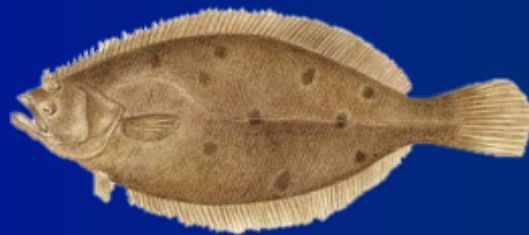




Summer Flounder Commercial Mesh Exemptions Framework/Addendum



Public Input Meeting on Draft Alternatives

April 2, 2024

Action Background

- MAFMC and ASMFC joint framework action/addendum
- Initiated in response to a review of summer flounder mesh regulations (Fall 2023)
- Comments suggested modifications to:
 - 1. Small Mesh Exemption Program (SMEP) area boundary**
 - 2. Gear definition for flynet exemption**

Meeting Purpose

- Gather preliminary public input on **draft** alternatives for Council and Board's consideration next week
 - Framework/addendum meeting 1: April 10 at Council meeting in Atlantic City, NJ
 - Council meeting materials can be found here: <https://www.mafmc.org/briefing/april-2024>

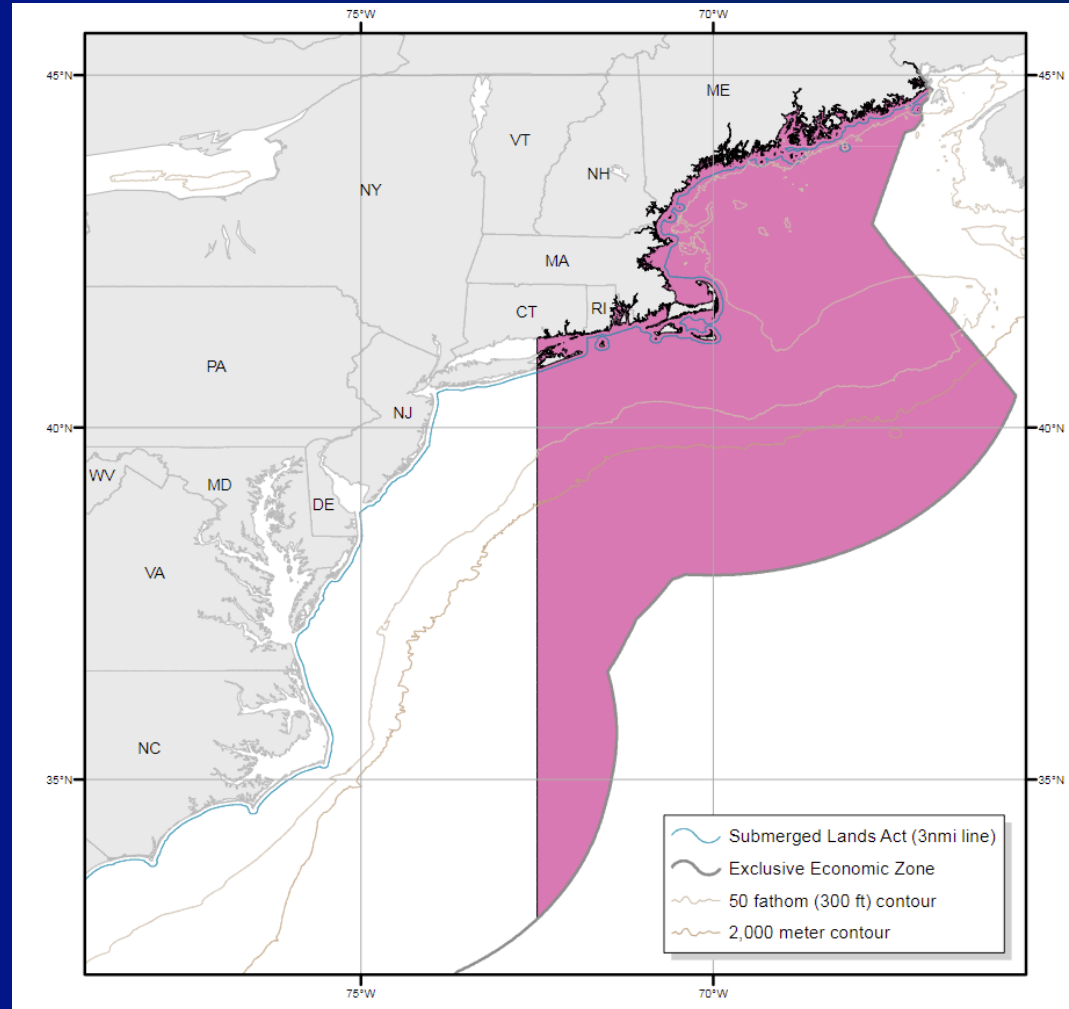
Meeting Procedures

- Use raise hand feature on webinar if possible
- Please state name and affiliation when commenting
- Written comments received through Thursday, April 4 will be attached to webinar summary
 - Email Kiley Dancy – kdancy@mafmc.org
