

# COMMERCIAL FISHERIES COMMISSION

## Business Meeting Minutes

June 27, 2025

1 Rabbit Hill Road, Westborough, MA

### In attendance:

*Commercial Fisheries Commission:* Dan McKiernan, co-chair, Director of Division of Marine Fisheries; Alison Brizius, co-chair, Director of Office of Coastal Zone Management; Hollie Emery; Ed Barrett; Tim Brady; Gordon Carr; Beth Casoni; Aubrey Church; Eric Hansen; Jackie Odell; Kevin Stokesbury, Katie Almeida (virtually). Absent: Vito Giacalone; Pamela LaFreniere; Angela Sanfilippo; Al Cottone; Roger Berkowitz.

*Consensus Building Institute (Facilitators):* Pat Field, Abby Fullem

*Division of Marine Fisheries Staff:* Brad Schondelmeier, Bradlie Morgan, Story Reed, and Bob Glenn

*Department of Fish and Game Staff:* Sefatia Romeo-Theken, Deputy Commissioner

*Members of the Public:* Alice Stratta; Nathan Raike; Julia Logan; Edward LeBlanc, Annie Murphy; Jynessa Dutka Gianelli; Tricia Perez; Chris Ferro; Lisa Engler; Sam Ascii; Ashley Eugloy; Katrina Delaney

## WELCOME AND INTRODUCTIONS

Co-chairs Dan McKiernan, Director of the Division of Marine Fisheries (DMF), and Alison Brizius, Director of the Office of Coastal Zone Management (CZM), welcomed the group to the Commercial Fisheries Commission (CFC) meeting.

Director McKiernan provided an update on state fisheries management issues in front of the Massachusetts Marine Fisheries Advisory Commission (MFAC). He noted this public body will meet on July 1, 2025 to vote on finalizing emergency regulations to repeal pending changes to regulations affecting lobster carapace size and escape vent size rules consistent with Addendum XXXII to the Interstate Fishery Management Plan.

Dan added that DMF intends to hold public hearings addressing the proposal to require vessel trackers on surf clam vessels. This proposal is part of DMF's updated surf clam management plan being brought to public hearing in response to a recent statutory change that gave DMF sole authority over permitting and managing the commercial surf clam dredge fishery. Prior to this statutory change, case law recognized that this activity

could also be managed and permitted by the Department of Environmental Protection and local Conservation Commissions.

Lastly, Dan described proposed legislation related to commercial fisheries. There is legislation proposed to prohibit the taking of horseshoe crabs for use as bait, which is part of a coastwide push by the conservation community and has gained traction on social media. The second was an act to create a Commercial Fisheries Offshore Wind Mitigation Fund filed by Senator Bruce Tarr. Jackie Odell asked for more information on this, and Dan provided her with the bill. The third was an act providing for a wind farm study filed by Dylan Fernandes. The fourth was an act to provide economic security for fishing industry participants filed by Patrick Kearney and Kenneth Sweezey, which would allow lobster fishermen to collect unemployment benefits during the wintertime closure to protect right whales. Lastly, Dan described a request in the Senate budget for an earmark to DMF for \$60,000 to allow the Consensus Building Institute (CBI) to continue working with the CFC.

Ed Barrett voiced concern about the proposed ban on the taking of horseshoe crabs for bait negatively impacting the fluke fishery due to the propensity for fluke fishermen to catch horseshoe crabs. He asked how this act would impact the medical industry. Dan responded that this act would not impact the medical industry, as the bill focused on restricting the taking of horseshoe crabs for use as bait.

Beth Casoni then highlighted Bill H.4040, which aims to prevent the discharge of radioactive waste. This specifically addresses Holtec International's plan to discharge into Cape Cod Bay following the decommissioning of the Pilgrim Nuclear Power Plant. Director McKiernan and Bob Glenn explained that Holtec is appealing the Department of Environmental Protection's (DEP) denial of a discharge permit and DMF, DFG, and DEP would likely be asked to weigh in on the issue if the Governor's office takes a position on the bill. Dan added that DMF has already commented against this discharge. However, he recommended individual organizations determine how they'd like to address these issues. Pat Field of CBI emphasized the importance of DMF bringing these bills to the CFC's attention.

