



## *Small Mesh Gill Net Modifications for Internal Coastal Waters*

*DEPARTMENT OF ENVIRONMENTAL QUALITY*

Marine Fisheries

November 2020 MFC Meeting | Steve Poland & Kat Rawls | Nov. 19<sup>th</sup>, 2020



# Outline

## Background

- Origination
- Authority
- Information paper

## Issues

- Yardage limits
- Attendance
- Set time and area
- Mesh size





**February 2020** – The Secretary of the Department of Environmental Quality directed the Division to review the small mesh gill net fishery

- Focus review on reducing regulatory complexity, bycatch concerns, and user conflicts
- MFC endorsed this approach – expected information review in November 2020

**March 2020** – The Director issued a proclamation limiting the allowable yardage and modifying attendance requirements in portions of the state

- DMF established work group and began reviewing rules

**November 2020** – DMF provides MFC with information and requests feedback on potential small mesh gill net management actions

- Feedback received determines next steps





## G.S. 143B-289.52 “Marine Fisheries Commission – powers and duties”

- The MFC has the authority to: “... **authorize, license, regulate, prohibit, prescribe, or restrict** all forms of marine and estuarine resources in coastal fishing waters with respect to: ... Time, place, character, or dimensions of **any methods or equipment** that may be employed in taking fish.”
- “... **regulate the placement of nets** and other sports or commercial fishing apparatus in coastal fishing waters with regard to navigational or recreational safety as well as from a **conservation standpoint**”

## G.S. 113-221.1. “Proclamations: emergency reviews”

- The MFC may delegate to the Director “... the authority by proclamation to suspend or implement, in whole or in part, a particular rule of the Commission that may be affected by **variable conditions...**”





Gill Net Workgroup established to review small mesh gill net fishery and develop potential MFC actions

Information Paper (included in briefing materials)

- Describes the small mesh gill net fishery in the state
- Summarizes available data on the small mesh gill net fishery
- Provides commentary on previous actions and potential actions for consideration
- Presents options to address:
  - Yardage limits
  - Attendance requirements
  - Set time and area restrictions
  - Mesh size





- Steve Poland, Director's Office, Co-lead
- Kat Rawls, Fisheries Management, Co-lead
- Lee Paramore, Fisheries Management
- Dan Zapf, Fisheries Management
- McLean Seward, Fisheries Management
- Marc Hamric, Fisheries Management
- Carter Witten, Marine Patrol
- Barbie Byrd, Protected Resources
- David Dietz, License and Statistics
- Catherine Blum, MFC office





## Review issues and options individually

- Summarize guidance from information paper as needed
- Facilitate MFC discussion

## Expected feedback

- Input on options to further develop/remove
- Additional options for consideration
- Prioritization for rule making





## Issue: Implement yardage limits for small mesh gill nets <4 inch Inside Stretch Mesh (ISM)

No yardage limit specified in rule for nets less than 4 inch ISM

- **Option 1** – *Status quo*

Specify that the allowable yardage of small mesh nets shall not exceed:

- **Option 2** – 2,000 yards
- **Option 3** – 1,500 yards
- **Option 4** – 800 yards
- **Option 5** – 800 yards north of Hwy 58 Bridge; 500 yards south of Hwy 58 Bridge

Allow 1,500 yards of drift gill net from May 1 – October 31 and specify that the allowable yardage of all other small mesh nets shall not exceed:

- **Option 6** – 800 yards
- **Option 7** – 800 yards north of Hwy 58 Bridge; 500 yards south of Hwy 58 Bridge

The DMF director may allow by proclamation up to 1,500 yards of drift gill net and specify the area and time it may be fished. All other small mesh nets shall not exceed:

- **Option 8** – 800 yards
- **Option 9** – 800 yards north of Hwy 58 Bridge; 500 yards south of Hwy 58 Bridge







## Issue: Modify attendance requirements south of Albemarle Sound

200 yard attendance requirement from shore year round or May 1 – November 30 in areas specified in rule and proclamation, other areas in rule and proclamation vary from 100 feet to 100 yards

- **Option 1** – *Status quo*
- **Option 2** – Codify restrictions that are currently in proclamation into rule

Require year-round attendance :

- **Option 3** – within 200 yards of shore statewide and/or currently designated areas, whichever is more restrictive
- **Option 4** – statewide for all nets less than 4 inch ISM
- **Option 5** – within 200 yards of shore in all areas currently designated in rule
- **Option 6** – in all areas currently designated in rule
- **Option 7** – in all creeks and waterbodies less than 200 yards wide

Modify distance from gear requirement for “attend” definition to:

- **Option 8** – 500 yards
- **Option 9** – 500 yards south of Hwy 58 Bridge
- **Option 10** – remove distance from definition





## Issue: Specify when nets may be used and where they may be set

Numerous prohibitions on setting nets within certain areas and/or distances from other gear and bridge crossings in rule; Prohibition on setting nets in joint waters from Friday to Sunday in proclamation

- **Option 1** – *Status quo*
- **Option 2** – Codify restrictions that are currently in proclamation into rule

Specify that nets statewide may be set no sooner than:

- **Option 3** – one hour before sunset and retrieved no later than one hour after sunrise statewide
- **Option 4** – one hour before sunset and retrieved no later than noon the following day

Specify that nets statewide:

- **Option 5** – may not be set from midnight on Friday to midnight on Sunday

Specify that nets in areas determined by the MFC may be set no sooner than:

- **Option 6** – one hour before sunset and retrieved no later than one hour after sunrise statewide
- **Option 7** – one hour before sunset and retrieved no later than noon the following day

Specify that nets may not be set:

- **Option 8** – within 200 feet of docks and improved shorelines
- **Option 9** – in areas of high conflict determined by the MFC





## Issue: Modify the minimum allowable mesh size of gill nets

Current rule prohibits use of gill nets with mesh size less than 2.5 (2 1/2) inch ISM

- **Option 1** – *Status quo*

Increase the minimum mesh size in rule to:

- **Option 2** – 2.625 (2 5/8) inch ISM
- **Option 3** – 2.75 (2 3/4) inch ISM
- **Option 4** – 3 inch ISM

