

**Supplemental Comments on Summer Flounder 2020 Recreational Measures (Received through 5PM on December 5, 2019)**

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**From:** Diana Russo <[diana\\_59@verizon.net](mailto:diana_59@verizon.net)>  
**Sent:** Wednesday, November 27, 2019 10:48:25 PM  
**To:** Moore, Christopher <[cmoore@mafmc.org](mailto:cmoore@mafmc.org)>  
**Subject:** Summer Flounder

I am a New Jersey resident saltwater angler. I asking the commission to consider regulations that will protect spawning female Summer Flounder. Our current regulations are unsustainable.

Sent from my iPhone

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**Name:** Thomas Smith

**Email:** [smith.tom560@gmail.com](mailto:smith.tom560@gmail.com)

**Topic(s):** Tab 12: Summer Flounder 2020 Recreational Specifications

**Comments:** There's been less fish landed over the last three decades COMBINED than the decade of the 80's alone and the biomass population has decreased from a high of 202 million fish in 1983 to 122 million in 2017 while continuing it's downward trend. Over a billion less fish harvested in the last three decades combined relative to the harvest levels in the 80's and the biomass population has decreased by 80 million fish. Billion less fish and a decline in the biomass population of 80 million fish or a 40% decrease between 1983 and 2017. That's a mind-boggling statistic.

Changes in catch composition between commercial (their own elected decision) and recreational due to size mandates have resulted in the harvest of older age classes, significantly more proportionate female fish causing a severe gender imbalance in SSB weakening the relative recruitment strength of the stock. We have an age / sex impaired SSB causing severe declines in recruitment compounded by the increased harvest by commercial operators of larger older age classes at the worst time of year, during the stock's offshore migration (PRIMARY SPAWN SEPTEMBER THROUGH EARLY NOVEMBER) and during the winter months when the biomass is most highly concentrated and most vulnerable. Discard rates as a result of both recreational size increases and commercial harvest of older age classes during the winter months (46% between January and March 2018 and in excess of 50% - 60% in 10 or more prior years) are off the charts. In 2018, 60% of the commercial harvest came from areas 613, 616 and 537, all in our back yard, deeper water depths consisting primarily of older age class summer flounder than years past. Smaller fish or fish too large with no market value go back dead.

If we don't change these trends, the fishery will never recover on its own. The data speaks for itself and without remedial action by the Commission and Council to reverse these trends, summer flounder will be the next vital fishery to fail.

(Sent via [Mid-Atlantic Fishery Management Council](#))

**From:** Mike Skirka <[skirkam@comcast.net](mailto:skirkam@comcast.net)>  
**Sent:** Sunday, December 1, 2019 3:31 PM  
**To:** Moore, Christopher <[cmoore@mafmc.org](mailto:cmoore@mafmc.org)>  
**Subject:** Summer Flounder Management

I am a recreational fisherman and conservationist from NJ with over 40 years experience fishing for summer flounder, averaging 20-35 trips per year in my own boats over the years. It should be obvious to all types of fishermen and those with direct decision-making roles for summer flounder management that the biomass is down dramatically and that the current management plan IS NOT WORKING. I strongly recommend that drastic changes be made in the management approach and that government inertia and group-think be defeated now before more damage is done to the fishery.

I strongly believe that the three biggest negative impacts on the summer flounder fishery are

- Commercial harvesting during peak spawning season at known offshore summer flounder spots
- Huge bi-catch mortality by commercials and keeping of larger fish to make up for discards
- Recreational size limits that force us to cull an extremely high percentage of female breeders from the population

Bullets 2 and 3 above both result in removal of female breeders from the biomass.

I am sure that others have made specific recommendations for how to turn things around. I will leave those details up to those responsible, but hope that a common realization of the dire situation by all stakeholders will nudge things in the right direction. A very simple and proven solution is to return to policies that resulted in documented significant increases in the summer flounder populations in decades past. I remember those years. If it worked once, it will work again.

Good luck.

Mike Skirka  
5 Oakdale Run  
Atlantic Highlands. NJ 07716

Sent from [Mail](#) for Windows 10

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**From:** Michael Lombardi <[mlombardi1924@gmail.com](mailto:mlombardi1924@gmail.com)>  
**Sent:** Tuesday, December 3, 2019 10:29 AM  
**To:** Moore, Christopher <[cmoore@mafmc.org](mailto:cmoore@mafmc.org)>  
**Subject:** NJ fluke season

Hello

Please consider a "slot" regulation for Fluke this year so that recreational anglers are no longer forced to remove the larger female breeders from the stock. Also please consider a commercial ban on Fluke landings during their winter Spawn off-shore. . .

Thanks, Mike Lombardi (New Jersey recreational fisherman)

