  $\leq 38$  fish per vessel per day.

Measures for commercial vessels with a federal groundfish permit are status quo, meaning that there is no possession/retention from federal waters (per federal interim rule) or state waters.

- K. Ketcham asked where the commercial option for "38 fish per vessel per day" originated. M. Gibson stated that it was proposed by the state of N.J. on the premise that it would be easier to enforce compared to the 50 lbs. per vessel per day. Mark stated that DEM was concerned about the "38 fish" option because it could lead to high-grading, which would increase discards. M. Gibson also stated that RI Law Enforcement could enforce the 50 lbs. option, given that most species are regulated using lbs per vessel per day. The RIFMC should discuss this matter with the Enforcement Division.
- G. Allen asked if the 6.5" mesh in the cod-end restriction would remain in place. M. Gibson confirmed that states are required to continue all measures currently in place, including gear restrictions, but noted that states can adopt more restrictive measures as needed.
- There was discussion among audience, DEM staff, and panel members regarding (a) the effectiveness of gear modifications presently being used in the fluke sector on reducing catch of under sized fish and (b) the small mesh exception currently in RI state regulations. M. Gibson confirmed that RI still has a small mesh exemption on the books and although we don't need to adopt additional measures to be compliant with ASFMC, we may consider it given that reducing catch of undersized fish is key to rebuilding the stock.

- K. Ketcham stated that the minutes should show that the panel is concerned about small mesh retention of undersized winter flounder that will not go towards the 50 lbs. per vessel per day limit (i.e. will be discarded rather than landed). K. Ketcham suggested that the panel should consider alternative gear type, such as drop chain nets, that could reduce bycatch and improve juvenile retention in the fishery.
- The panel then discussed how gear technology is needed to reduce catch of undersized fish. The panel is hopeful that the Fluke Sector Performance report will include results for species in addition to Fluke. The winter flounder advisory panel may want to review the Fluke Sector report to see if alternative gear could reduce bycatch and improve juvenile retention. K. Ketcham concluded the discussion by stating that a reduction in F will likely be a result of gear technology.
- G. Allen asked if the panel needs to reconsider Coastal Marine Life Management Areas? M. Gibson stated that ASFMC doesn't allow any backsliding on current management measures, thus the CMLMA will stay status quo.

#### **4. Additional state measures**

E. Schneider stated that there were no Additional State Measures.

#### **5. Research Recommendations**

K. Ketcham asked if there were any research recommendations. M. Gibson stated the RI-MF wants to review RI-MF trawl survey stations and try to improve the survey data by picking up stations (areas) that are no longer surveyed by the New England Fisheries Science Center (NEFSC) Trawl because their new vessel, NOAA Bigelow, can not tow in all areas that NOAA's previous trawl vessel, the Albatross, was able to tow.

M. Gibson also stated the RI-MF wanted to meet with industry to review the Rhode Island and Block Island sound overlay to determine towable areas. RI-MF could then apply a statistical sampling design to locate stations in towable areas so that data will be deemed statistically valid and applicable to future stock assessments and other scientific applications. M. Gibson mentioned that RI-MF plans to try and resolve some questions it has with the doors used on the RI-MF trawl.

- An audience member asked what gear the Fluke sector is using. K. Ketcham stated that the sector uses drops-chain nets that keep the net about 12 inches off the bottom. K. Ketcham elaborated on how the gear works. M. Gibson stated that he was hopeful that by 2010 we may have enough data to compare catches recorded by observers on Fluke Sector vessels deploying drop-chain nets to catch recorded on the RI-MF trawl (bottom trawl) to determine the effectiveness of drop-chain nets at excluding juvenile winter flounder.

#### **5. Adjourn**

K. Ketcham adjourned the meeting.