



# **Summer Flounder Commercial Mesh Regulations and Exemptions**



**Public Input Meeting**

*November 1, 2023*

# Meeting Purpose

To seek stakeholder feedback on a review of several summer flounder regulations related to:

1. Commercial minimum mesh sizes
2. Small Mesh Exemption
3. Flynet exemption

# Meeting Outline

- Commercial Minimum Mesh Size Discussion and Input
- Small Mesh Exemption Discussion and Input
- Flynet Exemption Discussion and Input
- General Questions & Answers
- Next Steps

# Meeting Procedures

- Please hold questions until after each presentation
- Please state name and affiliation when commenting
- Additional written comments will be accepted until November 17<sup>th</sup>

<https://forms.gle/y74hDSWWHnnU4hz58>

– Accessible from [www.mafmc.org](http://www.mafmc.org)

# General Questions?

# COMMERCIAL MINIMUM MESH SIZE

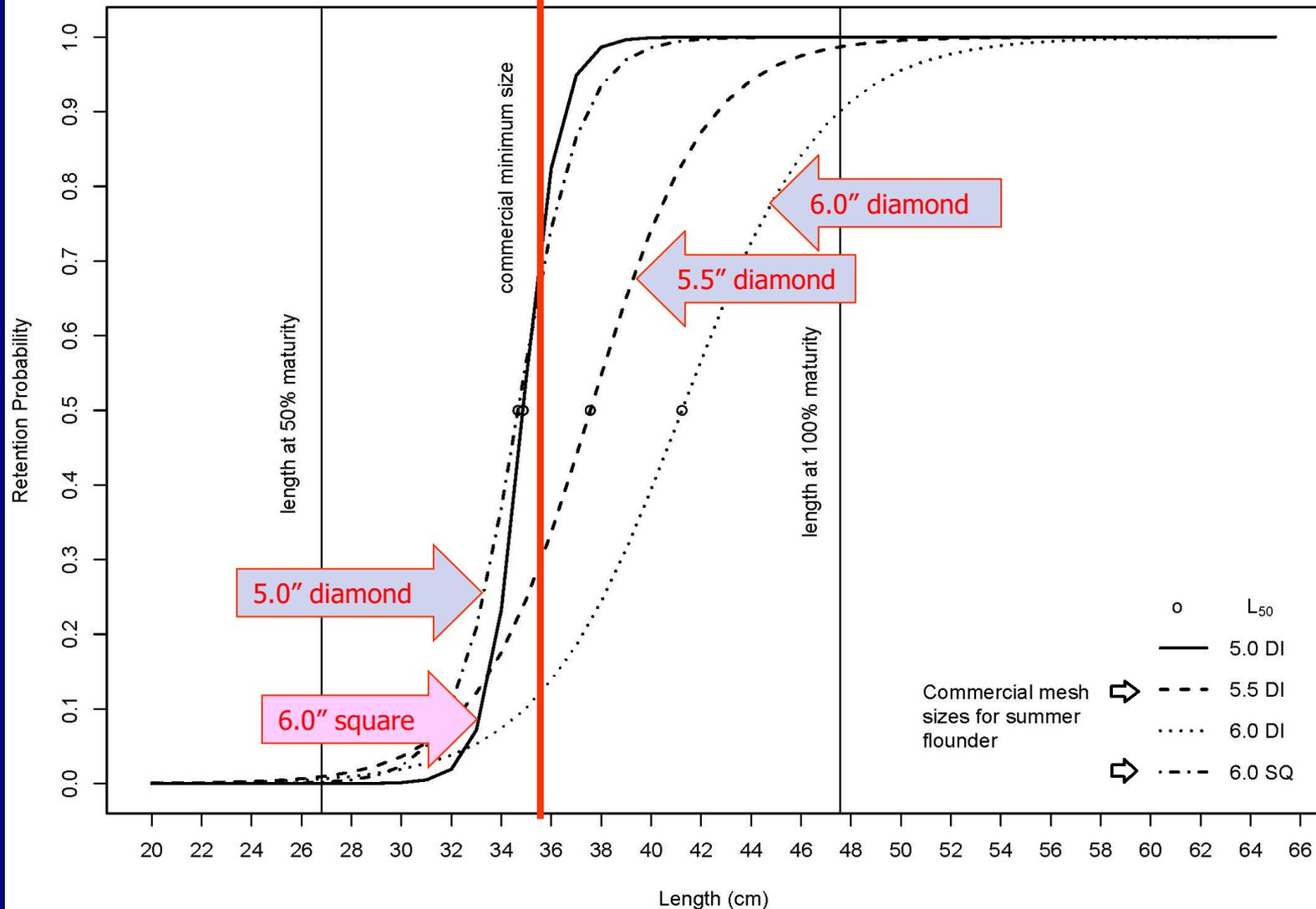
# Minimum Mesh Background

- Current requirement for trawl gear: 5.5" diamond or 6.0" square
- Regulations have been in place since 1993
  - There was limited information about square mesh selectivity for summer flounder, but recognition that square mesh reg. should be larger than diamond
- 6.0" square based on three sources:
  - Amendment 4 to the NE Multispecies FMP
  - Selectivity study for winter flounder
  - Selectivity Experiment on square mesh cod-ends