## Kiley Dancy

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**From:** Jim Lovgren <jlovgren3@gmail.com>  
**Sent:** Thursday, November 28, 2019 8:58 AM  
**To:** Tom Smith  
**Cc:** Gregory Wojcik; CRAIG.MINER@cga.ct.gov; MELISSA.ZIOBRON@cga.ct.gov; WILLIAM.A.HYATT@snet.net; Davis, Justin; CRABMAN31@aol.com; Saveikis, David; FISHMASTER70@comcast.net; JOHN.CLARK@delaware.gov; WILLIAM.CARSON@delaware.gov; MJDIZE@verizon.net; MBRASSIL@house.state.md.us; Luisi, Michael; Langley, Phil; BILL.ANDERSON@maryland.gov; SARAHKPEAKE@gmail.com; RAY@capecodfishermen.org; Ruccio, Michael; Meserve, Nichola (FWE); White, Sherry; McKiernan, Dan; Capt. Adam; Cimino, Joseph; Fote, Tom; Snellbaker, Jason; SENANDRZEJCZAK@njleg.org; Davidson, Maureen; Gilmore, Jim; Hasbrouck Jr, Emerson C.; KAMINSKY@nysenate.gov; STEVE.MURPHEY@ncdenr.gov; MBLANTON9394@gmail.com; BOB.STEINBURG@ncleg.net; Batsavage, Chris; JMANNEN@yfmlaw.com; Ballou, Robert; Reid, Eric; Borden, David; SEN-SOSNOWSKI@rilin.state.ri.us; Rootes-Murdy, Kirby; DISTRICT01@senate.virginia.gov; Bowman, Steven; BPLUMLEE@pbp-attorneys.com; MARTINGARY.PRFC@gmail.com; Starks, Caitlin; Leaning, Dustin Colson; PAT.GEER@mrc.virginia.gov; Wong, Richard; Muffley, Brandon; Kiley Dancy; Beaty, Julia; Coutre, Karson; STEVE.DOCTOR@maryland.gov; Terceiro, Mark; Gilbert, Emily; Truesdell, Samuel; Peter Clarke; Maniscalco, John; VanMiddlesworth, Todd; Jason McNamee; JKIPP@asmfc.org; ALEX.ASPINWALL@mrc.virginia.gov; JACK.D.CONWAY.JR@lmco.com; KYLE@jbtackle.com; Townsend, Wes; LUREFEST@gmail.com; PGFVIKING1@gmail.com; SELBYSUZI1121@aol.com; Jeffrey Eutsler; Jesien, Roman; BUNTING904@gmail.com; BUDDYSCRN@gmail.com; PKCARUSO@comcast.net; PATRIOTTOO@aol.com; JOSEPH@meganet.net; TIMEBANDIT100@hotmail.com; Gregory DiDomenico; CAPTBOB626@comcast.net; BUCKTAIL8@aol.com; D713K@aol.com; MKHOFFMAN@optonline.net; RBUSBY@optonline.net; MARCIALOM@msn.com; Ruhle, James; ARTSMITH@gotricounty.com; BJSEAFOOD@earthlink.net; Blount, Frank; MHALL@towndock.com; NBF05@verizon.net; TRAVISBARAO@gmail.com; DCRABBE@crabbescharterfishing.com; DRNEILL3@hotmail.com; Hodges, Mark L.; CAPTSTV@yahoo.com; Amory, C. Meade; KEVIN.SMITH@suez.com; Elliott, G. Warren; Bolen, Ellen; Stewart.Michels@state.de.us; Shiels, Andrew L.; Pentony, Mike; Wilke, Kate; Lenox, Scott; Heins, Stephen; Gwin, Sonny; Hughes, Peter B.; Winslow, Sara; deFur, Peter; Nolan, Laurie; Hemilright Jr, Dewey; dave; Ec Newellman; Jim Hutchinson; Cicero, Nick; Gregory Hueth; John depersenaire; Mike Waine; tony@rocketcharters.com; Gutman, Jeffrey; Zemeckis, Douglas; Caputi, Gary; Gerry Zagorski; Rocky McGuigan; Patrick J. Sullivan  
**Subject:** Re: December ASMFC Joint Mtg - Annapolis MD

Tom, do you find it unbelievable that the science that is presented to the management council/board could possibly be wrong? Welcome to the world of anecdotal fishermen who know nothing, although they have spent their whole lives fishing. As a council member I repeatedly heard a well known NEFSC scientist tell the council that a dogfish's diet was 90% jellyfish, I called him on it a number of times yet he still persisted on stating it even a few years later. Why would he do or say something that goes against 100 year old science? Because if a dogfish diet was exposed for what it really is then every species of fish on the east coast would be imperiled and the phony NGO driven save the dogfish crusade would've been exposed. The only thing more plentiful than dogfish now, are the NGO's pushing for an end to all fishing. They tried to stop it by dogfish bycatch, and now are using windmills.

A few years ago when Dr. Maunder did his research for Save the Summer Flounder and discovered the age discrepancies between male and female Summer Flounder, it left substantial egg on the face of a few Stock Assessment personnel. They have been doing their best to get revenge ever since, and now they are using their absolute god like powers to change the real science of the Summer Flounder sex by length into something that will appear to make them right, even though it is wrong. They have been indoctrinated by reading 1984 too many times, and now abide by the Communist credo, "If you tell a lie enough times, it becomes the truth". Thanks for exposing this, I really doubt that in 5 years time the summer flounder could change millions of years of life history to adjust for a shortage of females in the

stock. Perhaps many of the males are going to San Francisco and having a sex change operation, that seems about as likely as anything. Happy Thanksgiving, Jim