 - Written comments after April 4 via late comment form to be posted to:
<https://www.mafmc.org/briefing/april-2024>

SMALL MESH EXEMPTION PROGRAM (SMEP) AREA BOUNDARIES

Small Mesh Exemption

- Vessels fishing **east of longitude 72° 30.0'W** November 1 - April 30, and using mesh smaller than 5.5-inch diamond or 6.0-inch square, may land more than 200 pounds of summer flounder.
- Developed under Am2 and modified Am3 (1993) to reduce regulatory discards of summer flounder in other smaller mesh fisheries



SMEP Administrative Requirements

- Requires a Letter of Authorization and participation for at least 7 days
 - ~68 vessels issued LOA annually over past 10 years
- Vessels cannot fish west of the line while participating in this program
- GARFO may rescind if vessels fishing under this program are discarding more than 10% of their summer flounder catch

Action Purpose/Need 1: SMEP

■ Purpose:

- Consider modifications to westward boundary of Small Mesh Exemption Program (SMEP) area

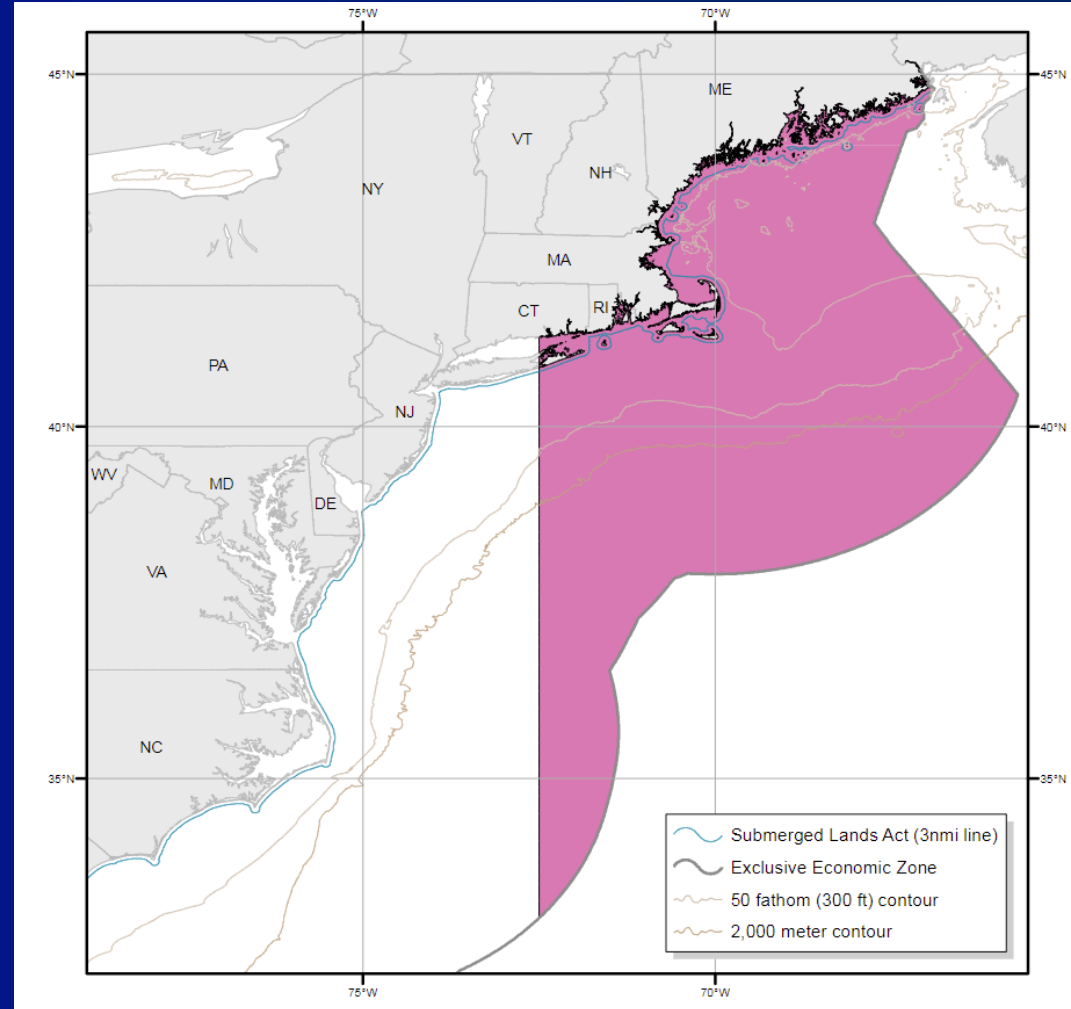
■ Need for action:

- Addresses industry proposal raised during Fall 2023 exemption review process to increase access/economic benefits of retaining summer flounder; without expected negative impacts to summer flounder stock

Draft Alternatives: SMEP Area

Alternative 1A: No Action/Status Quo

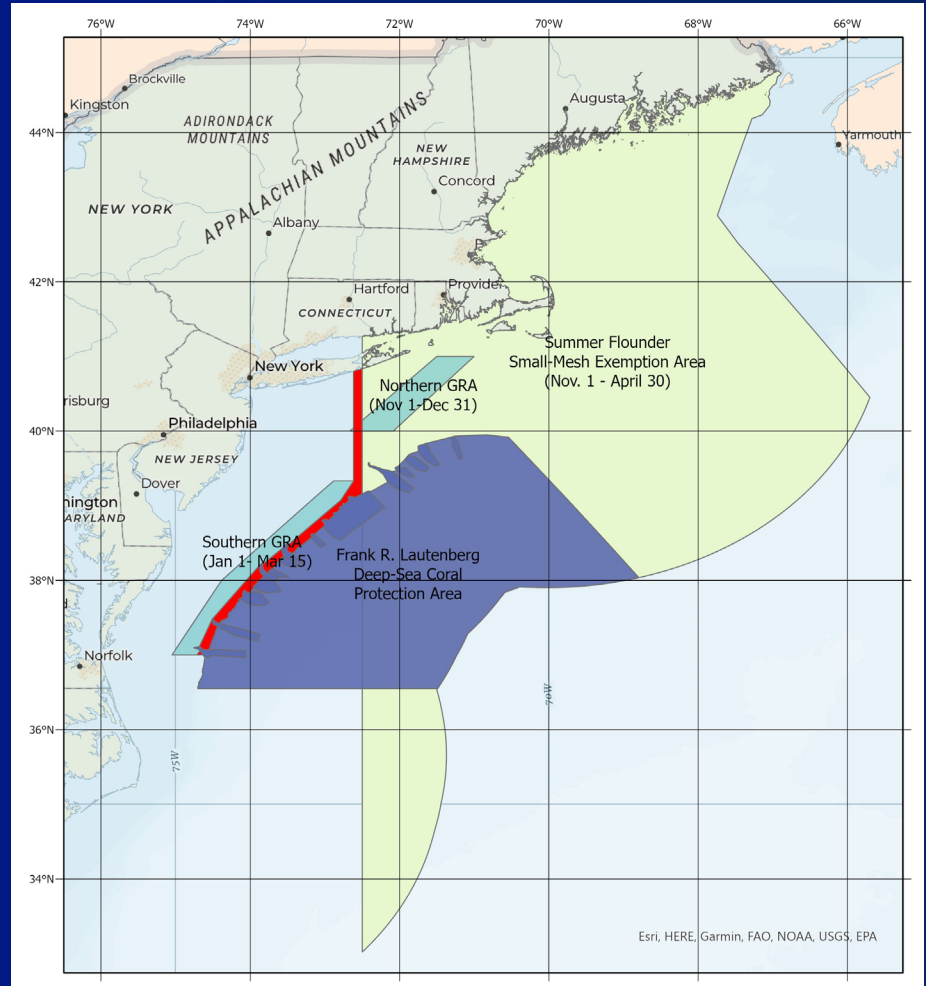
- Maintain western boundary at longitude $72^{\circ}30.0'W$