# Recent Mesh Size Selectivity Study

- Mesh size study (Hasbrouck et al. 2018) results indicate 5.5" diamond/6.0" square may not be equivalent
  - 6.0" square appears closer to 5.0" diamond
- The SFSBSB Monitoring Committee has expressed concern about retention of undersized summer flounder with 6.0" square
  - Recommendation to seek feedback from industry on use/need for square mesh nets and evaluate possible phase out or modification of 6.0" square option

**SUMMER FLOUNDER Retention Probability**  
 (lengths at 50% and 100% are for both sexes combined)



**Figure 1:** Logistic selective curve for summer flounder catches with 5 codends (4.5" diamond, 5" diamond, 5.5" diamond, 6" diamond, 6" square). Additional details can be found in the study report (Hasbrouck et al., 2018).

# Diamond vs. Square Mesh

Observed Trawl Hauls, 2007-2022

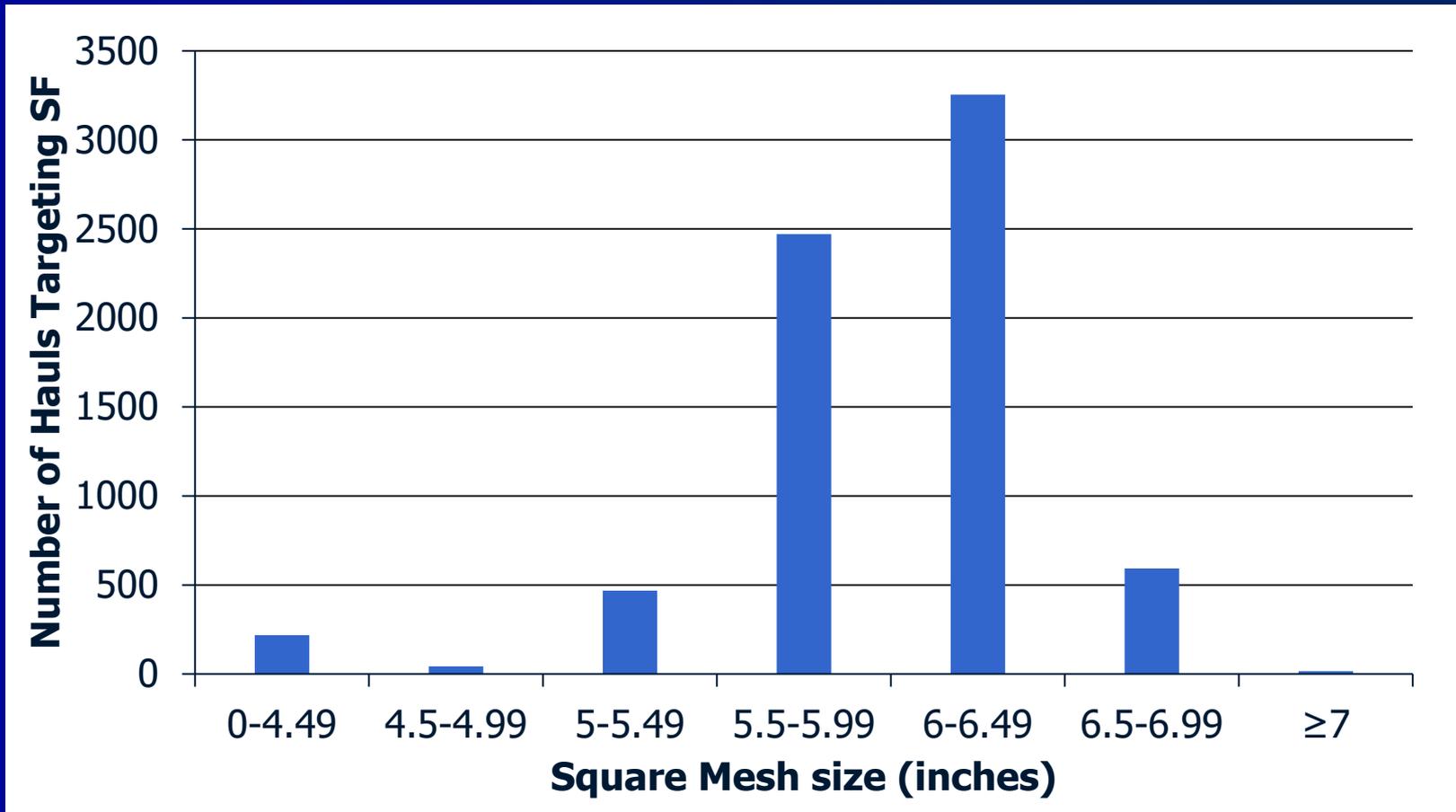
Primary Target Species = Summer Flounder