## Kiley Dancy

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**From:** Tom Smith <smith.tom560@gmail.com>  
**Sent:** Thursday, November 28, 2019 10:14 AM  
**To:** Lovgren, Jim  
**Cc:** Gregory Wojcik; CRAIG.MINER@cga.ct.gov; MELISSA.ZIOBRON@cga.ct.gov; WILLIAM.A.HYATT@snet.net; Davis, Justin; CRABMAN31@aol.com; Saveikis, David; FISHMASTER70@comcast.net; JOHN.CLARK@delaware.gov; WILLIAM.CARSON@delaware.gov; MJDIZE@verizon.net; MBRASSIL@house.state.md.us; Luisi, Michael; Langley, Phil; BILL.ANDERSON@maryland.gov; SARAHKPEAKE@gmail.com; RAY@capecodfishermen.org; Ruccio, Michael; Meserve, Nichola (FWE); White, Sherry; McKiernan, Dan; Capt. Adam; Cimino, Joseph; Fote, Tom; Snellbaker, Jason; SENANDRZEJCZAK@njleg.org; Davidson, Maureen; Gilmore, Jim; Hasbrouck Jr, Emerson C.; KAMINSKY@nysenate.gov; STEVE.MURPHEY@ncdenr.gov; MBLANTON9394@gmail.com; BOB.STEINBURG@ncleg.net; Batsavage, Chris; JMANNEN@yfmlaw.com; Ballou, Robert; Reid, Eric; Borden, David; SEN-SOSNOWSKI@rilin.state.ri.us; Rootes-Murdy, Kirby; DISTRICT01@senate.virginia.gov; Bowman, Steven; BPLUMLEE@pbp-attorneys.com; MARTINGARY.PRFC@gmail.com; Starks, Caitlin; Leaning, Dustin Colson; PAT.GEER@mrc.virginia.gov; Wong, Richard; Muffley, Brandon; Kiley Dancy; Beaty, Julia; Coutre, Karson; STEVE.DOCTOR@maryland.gov; Terceiro, Mark; Gilbert, Emily; Truesdell, Samuel; Peter Clarke; Maniscalco, John; VanMiddlesworth, Todd; Jason McNamee; JKIPP@asmfc.org; ALEX.ASPINWALL@mrc.virginia.gov; JACK.D.CONWAY.JR@lmco.com; KYLE@jbtackle.com; Townsend, Wes; LUREFEST@gmail.com; PGFVIKING1@gmail.com; SELBYSUZI1121@aol.com; Jeffrey Eutsler; Jesien, Roman; BUNTING904@gmail.com; BUDDYSCRN@gmail.com; PKCARUSO@comcast.net; PATRIOTTOO@aol.com; JOSEPH@meganet.net; TIMEBANDIT100@hotmail.com; Gregory DiDomenico; CAPTBOB626@comcast.net; BUCKTAIL8@aol.com; D713K@aol.com; MKHOFFMAN@optonline.net; RBUSBY@optonline.net; MARCIALOM@msn.com; Ruhle, James; ARTSMITH@gotricounty.com; BJSEAFOOD@earthlink.net; Blount, Frank; MHALL@towndock.com; NBF05@verizon.net; TRAVISBARAO@gmail.com; DCRABBE@crabbescharterfishing.com; DRNEILL3@hotmail.com; Hodges, Mark L.; CAPTSTV@yahoo.com; Amory, C. Meade; KEVIN.SMITH@suez.com; Elliott, G. Warren; Bolen, Ellen; Stewart.Michels@state.de.us; Shiels, Andrew L.; Pentony, Mike; Wilke, Kate; Lenox, Scott; Heins, Stephen; Gwin, Sonny; Hughes, Peter B.; Winslow, Sara; deFur, Peter; Nolan, Laurie; Hemilright Jr, Dewey; dave; Ec Newellman; Jim Hutchinson; Cicero, Nick; Gregory Hueth; John depersenaire; Mike Waine; tony@rocketcharters.com; Gutman, Jeffrey; Zemeckis, Douglas; Caputi, Gary; Gerry Zagorski; Rocky McGuigan; Patrick J. Sullivan  
**Subject:** Re: December ASMFC Joint Mtg - Annapolis MD

Jim,

First Happy Thanksgiving to you and your family. Second I couldn't agree more with your email and your comments breathe the honesty and integrity I was hoping to elicit from Commission, Council Members and others copied on my emails the last few weeks. The Commission and Council in my opinion have the data and resources they need including public commentary to make intelligent decisions for the benefit of the fishery and both commercial and recreational parties but politics and protectionism have blurred every one's vision. I learned years ago it's better to swing and miss than not swing at all. 17 years of failure and status quo are terms which should never be accepted in the same sentence. As I said in my email yesterday, management in my opinion is in a state of stasis and status quo regulations apparently being called for in 2020 are a guarantee to a continued decline in this fishery. ***If there's one Member who would like to explain how the same regulations which have caused a 17-yr decline could possibly benefit the fishery next year or reverse it's misfortunes, please speak up. Mr. Fote please don't reply that in order for recruitment to increase the biomass needs to decrease or I'll be compelled once again to provide marine fisheries own data over the last 35-years which completely refutes that position. Other than that, I'd like one person before the final regulations***

***are proposed for 2020 to answer how status quo regulations improves a fishery which has been in a free fall decline between 30% to 50% in every key category that matters since 2003.***

The sin is I don't think we're talking about draconian cuts to turn this fishery around. Maybe some short term pain due to the mistakes made over the last two decades but in the 90's landings were almost twice what they are today and if the regulations were left alone landings today conceivably could be three to four times their current levels and everyone would be benefiting tremendously.. 900% growth doesn't suddenly stop on it's own, replaced by 17 years of decline. That's why trend analysis works in identifying changes in this case to a fishery and relating them to causes. Only plausible answer is consequences caused by regulatory changes intended to benefit the fishery instead damaged it. If the regulations in place in the 90's prompted that kind of growth, why can't they today? I think all of us would take even half that growth or 450% over the next 15-yr period as opposed to sticking to the path we're on.

There are intelligent commercial operators and recreational anglers who could contribute to fixing this problem working together if their inputs didn't fall on deaf ears as Jim points out. Until the Commission and Council Members start holding themselves to a higher standard and the sub-committees providing them data and recommendations are held accountable, fisheries, commercial livelihoods and recreational enjoyment of a public resource (or what should be a public resource) are all at risk.

It really doesn't have to be this way and we can't afford to lose this vital fishery to egos, personal agendas and protectionist views. As I've said, collectively we're all better than that but we need to act in order for that statement to resonate.

Again Happy Thanksgiving to everyone! Jim thanks so much for your words and once again I implore the Commission and Council to reconsider the status quo decision for 2020 and make decisions which will reduce the harvest of female breeders, reconstruct the gender composition in SSB which has been severely impaired, reduce discard rates with the mandated harvest of younger age class fish, protect the spawn and protect the harvest of a highly concentrated and highly vulnerable biomass during their wintering months offshore, all issues which if addressed should elevate recruitment to levels never before experienced in this fishery. And if done thoughtfully, there's no reason in my opinion we can't address and overcome any issue keeping every one's positions short term in tact while creating significantly greater benefits in the future. We have that option or we can sit back and watch another vital fishery disappear. Decision as I've said is up to the Commission and Council Members to make.