Draft Alternatives: SMEP Area

Alternative 1B: Industry proposed revisions

- Extend boundary westward ~5 miles, then connects to southern scup GRA and deep-sea coral zone boundaries
- Additional area (excluding coral zones) = 4,943 km² or 1,901 mi²
 - All bottom tending gear is prohibited in deep sea coral area



Draft Alternatives: SMEP Area

Alternative 1B: Industry proposed revisions

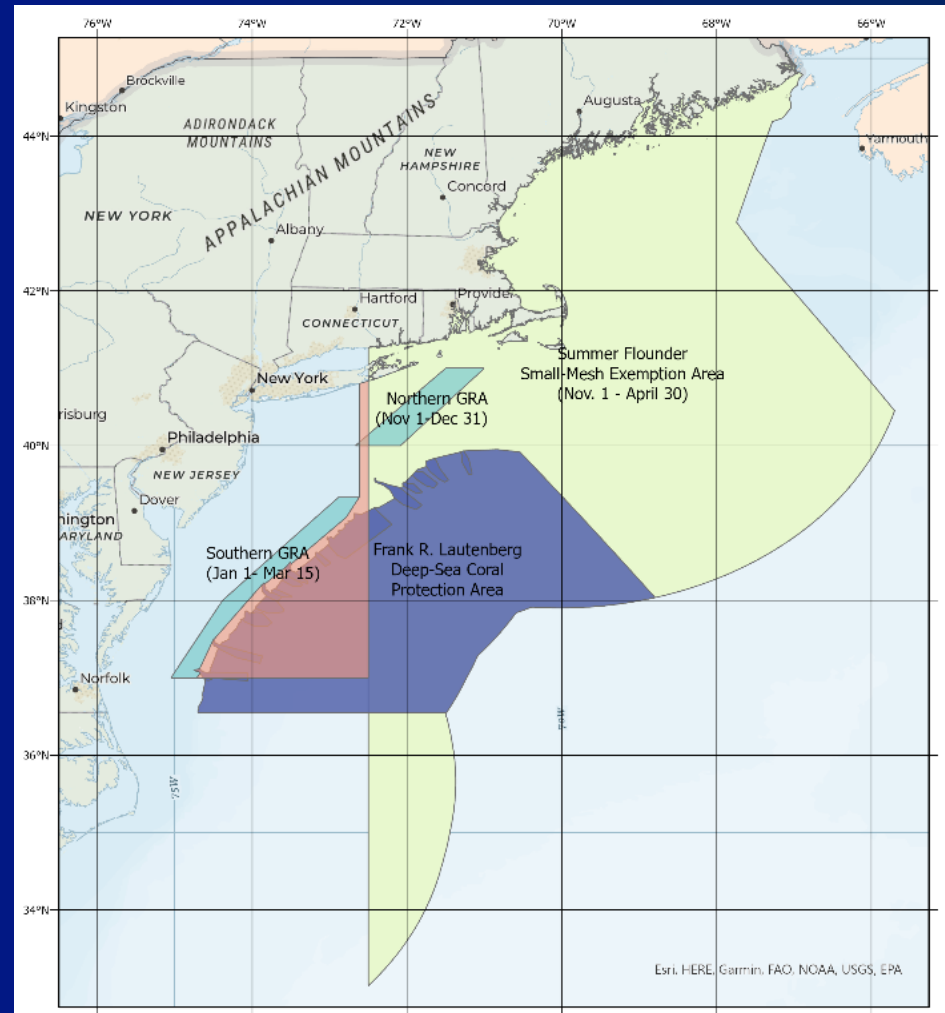
- Extend boundary westward ~5 miles, then connects to southern scup GRA and deep-sea coral zone boundaries
- Additional area (excluding coral zone) = 4,943 km² or 1,901 mi²
 - All bottom tending gear is prohibited in deep sea coral area



