



MA Marine Fisheries Advisory Commission

October 29, 2020 Meeting Summary

This document serves as a brief summary of the October 29, 2020 Marine Fisheries Advisory Commission (MFAC) business meeting. This MFAC meeting was held virtually. All meeting materials are available on the [MFAC's past meeting website](#). The full meeting can be viewed on DMF's [YouTube page](#).

Quota Monitored Fishery Performance

DMF staff provided the MFAC with a presentation on the performance of 2020 quota monitored fisheries. The commercial fisheries discussed include black sea bass, tautog, striped bass, horseshoe crab, bluefish, summer flounder, spiny dogfish, and menhaden.

Action Items

The Marine Fisheries Advisory Commission approved (7-1) a recommendation by DMF to increase the summer flounder trip limits for November and December 2020 from 1,000 pounds to 2,000 pounds. This action was recommended to provide the offshore fleet with additional access to the remaining 2020 quota and to encourage fish caught offshore to be landed in Massachusetts. Concerns were raised regarding the performance of the inshore trawl fishery, recreational fishing conditions in the Sounds and Buzzards Bay, and the size of fish available in shore in the summertime.

Future Rule Making

The MFAC then reviewed and discussed several proposals by DMF to amend regulations for 2021. These proposals are described in the bullets below will proceed to public hearing during the winter of 2020 – 2021.

- On April 30, 2020, the US District Court for the District of Massachusetts ordered the Commonwealth to seek an Incidental Take Permit, pursuant to the Endangered Species Act, from NOAA Fisheries. Draft regulations affecting fixed gear fishing were developed in order to prepare a successful ITP application. The proposed measures include: (1) extending the existing February 1 – April 30 commercial trap gear closure in Cape Cod Bay and east of Cape Cod to all state waters; (2) adopting a closed season for recreational trap gear; (3) expanding the January 15 – April 15 gillnet closure in Cape Cod Bay to include waters along the south shore; (4) requiring trap fishermen fish weak rope with a 1,700 pound breaking strength; (5) establishing a maximum buoy line diameter of 3/8" for commercial trap fishing and 5/16" for recreational trap fishing; (6) prohibiting commercial fishermen using vessels larger than 29' feet from fishing single lobster traps (effective January 2022); and (7) capping the maximum number of seasonal lobster licenses issued annually at 150. DMF anticipates virtual public hearings will be held on this matter in December 2020 for implementation in January or February 2021.

- Dating back to the 1970s, DMF regulated the purse seine fishery for bluefin tuna in state-waters. All previously issued permits to conduct this activity are no longer renewed. Accordingly, DMF is seeking to rescind its historic regulations governing this fishery in favor of a prohibition.
- At the recent ASMFC meeting, the Striped Bass Board reviewed state exemptions to circle hook rules. Massachusetts' exemptions for the for-hire fleet and for natural baits attached to artificial lures were found to not comply with the FMP. Accordingly, DMF is required to rescind them for 2021.

Discussion Items

DMF staff reviewed recent ASMFC, MAFMC, and NEFMC meetings. Regarding the ASMFC, discussion focused on: the pending development of Amendment 7 to the Striped Bass FMP; spiny dogfish specifications for FY2021/2022; sea herring quota allocations for Area 1A; winter flounder and lobster stock assessment results; and menhaden catch limits for 2021 and 2022 under the new ecosystem based reference points. For the MAFMC, DMF discussed: the bluefish allocation and rebuilding amendment; FMP adjustments to reform the recreational management of bluefish, black sea bass, scup and fluke; and the black sea bass commercial reallocation amendment. On the NEFMC, DMF provided updates on groundfish, sea scallops, herring, and other Council issues. For groundfish, the conversation focused on the monitoring requirements established by Amendment 23; the CLF petition for rule making on Atlantic cod; Atlantic cod stock structure; Framework 61; scoping meetings on limiting access to the for-hire fishery and new committee structure. For sea scallops, the focus was on the outcome of Amendment 21; the development of Framework 33; survey and RSA review recommendations; and a review of rotational management. For herring, DMF reviewed the outcome of Framework 8 in terms of both specifications and mackerel optimization and discussed rebuilding strategies. Lastly, DMF reviewed the implementation of the federal Executive Order governing seafood competitiveness.

DMF then provided the MFAC with a presentation on its CARES relief program. Payments were made to applicants in the for-hire, aquaculture, and seafood processing sector. The commercial sector's industry working group preferred a longer application period and the program was expected to conclude during the first week of November. DMF anticipated payments to commercial sector applicants would occur by mid-November.

DMF provided an overview of the state's commercial menhaden fishery. Several issues had been brought to DMF's attention regarding how the fishery was conducted this past year, specifically compliance with the open entry trip limit. DMF was considering adopting new regulations for 2021 that would address trip limit compliance and purse seine size in the open entry fishery.

DMF reviewed a draft policy that would allow the transfer of limited entry black sea bass, summer flounder, and tautog endorsements on rod and reel permits. DMF intends to establish these permits as transferable provided they are actively fished. For these permits, actively fished means at least one trip limit of the species is landed (in aggregate) in a calendar year for four of the past five years. Permits may be bundled or transferred individually. If permits are bundled, then only one permit needs to be actively fished; if permits are transferred individually, each permit needs to be actively fished.

DMF indicated that it would renew its wintertime summer flounder and black sea bass pilot program that allowed vessels fishing offshore to possess limits from multiple states where they are permitted while offloading in Massachusetts.

Lastly, the MFAC established several sub-committees that would meet over the coming months to review specific issues. The Law Enforcement Sub-Committee would include Shelley Edmundson, Bill

Doyle, Ray Kane, and Mike Pierdinock. The Commercial Striped Bass Sub-Committee would include Bill Doyle, Kalil Boghdan, Mike Pierdinock, and Ray Kane. The Permitting Sub-Committee would include Shelley Edmundson, Lou Williams, Bill Amaru, and Bill Doyle.

Other Business

Commission member Bill Amaru raised concerns regarding time-of-year restrictions on harbor dredging. DMF's Habitat Program will engage with Bill on this issue. DMF recently received a petition to rescind the bluefish strike net closure along Billingsgate Shoal. DMF intended to analyze this petition and potentially bring it out to public hearing this winter. Helen Miranda Wilson, of Wellfleet, requested the MFAC review the harvest of horseshoe crabs by both the bait and biomedical fisheries, as well as release mortality for crabs handled by the biomedical industry.

Upcoming Meetings

The next MFAC business meeting is scheduled for November 19, 2020. The meeting will be held virtually via Zoom. Information regarding the meeting will be published on the [MFAC's website](#). 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).