Sincerely,

Thomas Smith

## Kiley Dancy

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**From:** Tom Smith <smith.tom560@gmail.com>  
**Sent:** Wednesday, December 4, 2019 11:21 AM  
**To:** Gregory Wojcik; CRAIG.MINER@cga.ct.gov; MELISSA.ZIOBRON@cga.ct.gov; WILLIAM.A.HYATT@snet.net; Davis, Justin; CRABMAN31@aol.com; Saveikis, David; FISHMASTER70@comcast.net; JOHN.CLARK@delaware.gov; WILLIAM.CARSON@delaware.gov; MJDIZE@verizon.net; MBRASSIL@house.state.md.us; Luisi, Michael; Langley, Phil; BILL.ANDERSON@maryland.gov; SARAHKPEAKE@gmail.com; RAY@capecodfishermen.org; Ruccio, Michael; Meserve, Nichola (FWE); White, Sherry; McKiernan, Dan; Capt. Adam; Cimino, Joseph; Fote, Tom; Snellbaker, Jason; SENANDRZEJCZAK@njleg.org; Davidson, Maureen; Gilmore, Jim; Hasbrouck Jr, Emerson C.; KAMINSKY@nysenate.gov; STEVE.MURPHEY@ncdenr.gov; MBLANTON9394@gmail.com; BOB.STEINBURG@ncleg.net; Batsavage, Chris; JMANNEN@yfmlaw.com; Ballou, Robert; Reid, Eric; Borden, David; SEN-SOSNOWSKI@rilin.state.ri.us; Rootes-Murdy, Kirby; DISTRICT01@senate.virginia.gov; Bowman, Steven; BPLUMLEE@pbp-attorneys.com; MARTINGARY.PRFC@gmail.com; Starks, Caitlin; Leaning, Dustin Colson; PAT.GEER@mrc.virginia.gov; Wong, Richard; Muffley, Brandon; Kiley Dancy; Beaty, Julia; Coutre, Karson; STEVE.DOCTOR@maryland.gov; Terceiro, Mark; Gilbert, Emily; Truesdell, Samuel; Peter Clarke; Maniscalco, John; VanMiddlesworth, Todd; Jason McNamee; JKIPP@asmfc.org; ALEX.ASPINWALL@mrc.virginia.gov; JACK.D.CONWAY.JR@lmco.com; KYLE@jbtackle.com; Townsend, Wes; LUREFEST@gmail.com; PGFVIKING1@gmail.com; SELBYSUZI1121@aol.com; Jeffrey Eutsler; Jesien, Roman; BUNTING904@gmail.com; BUDDYSCRN@gmail.com; PKCARUSO@comcast.net; PATRIOTTOO@aol.com; JOSEPH@meganet.net; TIMEBANDIT100@hotmail.com; Lovgren, Jim; Gregory DiDomenico; CAPTBOB626@comcast.net; BUCKTAIL8@aol.com; D713K@aol.com; MKHOFFMAN@optonline.net; RBUSBY@optonline.net; MARCIALOM@msn.com; Ruhle, James; ARTSMITH@gotricounty.com; BJSEAFOOD@earthlink.net; Blount, Frank; MHALL@towndock.com; NBF05@verizon.net; TRAVISBARAO@gmail.com; DCRABBE@crabbescharterfishing.com; DRNEILL3@hotmail.com; Hodges, Mark L.; CAPTSTV@yahoo.com; Amory, C. Meade; KEVIN.SMITH@suez.com; Elliott, G. Warren; Bolen, Ellen; Stewart.Michels@state.de.us; Shiels, Andrew L.; Pentony, Mike; Wilke, Kate; Lenox, Scott; Heins, Stephen; Gwin, Sonny; Hughes, Peter B.; Winslow, Sara; deFur, Peter; Nolan, Laurie; Hemilright Jr, Dewey; dave; Ec Newellman; Jim Hutchinson; Cicero, Nick; Gregory Hueth; John depersenaire; Mike Waine; tony@rocketcharters.com; Gutman, Jeffrey; Zemeckis, Douglas; Caputi, Gary; Gerry Zagorski; Rocky McGuigan; Patrick J. Sullivan; Moore, Christopher; Yenkinson, Harvey  
**Subject:** Re: December ASMFC Joint Mtg - Annapolis MD

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

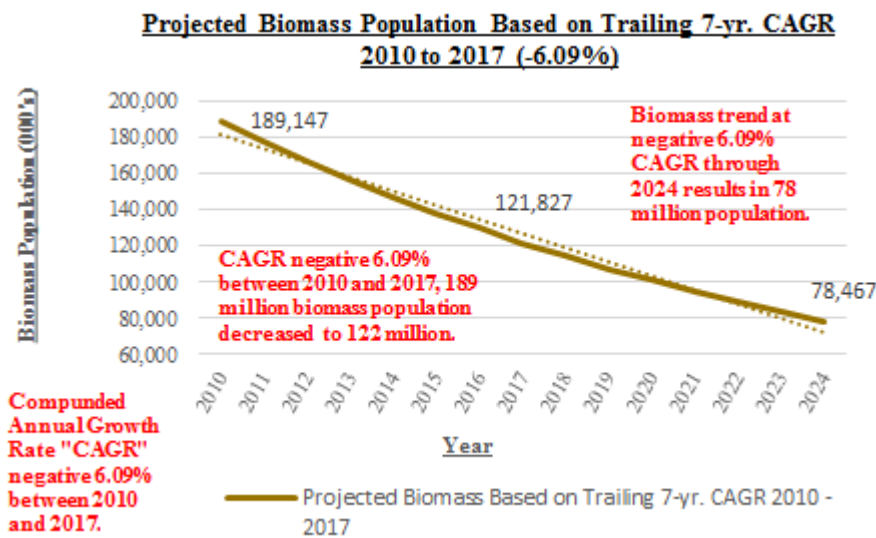
Ladies and Gentlemen,

As a final effort to have the Board and Council's acknowledge your own data in setting policy decisions next week to address causes of a 17-yr decline in an extremely important fishery, I'm sending one last email which I'd ask everyone to read very carefully. Kiley I understand this is beyond the briefing material deadline so I'm going to post it as well in the comments section in the hopes it makes the Supplemental Comments for the meeting agenda. The email contains charts and I'm not sure the on-line comments page allows charts to be posted. If not, maybe you have another suggestion.