Draft Alternatives: SMEP Area

Alternative 1C: Simplified revisions

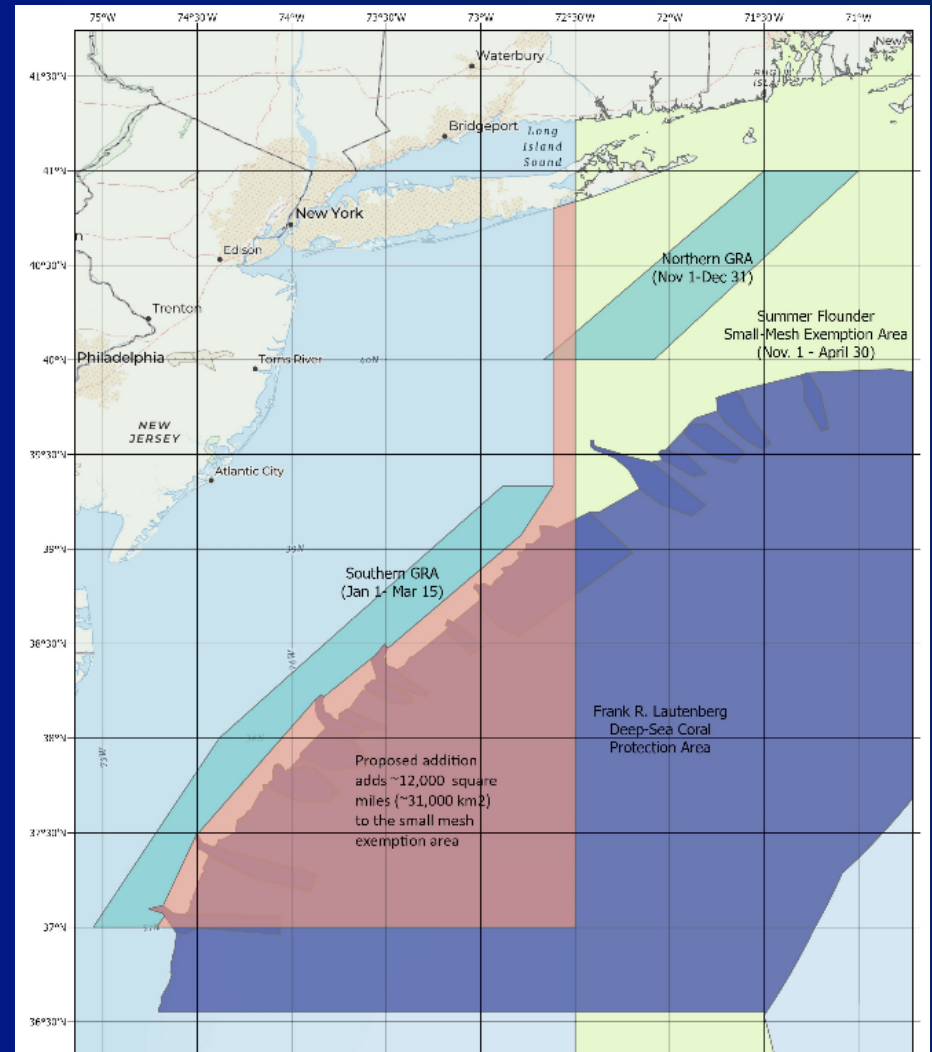
- Simplified extension of SMEP area to eastern boundary of southern scup GRA
- Appears to notably increase SMEP area; however, effective change same as alt. 1B