## **COMMISSION BUSINESS**

### Offshore Wind Focus Group Progress

Field then remarked on the significant progress made by the offshore wind (OSW) focus group and Port Profile focus group.

Field explained that one of the key recommendations from the OSW focus group was for the CFC to interface with the Massachusetts Fisheries Working Group on Offshore

Wind (FWG) to minimize redundancy across the groups. In practice, the FWG will focus on details of specific projects, while the CFC will consider issues raised at the FWG at a higher policy level and develop recommendations. The CFC will meet a few weeks after FWG to allow for these discussions. Four potential actions relevant to the CFC were determined by the focus group: (1) to learn from constructed or in-progress projects in order to better track the effects of OSW development on fisheries and improve monitoring, layouts, and construction practices; (2) to review planning and permitting processes and identify key state leverage points where fishermen can more effectively be involved to generate funds for research or community resilience; (3) to improve economic and compensatory mitigation analyses to better reflect financial impacts on fishing; and (4) to share input on the Regional Fund Administrator's (RFA) claims development process. The overarching recommendation was to wait to submit budget requests to the legislature until next year following this year's annual report.

On the first action—to learn from previous OSW projects—Eric Hansen voiced concern about developers limiting access to relevant data and information that is not publicly available. Pat Field, Jackie Odell, and Melanie Griffin discussed different approaches to address this issue, such as new data stream standardization for the Bureau of Ocean Energy Management (BOEM), the new Executive Order on Restoring Gold Standard Science, and NOAA's efforts to standardize data through draft documents. Director McKiernan and Kevin Stokesbury then discussed the projects funded by the Responsible Offshore Science Alliance (ROSA) that aim to collect more meaningful data by including control areas as part of OSW developers' impact studies. Stokesbury and Aubrey Church expressed support for more data transparency. Pat Field suggested compiling information on what data is public and private across developers.

Director McKiernan asked whether this potential action would examine existing VMS data to determine changes in fishing practices due to OSW development. Gordon Carr noted that the Massachusetts Clean Energy Center (Mass CEC) is funding a project with the New Bedford Port Authority to determine how to best measure these changes due to OSW.

Ed Barrett and Eric Hansen voiced concerns about neglecting larger spatial trends in fisheries (e.g., displacement of effort or altered fish behavior) and noted how AC to DC conversion towers may affect spawning. Todd Callaghan and Hansen discussed the accessibility of data pertaining to these systems.

Gordon Carr remarked on an additional concern regarding Woods Hole Oceanographic Institute's (WHOI) fishing activity assumptions while conducting economic analyses and called for further research into understanding the assumptions made in these studies.

Field suggested that the OSW focus group develop a plan to learn from previous projects to better understand the outlook of future development and NOAA's role. Beth Casoni voiced a need to understand the impacts of active and future construction. Kevin Stokesbury suggested focusing on improving construction practices rather than investigating economic impact to help inform future designs. Stokesbury and Field then discussed how different OSW farm designs may impact fisheries differently. Jackie Odell added that baseline research on fishing activity in future lease areas should be prioritized. Odell, Barrett, and Church discussed how future development projects should consider the impact of reduced fishing footprints during management closures and emphasized the importance of communication between the fishing community and developers. Church and Casoni suggested dividing the recommendation into lease areas by region or type of OSW development project. Stokesbury suggested the group further research the successful strategies used by other states to inform similar decisions with public data. Field echoed these points and suggested dissecting this issue further with the OSW focus group.

The group then discussed the second potential action—to increase fishermen involvement in generating funds for research or community resilience. Casoni and Field discussed how to include fishermen in the review process such that they have access to funds that may otherwise be directed to the Regional Fund Administrator. Lisa Engler, MassCEC's Deputy Managing Director of Offshore Wind, recommended splitting fishermen engagement and generating monies for the fishing community into two separate actions. She argued that this strategy would create a positive impact on the fishing community beyond generating funding. The group voiced agreement.

