



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
One Blackburn Drive  
Gloucester, MA 01930-2298

DEC - 3 2007

Daniel T. Furlong, Executive Director  
Mid-Atlantic Fishery Management Council  
Room 2115 Federal Building  
300 S. New St.  
Dover, DE 19904

Dear Dan:

This letter is to formally notify the Mid-Atlantic Fishery Management Council (Council) that the most recent stock assessment update for summer flounder, conducted in July 2007, by the Southern Demersal Working Group, indicates that the stock has fallen below the threshold biomass value and is again considered overfished. The current spawning stock biomass (SSB) estimate is 93.0 million lb for 2006, the most recent year for which data are available. This is below the  $\frac{1}{2}$  SSB threshold of 98.6 million lb. This is a change in status from the previous year's update. In addition, the stock remains subject to overfishing, as was the case in the previous assessment update conducted by the Southern Demersal Working Group. The Council was made aware of the change in the overfished determination and continued overfishing status for the summer flounder stock at its August 2007 meeting in Port Jefferson.

As you know, summer flounder is currently under a formal rebuilding plan, as required by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The Council must therefore ensure that overfishing is ended and that the stock rebuilds on schedule. The Council provided recommendations and supporting analysis for 2008 summer flounder management measures to NOAA's National Marine Fisheries Service (NMFS) in September that are intended to achieve those objectives. NMFS is currently reviewing the Council's recommendation for its consistency with the Magnuson-Stevens Act, the rebuilding program, and other applicable law. A final rule is expected to be published in the Federal Register in mid-December.

Please contact me if you have any questions.

Sincerely,

Patricia A. Kurkul  
Regional Administrator

cc: W. Peter Jensen, Chairman, Mid-Atlantic Fishery Management Council  
Samuel Rauch  
Alan Risenhoover