Draft Alternatives: SMEP Area

Alternative 1C: Simplified revisions

- Simplified extension of SMEP area to eastern boundary of southern scup GRA
- Appears to notably increase SMEP area; however, effective change same as alt. 1B



SMEP Use

Observer data linked to active LOAs, Nov. 2013-April 2022

- Bottom trawl gear with mix of mesh sizes
 - ~57% of observed hauls use mesh smaller than summer flounder 5.5-in minimum (i.e., are potentially actively using exemption)
- Top reported target species with mesh <5.5 in:
 - Longfin squid (41% of observed hauls)
 - Summer flounder (25%)
 - Scup (14%)
 - Whiting (8%)

Summer Flounder Discards under Exemption

Observer data linked to active LOAs, Nov. 2013-April 2022

- Observed discards per trip typically low in pounds (avg. 165 pounds/trip for mesh <5.5 inches)
- Percent of summer flounder discarded on SMEP trips: ~19% overall or 24% per trip for mesh <5.5 inches

SMEP Feedback Requested

1. Do you support consideration of modifying the SMEP area?
2. Concerns or preferences w/ how deep-sea coral zone boundaries are handled?
3. Should portion of area below the deep-sea coral zone (off NC) also be expanded?
4. Other concerns/suggestions on boundary changes?
5. Concerns with vessels using the exemption to target summer flounder?
6. Concerns with summer flounder discards under this exemption (current or modified area)?
7. How are vessels using this exemption (e.g., targeting multiple species vs. using more for a single fishery within a trip)?
8. Concerns about impacts to the summer flounder stock from expanding the area?

FLYNET EXEMPTION

Flynet Exemption – History

- Implemented in 1993 (Amendment 2)
- Vessels fishing with a two-seam otter trawl flynet (specifically defined) are exempt from the summer flounder minimum mesh size requirements
- Designed to accommodate specific fishery mostly off NC, primarily targeting bluefish and sciaenids
- Low summer flounder catch in this fishery
 - NMFS Regional Administrator may withdraw the exemption if summer flounder catch in the flynet fishery exceeds 1% of the total flynet catch

Action Purpose/Need 2: Flynet Exemption

- **Purpose:** consider revisions to regulatory definition of a flynet to apply to other, similar high-rise net types
- **Need for action:**
 - Landings in the NC flynet fishery have declined over time; little to no summer flounder landed in recent years
 - Comments suggest flynet exemption being used with "high-rise" nets (some not meeting flynet regulatory definition) throughout Greater Atlantic region
 - Support for modernizing definition based on changes in gear use over time; these types of nets catch little summer flounder

Draft Alternatives: Flynet Exemption

Alternative 2A: No Action/Status Quo

1. A two-seam otter trawl with the following configuration:
 - a) The net has large mesh in the wings that measures 8" to 64"
 - b) The first body (belly) section of the net has 35 or more meshes that are at least 8"
 - c) The mesh decreases in size throughout the body of the net to 2 inches (5 cm) or smaller towards the terminus of the net

Draft Alternatives: Flynet Exemption

Alternative 2B: Modified flynet definition

- Modify flynet definition to remove
 - 1) the reference to two seams; and
 - 2) the reference to the upper range of the mesh size in the wings of 64"

- Vessels fishing with an ~~two-seam~~ otter trawl flynet are exempt from the summer flounder minimum mesh size requirements. The regulatory definition of a flynet is an ~~two-seam~~ otter trawl with the following configuration:
 - The net has large mesh in the wings that measures 8" ~~to 64"~~ or greater.
 - The first body (belly) section of the net has 35 or more meshes that are at least 8".
 - The mesh decreases in size throughout the body of the net to 2 inches (5 cm) or smaller towards the terminus of the net.