On the third potential action—to improve economic analyses to more accurately reflect the impacts of OSW on fishing—the group discussed potentially hiring a consultant to review existing methodologies. McKiernan and Engler voiced support for this action and noted that this undertaking would impact at least three wind lease areas in southern New England. Field added that similar projects have been conducted in California, and this may be informative. McKiernan and Abby Fullem discussed the timeline of the legislature's involvement. Field noted that this action could ease some concerns within the fishing community regarding WHOI's initial analyses. Jackie Odell and Aubrey Church then discussed different considerations for future analyses, such as displacement of fishing effort. Engler then suggested the group flush out ideas to develop a concrete plan to address this issue. She noted potential solutions could include reassessing WHOI's analysis, developing new analyses, or a hybrid approach. Pat Field then suggested the CFC write a pre-scope RFP and address this issue at a later time.

On the fourth potential action—to share input on the RFA’s claims development process—Field noted that the Design Oversight Committee could play a role, which includes Beth Casoni and Brad Schondelmeier. Pat added that CBI will coordinate with the RFA to plan this opportunity for the CFC to share input.

Field added that he will bring these refined actions to the focus groups to address.

#### Port Profile Focus Group Progress

Story Reed provided an update on the port profile project. Story explained that the port profile project was first conducted 5 years ago and is currently being reassessed. The CFC established a Focus Group (Ed Barrett, Gordon Carr, Beth Casoni, and Aubrey Church) to help DMF reassess the project. The Focus Group met with DMF staff in June.

Topics of interest included what fisheries data should be included (e.g., active vs inactive permits) and separating out wild harvest data from aquaculture. The focus group also examined the two surveys used to collect data from harbor masters and fishers. For the harbor master survey, the group suggested looking more closely at differences in commercial and recreational use, including defining “commercial” by harbor. They were also interested in learning about harbor masters’ coastal resiliency concerns and recent infrastructure grants that ports have received. For the fishers survey, the group suggested asking respondents about infrastructure projects that have hindered commercial fishers in ports, seasonal lobster trap storage issues, and fishermen commute time. Story emphasized their interest in creating a manageable survey under 15 minutes in length. Director McKiernan asked to clarify the meaning of commute time. Story noted that this would consider the time it takes for fishermen to travel from their home to their slip.

Story then outlined the timeline for this project moving forward. DMF has started fishery statistical analysis and plans to partner with the Urban Harbors Institute of UMass Boston, who worked on the previous port profile project. The goal is to finalize the survey later this summer, conduct survey outreach and write the report in the winter, and report on outreach in spring 2026. Story noted that the CFC will be invited to engage throughout this process.

Eric Hansen asked how survey responses will be categorized to consider differences among commercial industries. Story clarified that the target survey respondents were commercial permit holders and for-hire permit holders, and harbor masters would only be asked questions relevant to commercial fishing and related infrastructure. Ed Barrett emphasized his preference for the survey to focus on commercial fishing separately

from aquaculture. Beth thanked Story for his work on the port profile project and its role in informing industry representatives when speaking with the legislature.

### Letters of Support Process

Pat Field noted that in response to the letters CFC members sent to the Massachusetts Food Policy Council concerning the addition of a seat for fisheries and seafood, the request has been filed in three pieces of legislation and is included in Governor Healey's Economic Development Bond Bill.

### ResilientCoasts Draft Plan Virtual Meeting

On the *ResilientCoasts* Draft Plan virtual meeting that took place in June, Abby Fullem of CBI asked if anyone had any key takeaways to share with the group. No one did.

### Survey Responses

Bradlie Morgan reminded the CFC that at the initial meeting CBI conducted a mentimeter survey to help establish priorities for the public body. CFC members requested DMF also share this survey with their organizations.

Bradlie provided a summary of these survey results.