**IN 1997 WHEN BOTH RECREATIONAL AND COMMERCIAL INTERESTS STARTED HARVESTING OLDER AGE CLASSES INVOLVING SIGNIFICANTLY HIGHER LEVELS OF FEMALES, THE MISFORTUNE OF THE FISHERY WAS CAST IN STONE.** If after next week's meeting, status quo is agreed to for 2020 regulations without addressing the issues I've eluded to in my previous documentation, the fishery will continue its tumultuous decline. Those issues for purposes of clarity again

are catch composition of older age classes, leading to a significant imbalance in the gender compositions of SSB leading to historically low levels of recruitment over the last two decades at an accelerated pace. Size increased recreational size minimums have caused recreational harvest to consist almost exclusively of females while the elected commercial harvest of higher market value fish has increased discard levels to unprecedented levels, potentially caused extensive damage to the spawn and further disrupted the balance of sexually mature fish in the biomass as well as contributing to the gender imbalance in SSB.

Following information **EVERYONE** needs to be aware of, acknowledge and factor into the decisions made governing this vital fishery by the Board and Council at next week's meeting. The ultimate fate of the fishery hangs in the balance and status quo regulations will further perpetuate the declines we've all painfully lived through since 2003.

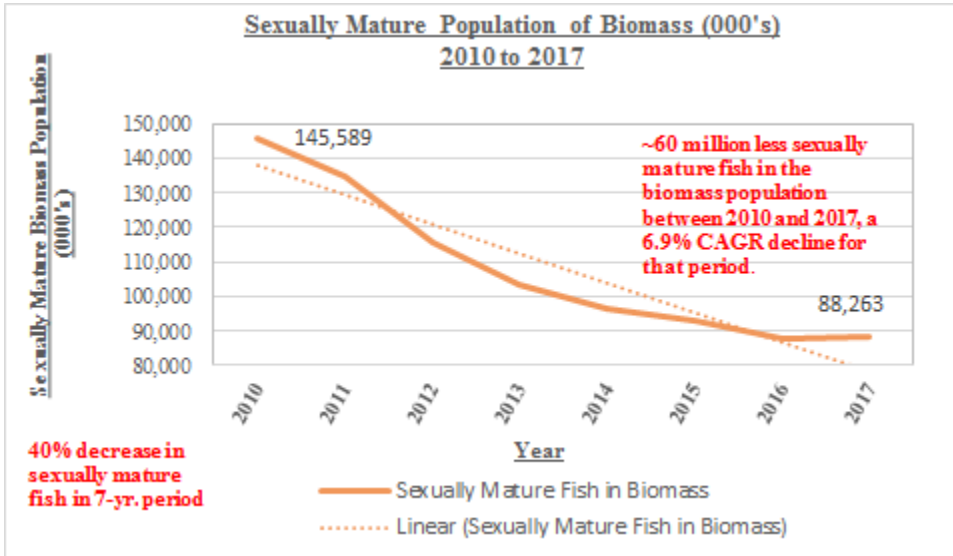


**Source Biomass Population (through 2017) 66th SAW, page 240.** Over the years 2010 to 2017, the biomass population has decreased by approximately 70 million fish under the current regulations, prior to 2019's 50% increase in commercial catch quotas. CAGR (compounded annual growth rate) translates to a negative 6.09%, decrease in this case, over the trailing 7-yr. period. **If the same CAGR rate is applied over the next 7-yr period 2018 to 2024, conservative considering the 2019 50% increase in commercial catch quota is not factored into the 6.09% decline, the biomass population based on the current trend line will approximate 78 million by 2024. 78 million fish, levels comparable to 1988 when the biomass population plummeted to ~79 million, one year prior to SSB 1989 hitting it's lowest recorded level in history at ~7,000 metric tons prompting emergency cuts in catch quotas in 1989 in excess of 50%. Without changes in the regulations addressing the continued harvest of older age classes particularly larger female breeders both recreationally and commercially, the associated elevated discard rates involved, protection of the spawn, changes in commercial offshore seasonal quotas of the most highly concentrated biomass in history during winter months, there's nothing to prevent the continued decline of this fishery from occurring until it collapses again within the next 4 or 5 years. While SSB in 2017 is ~42,000 metric tons, recruitment for the last 8 years 2010 to 2017 averaged 38 million new recruits. Recruitment levels between the years 1989 and 1996, while SSB was a paltry 7,000 metric tons, averaged 52 million recruits a year because collectively younger age classes were being harvested and the female composition of SSB was strong enough to rebuild the stock. That is absolutely the complete opposite of catch and SSB gender composition today.**

Further compounding matters is the declining composition of the biomass regarding sexually mature fish (below graph). I can provide detailed calculations how the numbers were arrived at if anyone is concerned with the calculations but simply taking the above biomass population data by year and age from page 240 of the 66th SAW applied to the values reflected in the last paragraph under "Maturity" on page 64 of the 66th SAW will provide the results, again marine fisheries own data. Maturity values from page 64 used in the assessment are 29% at age 0, 86% at age 1, 99% at age 2 and 100% for ages 3 and older. **Important to point out these maturity values are higher than the most recent 5-**



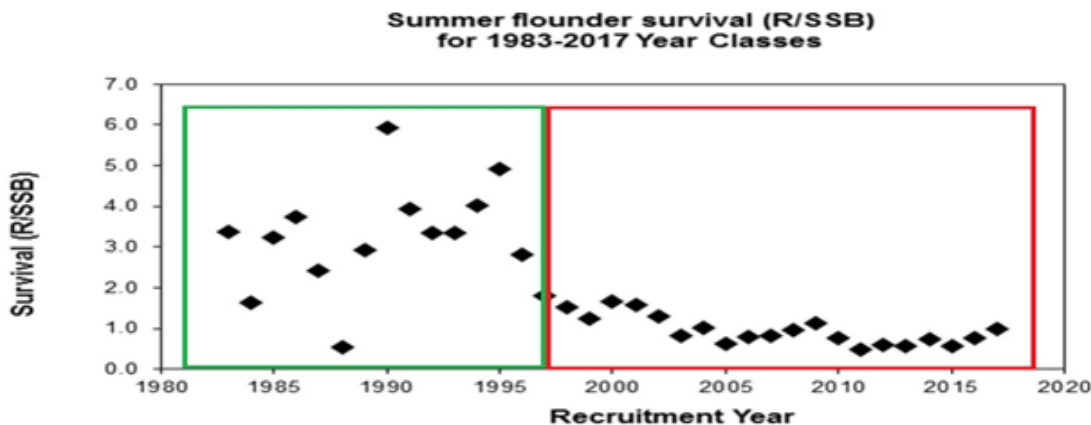
yr mean values from 2012 - 2016 which are 26% at age 0, 75% at age 1, 97% at age 2 and 100% at ages 3 and older, all lower values which will accentuate the existing problems and declines in recruitment statistics.