Draft Alternatives: Flynet Exemption

Alternative 2C: Rewrite definition with additional input

- Modify to describe flynet and high-rise nets with large mesh in the wings, with additional specific configuration details to be informed by industry feedback and public comment
 - If 2B does not adequately describe these net types, additional input needed to more precisely define
 - Aim for simplicity and enforceability while avoid potential expansion to net types that may catch more summer flounder

Potential Flynet/High-Rise Gear Types

Net type	Description
Balloon Trawl	Two-seam trawl w/ high mouth, lighter net material, and floats attached to the headrope so the footrope floats just above the bottom.
Eliminator Trawl	Typically a four-seam, three-bridle trawl with large mesh in the forward part of the net. Large meshes in the bottom belly act as a separator device for the escape of non-target groundfish species. Mesh sizes decrease as the net tapers towards the codend.
Flynet	A high profiled trawl with large wing mesh sizes that slowly taper to smaller mesh sizes in the body extension and codend. The headrope is usually slightly larger than the footrope. Uses a large number of floats to keep the net slightly off the bottom. *Regulatory definition for this exemption specifies two seams, but observer data show some reported use of four seam flynets.
Haddock Separator Trawl	A groundfish trawl with two codend extensions arranged one over the other. A codend is attached to the upper extension, and the bottom extension is left open with no codend attached. A horizontal mesh panel separates the upper and lower extensions.
Millionaire Trawl	A four-seam trawl typically used in the squid fishery. Very large openings in the mouth and large mesh in the wings.
Rope Separator Trawl	A four-seam bottom trawl net modified to include both a horizontal separator panel (consisting of parallel lines of fiber rope) and an escape opening in the bottom belly of the net below the separator panel.
Ruhle Trawl	A four-seam groundfish net with large meshes (8-foot meshes) in the wings and bottom belly of the net. The trawl must have kite panels that meet the regulated minimum surface area. ⁷ The Ruhle Trawl is a specific type of Eliminator Trawl.

Flynet/High-Rise Use: Caught Species

Based on current net type list; subject to change based on additional feedback

■ Top 5 caught species

Species	% of catch by weight	% landings by weight	% obs. trips with catch
Squid, Short-Fin	35.7%	41.6%	32.3%
Herring, Atlantic	11.0%	13.0%	20.36%
Squid, Atl Long-Fin	8.7%	10.1%	63.07%
Haddock	6.9%	7.7%	26.4%
Scup	5.2%	5.2%	48.6%

■ Top 5 discarded species

Species	% of discards by weight	Observed trips
Dogfish, Spiny	20.0%	1,242
Skate, Winter (Big)	11.3%	790
Fish, Nk	7.7%	364
Skate, Little	7.2%	1,014
Butterfish	5.0%	867

Flynet Exemption Feedback Requested

1. Do you support consideration of a revised flynet exemption?
2. What are the key defining features of a flynet/high-rise trawl net that should be referenced in regulations?
3. Key elements of trawl configuration that limit catch and targeting of summer flounder with these gear types?
4. Other net types not listed in table that should be considered for this exemption? Net types listed in table that should not be included?
5. Concerns with or comments on the net type definitions in the table above?
6. Concerns about a revised exemption definition notably increasing summer flounder targeting, catch or discards?

Next Steps

Opportunities to share feedback

- Today's webinar
- Contact staff (kdancy@mafmc.org, 302-526-5257)
- Additional comment opportunities expected this summer via Commission's addendum public comment process

Current proposed timeline:

- **April 10 – Framework meeting 1:** Present preliminary public feedback and draft range of alternatives at the Joint Council/Board meeting
- **Spring 2024:** FMAT/PDT continued analysis; Board approves a draft document for public comment (meeting timing TBD)
- **August 2024 – Framework meeting 2:** Council/Board final action

Complete timeline details can be found [here](#)