Mesh Type	Proportion of Total Hauls	Total Hauls
Diamond	68.07%	17,423
Square	31.10%	7,961
Unknown	0.65%	167
Combination	0.10%	25
Square/ Wrapped	0.07%	18
Grand Total	100.00%	25,594

# Square Mesh Sizes

Observed Trawl Hauls, 2007-2022

Primary Target Species = Summer Flounder



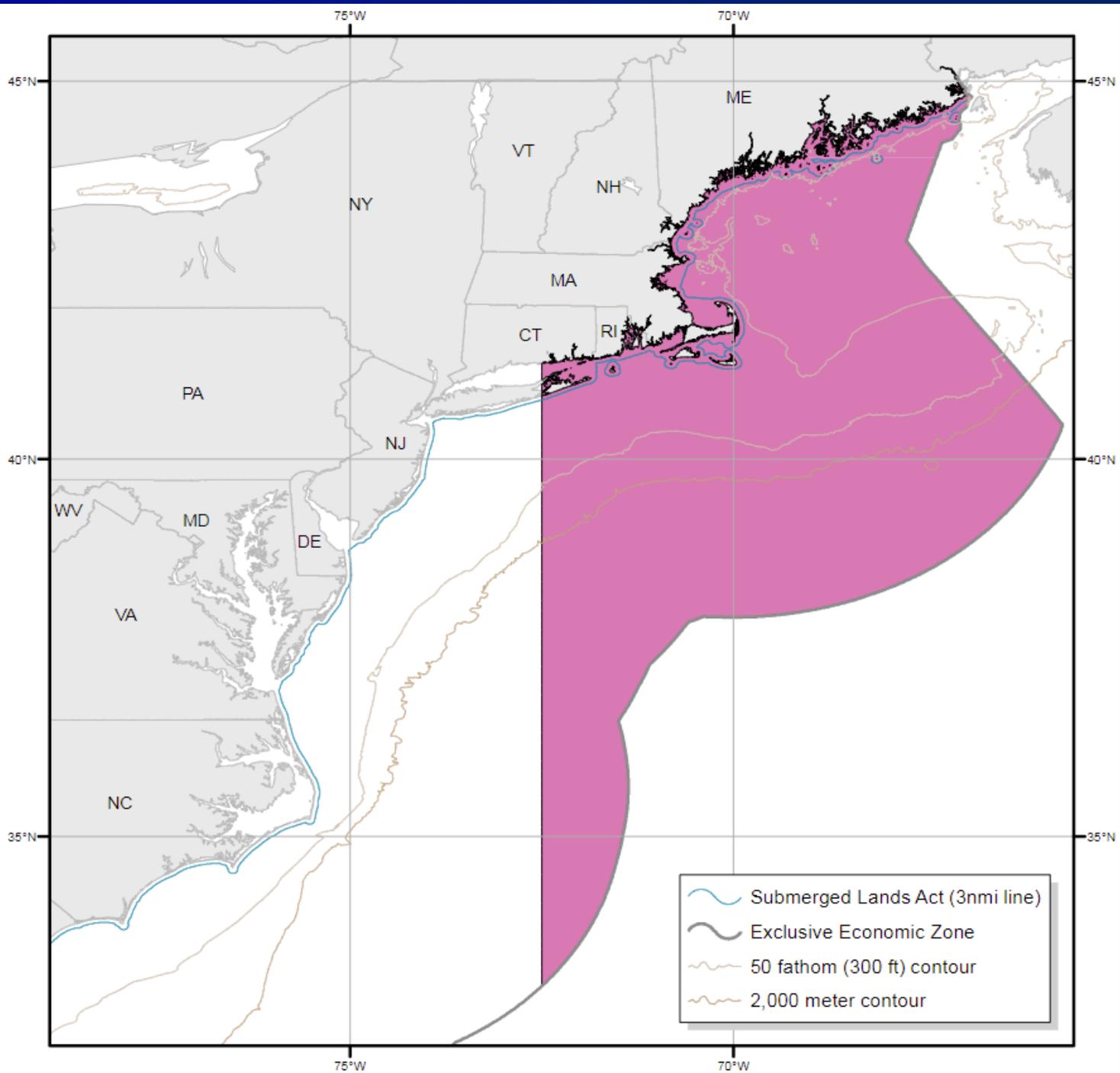
# Feedback Requested

1. Perspectives on current mesh sizes? Are changes needed?
2. To what extent is 6.0-inch square vs. 5.5-inch diamond mesh used?  
What factors influence the choice of mesh?
  - a) Circumstances where square mesh is preferred?
  - b) Target species considerations, regional factors, or other driving factors?
  - c) Differences in cost or ease of acquiring these different net types?
3. Is a square mesh regulation still needed for summer flounder?
  - a) If so, perspectives on what square mesh would be closer in selectivity to 5.5-inch diamond?
  - b) Alternatively, should the 6.0-inch square mesh option be phased out? How long would an appropriate phase out period be?
  - c) If net regulations are modified, what is the current estimate of costs for any net replacements that may be needed?

# **SMALL MESH EXEMPTION PROGRAM (SMEP)**

# Small Mesh Exemption – History

- Implemented 1993 (Amendment 2).
- Vessels fishing east of longitude  $72^{\circ} 30.0'W$  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.



# Small Mesh Exemption – Admin

- Requires a Letter of Authorization and participation for at least 7 days.
- 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.

# Small Mesh Exemption – Utilization

- Approximately 75 LOA's issued each year (most are active).
- Approximately 6% of observer trips met criteria (fishing area, gear, pounds landed).
- Number of vessels participating and % of trips observed meeting the criteria have remained relatively stable over time.

# Small Mesh Exemption Feedback Requested

1. Perspectives on current use of the Small Mesh Exemption Program?
  - a) How are vessels using the exemption and in what fisheries?
  - b) Has the use of the exemption program changed over time (e.g., changes in target species, discard rates, timing or frequency of trips, etc.)?
  - c) Are current regulations still serving the original intent of reducing summer flounder discards in small mesh fisheries targeting other species within this timeframe and area?
2. Recommendations on the exemption program? Is there a need to change this exemption or requirements for participation (e.g., area, timing, possession limit, other)?