The survey received 35 respondents, nearly all of which were members of the lobster fishery. Respondents expressed most interest in addressing economic impacts of offshore wind, increasing commercial fishery representation, expanding local seafood markets, and improving port infrastructure, communication around OSW planning, science of fisheries management, and state policy support of commercial fishing. Respondents were least interested in mitigation concerning OSW, shoreside processing, addressing the aging fleet, and adaptive management. Morgan added that these responses are not representative of the entire CFC's constituents, as there was limited representation from fisheries besides lobster. Abby Fullem noted that these responses can be discussed more deeply as the group develops the work plan later.

### Charter and Work Plan

Fullem asked if there were any suggested edits to the proposed CFC charter. Beth Casoni suggested changing the wording of the group's mission to clarify the interests of commercial fishing and seafood industries were considered in "economic interests" rather than "economic development". **There were no objections. The edit was adopted by unanimous consent.**

Pat Field then outlined the CFC's work plan. He explained that the focus groups should continue working concurrently with regular CFC meetings to develop specific

recommendations for the annual report. He outlined the plan for September, including focus group meetings, updates from CZM and DEP on Chapter 91, DPAs, and enforcement of Chapter 91; a presentation from MDAR on the MA Food Policy Council; a presentation for the Executive Office of Economic Development (EOED) on the CFC's work; and a presentation on Maine's Working Waterfront Initiative. Aubrey Church asked about Maine's establishment of a Working Waterfront Information and Technical Assistance Fund and wondered if Massachusetts could replicate this program. Pat noted that the group would investigate this.

Further, Field explained that CFC focus group meetings would take place in October and November, with the full CFC potentially meeting again in December. Field then proposed moving the MDAR presentation on the Food Policy Council from the September 2025 agenda to later meetings. Gordon Carr similarly suggested pushing the EOED presentation to no sooner than December.

Director McKiernan suggested that the Working Waterfront Initiative be prioritized in the annual report to the legislature. Field agreed. Director McKiernan, Director Brizius, and Lisa Engler discussed the importance of addressing port infrastructure and their interest in learning from MassCEC. Alison noted that DPA assessment findings can be shared at the September meeting. She added that the Mass Ready Act introduced a Port Sustainability Commission to examine the needs of ports, especially DPAs, which will have a fisheries representative seat. Beth suggested that collaborative research, innovations in seafood processing, and data used in determining mitigation are addressed by the Fisheries Working Group.

### **DERELICT GEAR INITIATIVE AND MARINE DEBRIS**

Bob Glenn then presented on managing derelict fishing gear in Massachusetts. He outlined the growing issues of derelict fishing gear due to increased fishing effort and changes in gear. Derelict gear has significant impacts on the marine environment and contributes to gear conflicts and public safety issues. Historical state statutes have not differentiated between fishing gear and fishing gear debris, which limited DMF's jurisdiction over managing derelict gear.

In 2022, DMF formed the MA Derelict Gear Task Force to study the issue of derelict gear and to develop solutions for the removal of gear. The Task Force supported amending state law to maintain private property rights for fishing gear but establish a framework to permit and manage the clean-up of fishing gear debris. The legislature supported this amendment, and it was adopted in early 2025. DMF is now in the process of drafting the regulatory framework, which will be subject to review and approval by the MFAC and DFG.

This framework hinges on the definition of what is and what is not “intact” fishing gear. In consideration of what has been done in other jurisdictions, DMF is proposing to define intact trap or pot gear as having at least three of the following requirements: a buoy; a complaint buoy line; identifiable to the permit holder; and configured with appropriate escape vents and ghost panels. This definition ensures that the owner is identifiable, the trap is functional, and the buoy line is identifiable and allows for a gear to be considered non-compliant without becoming fishing gear debris.

Dan asked if a trap is considered not intact if it is crushed on one side. Bob responded that this would be considered not intact. He noted that the framework is intentionally subjective to allow for more effective management.

Commissioner Tom O’Shea noted that this issue was widely supported by stakeholders, and he thanked the DFG policy team for their efforts to push it forward. Glenn and the Commissioner discussed the importance of collaborating with the fishing industry to make this framework possible. Beth Casoni voiced strong support for this initiative.

Aubrey Church and Lisa Engler asked how authorized activity would be regulated.

