



**Public Input Webinar on Summer Flounder Minimum Mesh Exemptions
Framework/Addendum: Meeting Summary
April 2, 2024**

Attendees: Adam Nowalsky (MAFMC), Alan Bianchi (NC DMF), Alexa Galvan (VMRC), Chelsea Tuohy (ASMFC staff), Chris Batsavage (NCDMF and MAFMC), Corinne Truesdale (RI DEM), Dan Farnham (MAFMC), Dan Farnham Jr., Elise Koob (MA DMF), Emerson Hasbrouck (Cornell Marine Program), Emily Keiley (NOAA), Eric Reid (NEFMC), Haley Clinton, Hannah Hart (MAFMC staff), James Fletcher (United National Fisherman’s Association), Jesse Hornstein (NYS DEC), John Maniscalco (NYS DEC), Julie Evans (East Hampton Fisheries Advisories), Katie Almeida (Town Dock), Kiley Dancy (MAFMC staff), Laura Deighan (NOAA), Lorena de la Garza (FMAT/PDT), Nichola Meserve (MADMF), Pat Augustine, Sam Truesdell (FMAT/PDT), Sara Turner (FMAT/PDT), Scott Curatolo-Wagemann, Scott OtterPilot, Steve Doctor (MD DNR), Steven L, Tyler Guterres (CCE Suffolk), Walter Anoushian.

The Mid-Atlantic Fishery Management Council hosted a public input webinar on Tuesday, April 2, 2024 to solicit stakeholder input on potential modifications to the Summer Flounder Small Mesh Exemption Program and the flynet exemption from the summer flounder minimum mesh size requirements. The Council and Atlantic States Marine Fisheries Commission’s Summer Flounder, Scup, and Black Sea Bass Management Board will review the provided feedback and a draft range of alternatives at their April 2024 joint meeting.

Meeting materials considered and discussed during the meeting are available at:
<https://www.mafmc.org/council-events/2024/sf-minimum-mesh-exemptions-webinar-april2>.

Council staff provided an overview of the Summer Flounder Small Mesh Exemption Program (SMEP) and flynet exemption. The presentation also included the draft range of alternatives developed by the Fishery Management Action Team/Plan Development Team (FMAT/PDT) for the Council and Board’s consideration.

General Comments

James Fletcher: Recommended thinking out of the box and keeping the regulations as simple as possible. He recommended instead of making the regulations more complicated and modifying both exemptions we should instead consider allowing vessels using small mesh gear to keep a specified percentage of summer flounder as a proportion of total catch in a defined area.

Small Mesh Exemption Program

James Fletcher: Asked if there has been consideration of potential modifications to the SMEP that would allow scallop fisherman to also retain summer flounder on targeted scallop trips. Staff responded that this is not something that was raised in previous comments, and there does not appear to be any indication in observer data of the use of this exemption in the scallop fishery.

Eric Reid: Expressed support for modifying the current SMEP area boundary. Specifically, he was supportive of alternative 1C and indicated that this expansion would better reflect the operational reality of the squid fishery and would adjust the boundary similarly to how the scup southern GRA was previously adjusted to accommodate the squid fishery. He noted that boats fishing in this area primarily target squid using trawl nets with large mesh in the wings. Additionally, he recommended that alternative 1B be removed from the range of alternatives given that it over complicates the expanded area by following the complex deep-sea coral zone boundary. Because of the existing deep-sea coral boundary, vessels are not able to operate in much of the expanded area anyways. He emphasized the importance of keeping the area as simple as possible for ease of understanding and enforceability.

Dan Farnham, Jr.: Also spoke in favor of expanding the current SMEP area boundary. He expressed a preference for alternative 1C given the simplicity of the boundary, but was also supportive of alternative 1B.

Flynet Exemption

Eric Reid: Asked if the net type and net name information in the observer data is reported directly from the captain. Staff responded that this is correct - net information is obtained from the captain and the observer is also instructed to visually confirm net type. However, staff also noted that net type information is missing for many hauls and data should be interpreted with caution given different net type terminology used by different fishery participants. Staff also indicated the FMAT/PDT was hesitant to include specific net types and names in the regulatory definition given these inconsistent net type interpretations.

James Fletcher: Asked if law enforcement had been consulted regarding the different net names and net types and their ability to distinguish the difference between the different types. He recommended leaving the regulatory definition of a flynet alone and that it was too late, and the damage had already been done.

Dan Farnham, Jr.: Supportive of updating the definition of a flynet to better reflect current gear and fishing practices. However, he was not supportive of any of the proposed alternatives. He noted that the current alternative 2b should also modify the text referring to the 35 or more meshes that are at least 8 inches in the first body (belly) section of the net. He noted that rope trawls (similar to a Ruhle trawl) currently have 8 to 10 foot meshes in the belly of the net but may do not necessarily have 35 meshes. He noted that given the current net design, although there may not be 35 meshes, given the size of the mesh that section is already deeper compared to the current

regulatory definition. He also noted that alternative 2C is confusing and that observers do not know how to classify current industry nets. He recommended further updating alternative 2b to instead capture a length of the belly section regardless of the number of meshes.

Eric Reid: Expressed that the current regulations state a minimum of 35 meshes of 8 inches or more but do not specify the direction of the mesh. He noted that this is a bizarre loophole that could be modified through this action. He explained that some nets also have mesh measuring 32 inches and 16 inches prior to the 8 inch mesh, and that he agrees with Dan Farnham, Jr.'s comments on not needing to specify the number of meshes in the belly section and should instead use a length of the belly section in the regulations. He recommended using a length of around 280 inches (or something similar to the 35 mesh x 8 inch mesh) and specifying that this would be the distance from the sweep.

Hart, Hannah

From: James Fletcher <unfa34@gmail.com>
Sent: Tuesday, April 2, 2024 10:13 AM
To: Hart, Hannah; Kiley Dancy
Subject: Net mesh size Thoughts

Perhaps a simpler method to address the PERCEPTION OF NET SIZE AND FLOUNDERS would be to allow a 25 % flounder to other catch. if using a net smaller than 5 1/2 inch then 25% of total weight could be flounders. Problem would then be state trip limits for flounder! answer if using 25% small net the STATE TRIP LIMIT DOES NOT APPLY. THE COUNCIL & ASMFC LACK THE ABILITY TO DESCRIBE A NET SO LAW ENFORCEMENT CAN ENFORCE! KISS THEORY (KEEP IT SIMPLE STUPID) NETS REGARDLESS OF CONSTRUCTION WITH COD ENDS / TAIL BAGS LESS THAN 5 1/2 CAN LAND ___ PERCENTAGE OF FLOUNDERS. BETWEEN %% TO 25% VESSELS FISHING FEDERAL WATERS ARE EXEMPT FROM STATE TRIP LIMITS

THINK OUTSIDE THE GROUP THINK MANAGEMENT!!

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