# 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.

# Flynet Exemption – Definition

1. A two-seam otter trawl with the following configuration:
  - a) The net has large mesh webbing in the wings with a stretch mesh measure of 8" to 64".
  - b) The first body (belly) section of the net consists of 35 meshes or more of 8" (stretch mesh) webbing or larger.
  - c) In the body section of the net the stretch mesh decreases in size relative to the wings and continues to decrease throughout the extensions to the cod end, which generally has a webbing of 2" (stretch mesh).

# Flynet Exemption – Purpose

- Designed primarily to accommodate flynet fisheries targeting other species and catching very limited amounts of summer flounder, particularly Delaware to North Carolina (Atlantic croaker, weakfish, Atlantic mackerel, and bluefish fisheries).

# Flynet Exemption – Admin

- NMFS Regional Administrator may withdraw the exemption if the annual average summer flounder catch in the flynet fishery exceeds 1% of the total flynet catch.

# Fly Net Exemption – Utilization

- Landings in the North Carolina flynet fishery have declined over time; little to no summer flounder have been landed in this fishery in recent years.
- In 16 years (2007-2022), 325 observer trips recorded "Fly Net" (<5 observed trips in each of the past 3 years).
- Public comments from industry suggest that the flynet exemption is being used to fish with "high rise" nets that may not meet the regulatory definition in states other than North Carolina.

# Fly Net Exemption Feedback Requested

1. What does industry consider a flynet for the purpose of fishing under this exemption (2-seam net, 4-seam net, etc.)?
2. Is the flynet exemption widely used?
  - a) In what areas, and for which target species, is this exemption being used?
  - b) To what extent is industry using a 4-seam “high rise” otter trawl under this exemption program?
3. What is the difference between a flynet and a “high rise” otter trawl in terms of net handling characteristics and fishing efficiency?
4. Recommendations on the flynet exemption? Is there a need to change or modify this exemption?

# NEXT STEPS

# Next Steps

- Opportunities to share feedback:
  - Today: Public Input Webinar
  - [Online comments form](#)
  - Contact staff or Andy Loftus ([Aloftus@andrewloftus.com](mailto:Aloftus@andrewloftus.com))
- Present feedback and data at the November 13-14 SFSBSB Monitoring Committee and November Advisory Panel meeting
- Present feedback and any MC/AP recommendation at the Joint Council/ASMFC Board meeting December 12-14 in Philadelphia, PA