Bob explained that DMF would authorize the clean-up of fishing gear debris through specific strategies. This includes: (1) providing a blanket year-round authorization to remove and dispose of fishing gear debris from the shoreline; (2) allowing DMF and Massachusetts Environmental Police to remove and dispose of buoyed fishing gear debris in the water year-round; (3) requiring proponents to apply for a special project permits to remove fishing gear during a closed fishing season with each application being reviewed by DMF and permitted based on its merits and the requisite capabilities of the applicant; and (4) enabling mobile gear vessels to bring ashore fishing gear debris incidentally caught during routine fishing operations while maintaining strict prohibitions on molesting fixed fishing gear.

Casoni asked if DMF has noticed a reduction in the amount of gear left behind during closures since starting the abandoned gear removal initiatives. Glenn responded that there’s been a substantial decline in abandoned gear.

Glenn then explained that DMF will seek public comment on best practices for handling fishing gear debris. This includes encouraging fishermen to attempt to return gear to its owner, ensuring gear is disposed of lawfully, and developing a more substantial network of disposal infrastructure.

Todd Callaghan asked if these regulations apply to aquaculture gear. Bob explained that the proposed regulations would not. In the development process, DMF met with representatives from the Massachusetts Shellfish Officers Association and

Massachusetts Aquaculture Association, and it was determined that the best approach would be for DMF to establish a state-wide aquaculture gear labeling requirement and then defer management of derelict aquaculture gear to municipal shellfish officers.

Katie Almeida noted that Commercial Fisheries Research Foundation (CFRF) in Rhode Island recently completed a project to remove derelict gear in state waters and are calling for participants to remove ghost gear in offshore waters. She suggested reaching out to CFRF to learn more. Beth Casoni added that fishermen have expressed interest in obtaining letters of authorization for removing gear balls. Eric Hansen asked how DMF would address mobile gear that hauls up ropeless gear technology. Bob noted that this is a complicated issue that DMF aims to address as ropeless gear becomes more prevalent.

### **PUBLIC COMMENT**

Abby Fullem asked for any public comment. There was no public comment.

### **NEXT STEPS AND CLOSING**

Fullem shared deliverables for upcoming meetings: the ResilientCoasts meeting summary, the MDAR response on the seafood industry seat, an updated work plan, and focus group meeting summaries. She asked Aubrey Church to share Maine's Working Waterfront Initiative information at the September meeting. Fullem noted that thoughts on best practices to handle derelict gear can be shared with Bob Glenn during the public comment period. Fullem asked the group to share any final thoughts before adjourning.

Kevin Stokesbury voiced concern about the decision to delay the discussion on seafood processing and research collaboration to a future meeting given labor shortages in working waterfronts and cuts to federal agencies. He argued that these issues directly impact fisheries management. Carr, Stokesbury, and Church discussed how the CFC can address this issue. Field suggested touching base on this topic at their next meeting. Church then explained that she was invited to join the LOC-NESS (Locking away Ocean Carbon in the Northeast Shelf and Slope) project's research trial of ocean alkalinity enhancement in August, but she declined due to some concerns about the project's environmental impacts. Hansen and Tim Brady voiced agreement with Church's concerns. There were no further comments.

Director McKiernan and Director Brizius thanked everyone for their time and attendance. The meeting was adjourned.

## **MEETING DOCUMENTS**

- June 27, 2025 CFC Business Meeting Agenda
- April 8, 2025 Draft CFC Business Meeting Minutes
- April 8, 2025 CFC Business Meeting Key Takeaways
- June 4, 2025 Draft ResilientCoasts Meeting Minutes
- CFC Draft Work Plan 2025
- CFC Draft Charter
- CFC Offshore Wind Focus Group April 30, 2025 Meeting Key Takeaway Summary
- Offshore Focus Group Recommendations Presentation
- Port Profile Focus Group Summary Presentation
- CFC Constituents Survey Responses Presentation
- DMF's Derelict Fishing Gear Management Presentation

## **UPCOMING MEETINGS**

12:30 PM

Monday, September 8th

DFW Field Headquarters

1 Rabbit Hill Rd, Westborough, MA