If that rate of decline continues and there's no reason to believe it won't under the current regulations, number of mature fish will hit ~53 million by 2004, it's lowest level since 1991. A substantially lower biomass combined with strong declines in maturity levels and strong declines in female gender composition per the below excerpt from page 60 of the 66th SAW under "Sex Ratio" has severely impaired the recruitment strength of this fishery. **The fishery as it stands today is not sustainable as evidenced by substantial declines in every attribute that matters since 2003..**

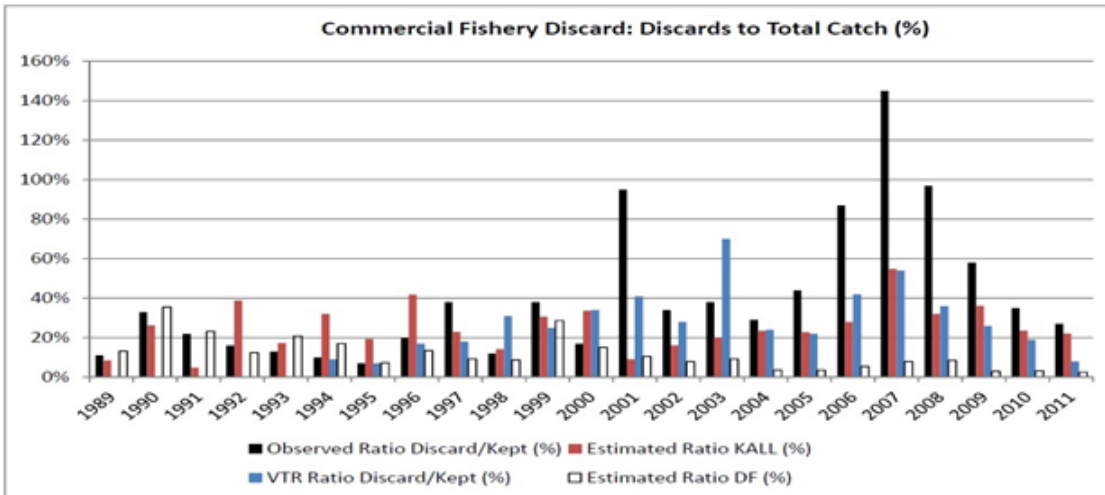
In the fall survey, the proportion of females shows no trend for age 0 and the mean proportion was 33%. For ages 1 and 2, the proportion has decreased from about 0.5-0.6 in the 1980s to 0.4-0.5 by the 2010s; the means for 2012-2016 were about 0.3. The proportions at ages 3 and 4 have strongly decreased from about 0.9 through the late 1990s to about 0.5 by the 2010s; the means for 2012-2016 were 0.4 and 0.5. For ages 5-8 and older the proportions have most recently decreased to about 0.7; the means for 2012-2016 were 0.7, 0.8, 0.7, and 0.9 (Figure A76).

Add to this the continued disruption to the fall / winter spawn in higher concentrated migratory schools than ever before on record and the large percentage of commercial harvest occurring during winter months and you cause the following results. **Again take notice of the timing of the drop off beginning in 1997.**



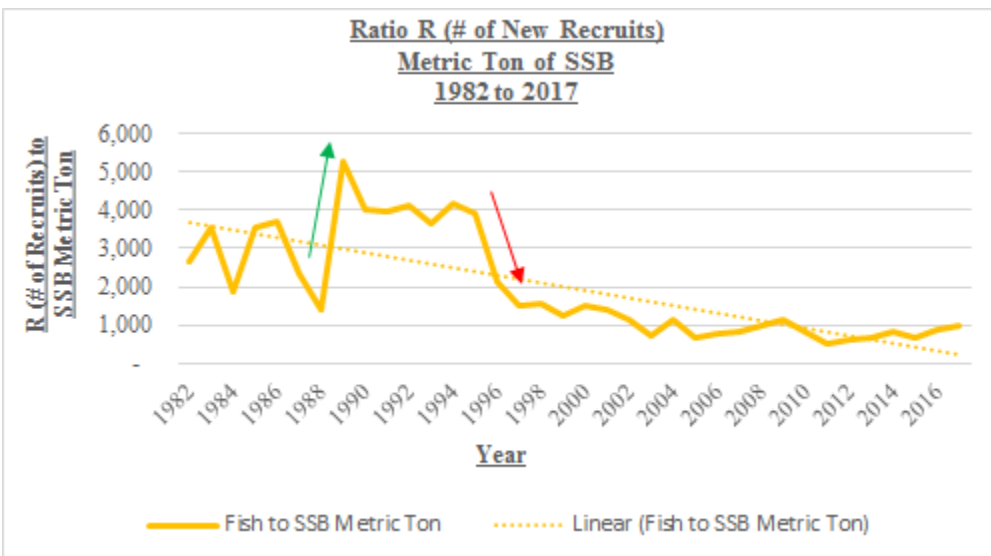
**Source 66th SAW - Page 451.** Mr. Fote, with all due respect, the above chart from the 66th SAW completely refutes your theory regarding "density dependence" regarding recruitment and biomass levels in this fishery. Recruitment is suffering in this fishery not because of the size of the biomass, it's suffering because recreationally and commercially

we're killing too many breeders and commercially harvesting older age classes and the future of any fishery, unlike the younger age classes being harvested in the 80's and 90's. A vast majority commercially during the fall and winter months causing who knows what amount of damage to the spawn and the biomass in general. **Collateral damage in the process are elevated discard rates beginning in 1997 and continuing ever since as evidenced below.**

