

List of Recommendations for Small-Mesh Multispecies Fishery Regulatory Streamlining

FM	#	Section and regulation	Description	Original Function	Recommendation - Outdated, unnecessary, duplicative, or ineffect
SMS	1	Cultivator Shoal Whiting Fishery Exemption Area §648.80(a)(6)(i)(A)	Letter of authorization required to fish in this area.	Increases enforceability	Outdated and unnecessary – Nearly all vessels have VMS. Enforcement officials know when the area is open and small-mesh trawls are allowed.
SMS	2	§648.80(a)(6)(i)(D)	June 15 to October 31 open season	Confines fishing when non-target species catches area low.	Outdated – needs re-evaluation
SMS	3	§648.80(a)(6)(ii) Sea sampling	Directs the Regional Administrator to conduct sea sampling in the Cultivator Shoals Area	Sea sampling is needed to estimate discards and collect other important biological data	Outdated and duplicative – superseded by SBRM regulations.
SMS	4	§648.80(a)(6)(iii) Annual review	The NEFMC shall conduct an annual review of Cultivator Shoals Area fishery data to determine if there are any changes in area or season designation	Ensures analysis of discarding to alert the need to change regulations and minimize bycatch.	Ineffective – Although periodic analyses have been conducted, an annual analysis has not been done due to limits on time and resources. Data is not collected at the level of detail needed to reliably estimate discards for a specific area
SMS	5	§648.80(a)(7) Transiting other small-mesh areas	Gear stow age	Improves enforceability of mesh size requirements	Necessary, but duplicative? – prevents vessels from using small-mesh trawls to target whiting in areas where bycatch may be excessive. This provision might be clearer and more effective if written into the regulations for other exemption areas?
SMS	6	Raised Footrope Trawl Exempted Whiting Fishery §648.80(a)(15)(i)(A) Requirements	Letter of authorization required	Increases enforceability	Outdated and unnecessary – Nearly all vessels have VMS. Enforcement officials know when the area is open and small-mesh trawls are allowed.
SMS	7	§648.80(a)(15)(i)(B) to §648.80(a)(15)(i)(G)	Requirements	Improves enforceability and minimizes bycatch of young, immature groundfish and other species.	Duplicative – other than season, the requirements are the same as in other areas and could be combined with them.
SMS	8	§648.80(a)(15)(ii) Sea sampling	Directs the Regional Administrator to conduct sea sampling in the Raised Footrope Trawl Exemption Areas	Sea sampling is needed to estimate discards and collect other important biological data	Outdated and duplicative – superseded by SBRM regulations.
SMS	9	§648.80(a)(16)(i) to §648.80(a)(16)(ii)	Requirements	Improves enforceability and minimizes bycatch of young, immature groundfish and other species.	Duplicative? – other than season, the requirements are the same as in other areas and could be combined with them.
SMS	10	§648.80(a)(16)(iii) Annual review by Groundfish PDT	Annual review by Groundfish PDT to determine whether adjustments are needed.	To ensure that regulated species bycatch remains at a minimum	Ineffective – Although periodic analyses have been conducted, an annual analysis has not been done due to limits on time and resources. Data is not collected at the level of detail needed to reliably estimate discards for a specific area.
SMS	11	§648.86(a)(4)(iii)(G) GB yellow tail flounder catch by small mesh fisheries	Sub-ACL for the small-mesh multispecies fishery in the Georges Bank yellow tail flounder stock area.	Triggers a requirement for vessels to use more selective gear to reduce the catches of Georges Bank yellow tail flounder and other flounders.	Costly and ineffective. The sub-ACL is very small and costly to monitor with acceptable precision.
SMS	12	§648.90(b)(5) Accountability measures for the small-mesh multispecies fishery	Specifies a trigger for in-season accountability measures in the fishery.	Determines when incidental possession limits are automatically required.	Necessary and has been effective but could be clearer if combined with §648.86(d)(3).
SMS	13	§648.90(v) AM if the small-mesh fisheries GB yellow tail flounder sub-ACL is exceeded	Post-season accountability measure for the small-mesh multispecies fishery if it exceeds the Georges Bank yellow tail flounder sub-ACL.	Requires vessels to use more selective, approved gears that reduce yellow tail flounder and other flounders catch.	Could be costly & effectiveness is unknown. The accountability measure has not yet been invoked, but it could be triggered by uncertainty in catch estimates and could be costly.
SMS	14	§648.81(a)(1)	Prohibited gear and prohibited possession of NE multispecies	Improves enforceability of year round groundfish closed area	Costly and potentially dangerous. The regulation forces fishermen targeting small-mesh multispecies to the south and east of Closed Area II to steam around the closed area when returning to port.
SMS	15	§648.86(d)(3) Transfer whiting at sea for bait	500 lbs. allowance for whiting and unlimited transfers of red hake	Provides flexibility for the industry to supply the at-sea fresh bait demand. Sometimes red hake sold at sea for bait has a higher price than if landed for food.	Possibly unnecessary – Transfers could be limited to the possession limit if it doesn't cause an enforcement problem