



MA Marine Fisheries Advisory Commission

February 14, 2019 Meeting Summary

This document serves as a brief summary of the February 14, 2019 Marine Fisheries Advisory Commission (MFAC) business meeting. Further details are available in the supplemental meeting materials and MFAC business meeting minutes.

Action Items

Shellfish Sanitation, Management and Contaminated Relay

The MFAC approved DMF’s recommendation to codify shellfish sanitation, management and contaminated relay regulations at 322 CMR 16.00. This allows DMF to codify longstanding shellfish management policies, permit conditions and practices as regulations, and to have an extensive chapter of regulations that explicitly conform to the National Shellfish Sanitation Program’s Model Ordinance. Additionally, the MFAC did not object to DMF setting a \$1.00 per bushel fee for the contaminated shellfish relay effective Fiscal Year 2019; this fee will be paid by the receiving municipality to the source municipality through DMF.

Whelk Minimum Size Management

The MFAC approved DMF’s recommendation to implement a gauge increase schedule for channeled and knobbed whelks (see table below). Beginning in 2019, the gauge width will increase by 1/8” biennially until 2029 when it will reach a terminal gauge size of 3 5/8”. This terminal gauge size is where DMF’s size-at-maturity study demonstrates 50% of female whelks retained by the use of the gauge are sexually mature. This action was taken in response to concerns about the current status of the state’s whelk resources and the long-term sustainability of the fishery.

Schedule for Whelk Gauge Increases, Corresponding Shell Widths at 50% Retention, and Percentage of Mature Female Whelks at Shell Width						
	2019	2021	2023	2025	2027	2029
Chute Gauge Width	3”	3 1/8”	3 1/4”	3 3/8”	3 1/2”	3 5/8”
Shell Width at 50% Legal	3 3/16”	3 5/16”	3 7/16”	3 9/16”	3 3/4”	3 7/8”
Percent Female Size at Maturity	0%	0%	0%	5%	20%	50%

Right Whale Protections

The MFAC approved a provision that will allow the Director to use Declaratory authority to extend and then rescind fixed gear closures extensions in Cape Cod Bay to protect the endangered North Atlantic Right Whale. This new regulation will allow DMF to react efficiently to changes in the presence and absence of right whales as they begin to migrate out of our waters in the spring. This will aide in reducing the risk of these whales becoming entangled in fishing gear, while also allowing fishermen to immediately set their gear once the whales depart. DMF will also explore a pilot program to allow lobstermen to set their gear at night for a period immediately following the lifting of the Large Whale

Seasonal Closure; this may help alleviate some of the bottleneck that occurs in ports along Cape Cod Bay.

Also, to reduce the risk of small vessel ship strikes that may injure or kill right whales, DMF is enacting a 10 knot speed limit for Cape Cod Bay during March and April. This speed limit will go into effect this spring. The new speed limit will apply to vessels less than 65' overall length; vessels measuring 65' of overall length or greater are subject to an existing federal 10 knot speed limit in this time and area. DMF may rescind or extend this speed limit in response to the presence or absence of whales. The MFAC did not object to this new regulation.

Discussion Items

Recent ASMFC and Council Meetings

DMF staff provided a brief summary of the recent ASMFC and NEFMC meetings. Discussion regarding the ASMFC meeting focused on: lobster management challenges in light of the anticipated jeopardy finding to right whales under the Endangered Species Act; the development of 2019 recreational fishing limits for black sea bass, scup and fluke; and the findings of the pending striped bass benchmark stock assessment. More details regarding this meeting are available in the ASMFC's [Meeting Summary](#).

Discussion regarding the recent Winter 2019 NEFMC meeting focused on the ongoing development of 2019 recreational fishing limits for Gulf of Maine cod and haddock. The development of these limits was delayed by the recent federal government shutdown. Additionally, DMF briefed the MFAC on a scoping document to initiate the development of an Amendment to the Atlantic Sea Scallop Fishery Management Plan ([see NEFMC Press Release](#)). The NEFMC will hold public meetings and take public comment on this scoping document this winter.

Review of Fishing Year 2018 State-Waters Groundfish Landings and Pending April Closure

DMF provided the MFAC with a review of Fishing Year 2018 multi-species groundfish landings for the state-waters only groundfish fishery. The two stocks of concern were Gulf of Maine cod and winter flounder, as the state-waters only groundfish fishery either exceeded the state-waters set-aside for the stock in recent years or was expected to exceed the set-aside during this year. For Gulf of Maine cod, the state-waters fishery had landed 61% of the set-aside and for Gulf of Maine winter flounder the state-waters fishery had landed 146% of the set-aside.

Upcoming Meetings

The MFAC is currently scheduled to meet on March 14, April 11, May 9 and June 13. All meetings begin at 9AM and are held at DFW's Field Headquarters located at 1 Rabbit Hill Road in Westborough, MA.

If you would like to obtain any materials regarding past or upcoming MFAC business meetings, please contact Jared Silva at DMF (617-626-1534 or jared.silva@state.ma.us).