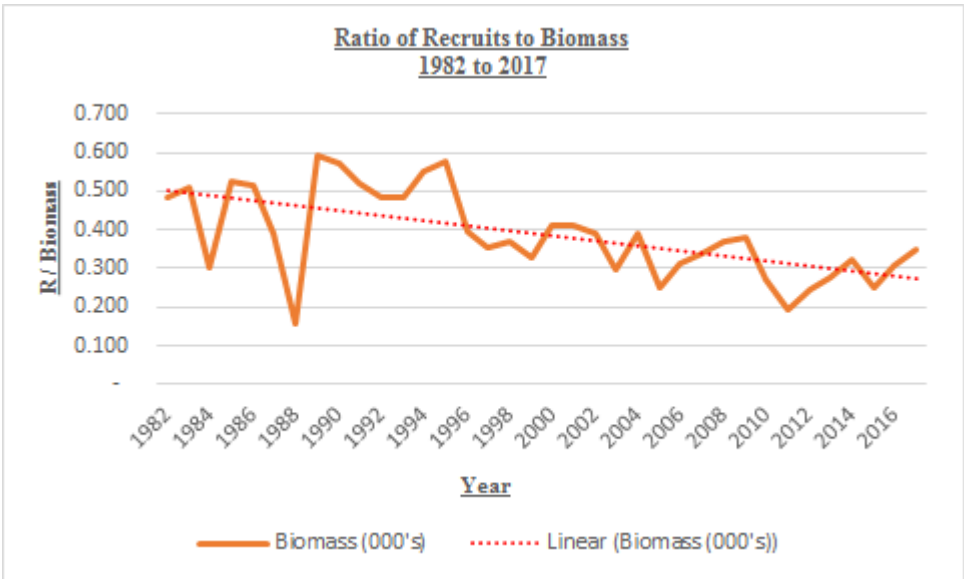


Source 57th SAW - Page 302

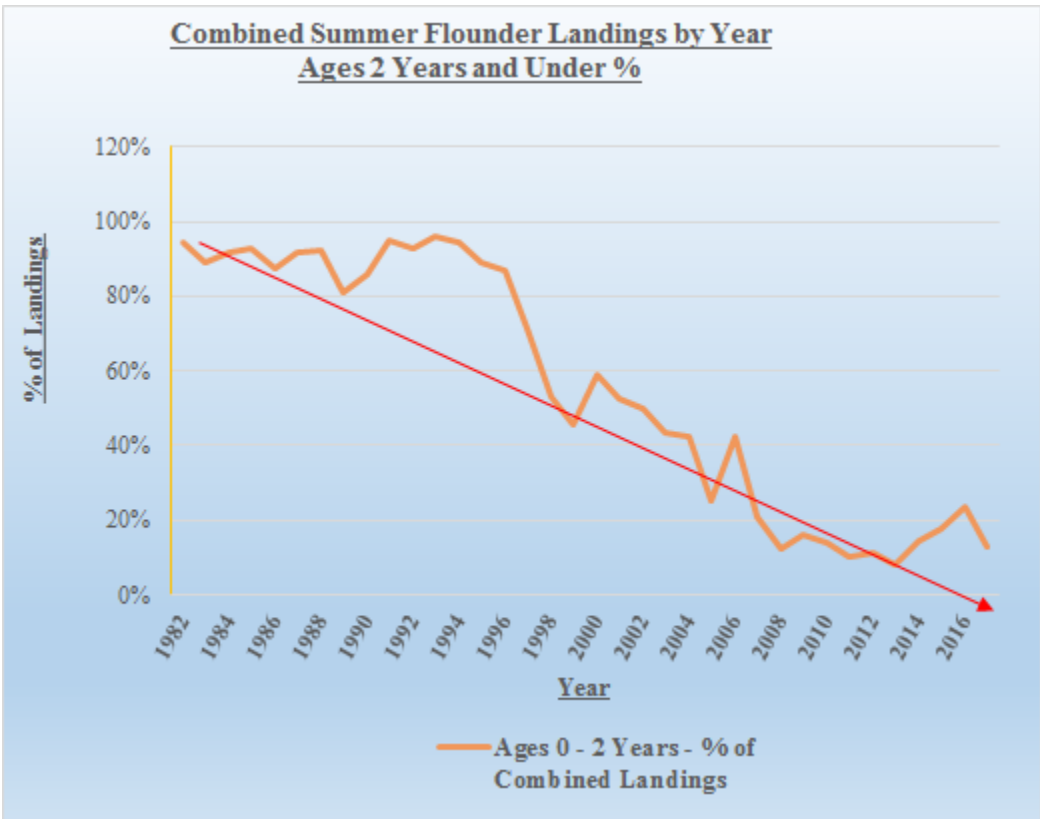
Add to that the following:



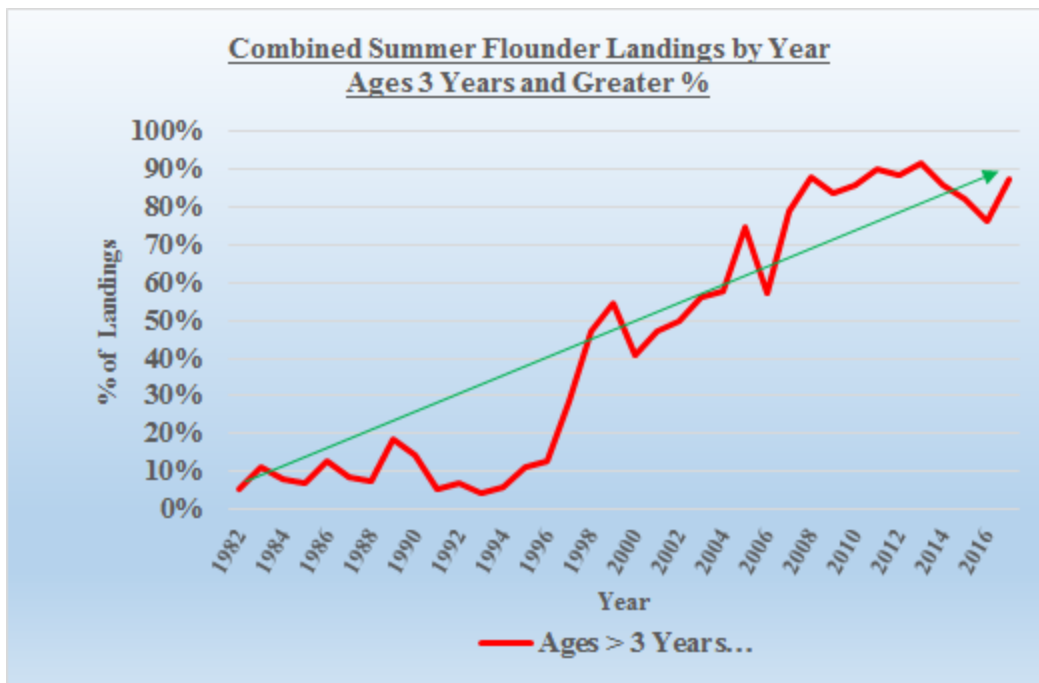
**1997 DECLINE R/SSB**



**1997 DECLINE R/BIOMASS**



**1997 SHARP DECLINE IN HARVEST COMPOSITION OF AGE CLASSES 2 AND YOUNGER**



**1997 CORRESPONDING SHARP INCREASE IN HARVEST COMPOSITION OF AGE CLASSES 3 AND OLDER**

Decisions need to be made. They can be made for the benefit of the fishery and its constituents or for other reasons. One set of decisions will lead to a collapsed fishery within the next 4 to 5 year period based on the strength of marine fisheries own data. That decision would be status quo or failure to address the causes, as outlined, responsible for a 17-yr decline in the fishery since 2003. **OR** we can stop catering to personal agendas and lobbyist efforts and rebuild the stock as we did between the years 1989 and 2003. The decision is for the Board and Council to make. If the former, we'll lose this fishery no later than 2024 in which case **EVERYONE LOSES**. There will be substantial and severe economic consequences involved if that happens. I'd ask everyone to consider the future, if like winter flounder, the summer flounder fishery disappears within 4 to 5 years. How many businesses and livelihoods will be completely destroyed. That's what's riding on the outcome of recommendations or decisions at next week's Joint Commission / Council meeting. AP and MC have this one wrong. 17-yr declines and status quo should never be used in the same sentence yet we continue as a management team to be oblivious to the mistakes of the past leading to substantive declines in the fishery. Don't want to hear one comment about being hamstrung by MSA or re-authorizations. People created that legislation, people can change it if in fact it's preventing the rebuild of this vital fishery. And future changes to reverse this mess should not be at the expense of businesses (both commercial and recreational) and anglers who played by the rules. As I said earlier, a three fish exclusive slot recreationally would immediately kill party and for hire operators and incent many recreational anglers to vacate the sport. A problem in the making for 20 or more years isn't going to be resolved in one year and efforts to do so will equally cause economic disaster to both commercial and recreational parties. The constituents of this resource shouldn't be expected to bear the full burden of 17-years of failed results. But we need to start somewhere and there will be some degree of pain in the remediation of this fishery back to a state of health.

Kiley, I know this is too late for briefing materials as mentioned earlier. I'm going to try cutting and pasting it in the on-line comments but again don't believe charts will be accepted. Will let you know. If I can't, any other thoughts for making this email part of public record for the meeting would be greatly appreciated.

Regards,

Thomas Smith

SFSBSB ADVISORY PANEL WEBINAR Nov. 22, 2019

My comments are mainly with respect to the fluke **slot limit** proposal.

For the past 4-5 years there have been proposals to reduce the harvest of breeding females and reduce discard mortality. As a general overview, 1) with around 7 million directed trips 2) 7-million-pound recreation harvest target and 3) an average of 3 pounds per keeper, by fisheries management design it takes 3 trips to get a keeper, on average. Within those 3 trips, how many fish had to be discarded? If, allowing a slot fish of sub- minimum size, then the success rate will increase and require an adjustment to creel or season length. No surprise with the results, surprised that such a large slot range was evaluated. However, the main flaw is that no consideration given to significantly reducing discards to offset the catch rate increase. With about 5 million pounds of fluke being discarded, between the two sectors, it seems that the major improvement opportunity is being missed.

In the past, two other schools of thought addressed these issues, **full retention of the catch** and **total length of catch**. The critical differences from a **slot limit** is that there is no minimum or maximum size, BUT fishing must stop when you have reached the catch limit or total length allowance. Using a normal distribution of summer flounder available to recreational anglers, fluke from 10 to 30+ inches would be harvestable. The normal distribution has more fish at the smaller sizes and succeeding less at the larger sizes.

So how will this work? The proposals have two goals 1) reduce pressure on the female population, by retaining fish throughout the distribution range and 2) when you reach the catch limit (currently 3) or total length (TBD) you must stop fishing for fluke.

What does this buy us? The occasional angler can go fishing and come home with, on average, smaller fish due to their relative numbers. Skilled or trophy fishermen will realize there are ways to improve the size of the fish by using larger hooks and baits. By no means does this infer larger hooks and baits you will catch any fish at all or that you will only catch large fluke. You may hook a 10-inch fluke and that is 10 inches towards length or one of your catch limits. Again, once the limit is reached you must refrain from fishing for fluke.

**Full retention of the catch** should also be applied to the commercial sector. Discards and their subsequent mortality waste a valuable resource. Once a fluke is in the deck, it must be harvested. With trip limits this may be challenging, but if not challenged then we will continue to waste the resource instead of utilizing it. Fish markets are ever changing, and as ethnic markets are more prevalent, smaller fish are bringing adequate prices to support harvest.

As a side note: Land based protein producers of beef, pork, sheep, and poultry **protect the breeding stock and harvest the young and sexually immature stock**. Wild sea-based fish (fluke, tuna, etc.) protein **has been managed to harvest the breeding stock and semi-protecting the the young and less mature stock**. Discard mortality suggests a poor protection mode. Overall results suggests changes are necessary.