



The Commonwealth of Massachusetts

Division of Marine Fisheries

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Secretary

RONALD S. AMIDON
Commissioner

DANIEL J. MCKIERNAN
Director

MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)
FROM: Daniel J. McKiernan, Director 
DATE: March 15, 2021
SUBJECT: Recommendation to Lift Conditional April Groundfish Closure

Recommendation

I recommend the MFAC vote in favor of lifting the April conditional commercial groundfish closure in Massachusetts Bay between Plymouth (42°00'N) and Marblehead (42°30'N) in those state waters west of 70°30'W.

However, if approved, I intend to use my authority to condition to permits to limit the extent of this opening and have it apply only to trawl gear and hook and line gear that is actively tended and not set overnight. This is being done to prevent the use of passively fished fixed gear—specifically gillnets—due to the potential for a right whale entanglement in Massachusetts Bay.

Background

In 2019 DMF established regulations at 322 CMR 8.05¹ that implemented a conditional commercial groundfish closure within certain waters of Massachusetts Bay. Its purpose is to serve as an accounting fail-safe and prevent state waters fisheries from causing ACL overages. It was not designed to provide direct groundfish conservation or spawning protection; DMF has other overarching rules that address those issues (which I discuss later). As April occurs at the end of the May 1 – April 30 federal fishing year (“FY”), the closure is conditional and DMF may lift it should an annual analysis of groundfish landings data for the SW fishery relative to the federal sub-components for the May 1 – April 30 federal fishing year (“FY”) demonstrate that the closure is not necessary to achieve its purpose.

FY2020 Analysis

It should be no surprise that our analysis for FY20 (May 1, 2020 – April 30, 2021) demonstrates the groundfish closure may be lifted for April 2021. State waters (SW) fishery reported landings for all Gulf of Maine groundfish stocks are well below the federally allocated sub-components (Table 1). I suspect the decline in landings and effort in FY20 compared to prior recent years is

¹ 322 CMR 8.05(2). “The Director may annually rescind this April closure...if, based on the Division’s review of relevant data, it determines that rescinding this closure will not result in an exceedance of the annual federally allocated state-waters sub-components for regulated groundfish stocks during the federal fishing year of May 1 through April 30 or federal conservation measures are not compromised.

largely attributable to the COVID-19 pandemic—and the low trip limits. The pandemic negatively impacted the performance of most of our commercial fisheries, as altered demand for seafood and personal health concerns have affected fishing effort. Even without the impacts of COVID, the SW fishery has operated within the ACL structure prompting annual rescinding of the April conditional closure ever since its inception.

Given the results of this analysis and past performance of the April fishery, I am certain lifting this conditional closure for April 2021 will not result in the SW fishery exceeding the federally allocated sub-components for Gulf of Maine groundfish stocks in FY20, let alone triggering accountability measures for the federal fishery.

Anticipated Results

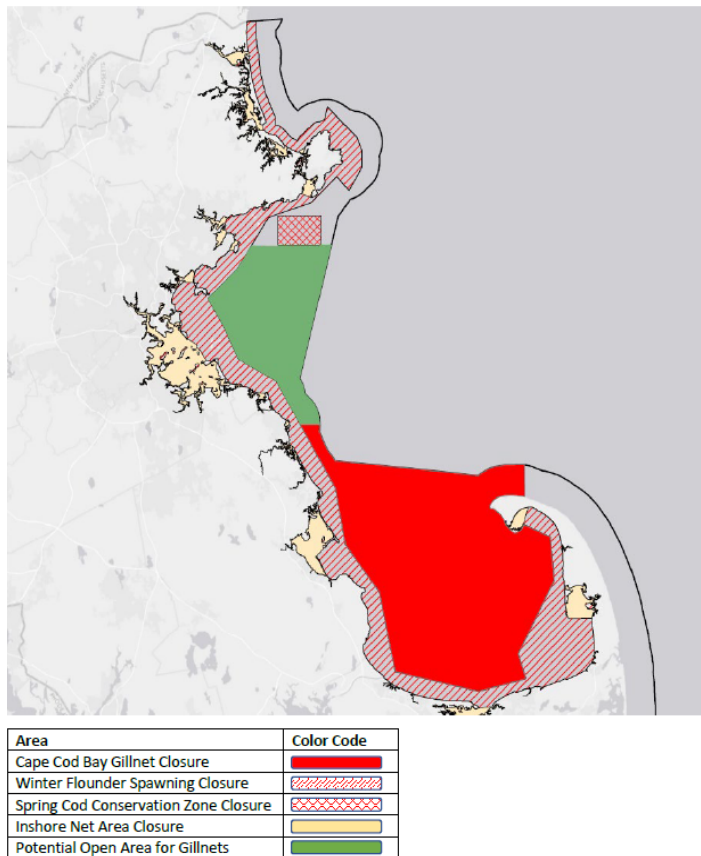
If approved and the conditional April closure is lifted for 2021, commercial groundfish fishing will be able to occur within certain waters of the closure area with mobile gear and actively tended hook gear. Based on informal conversations between staff and industry members, I suspect effort will continue to be targeted on haddock. Several gillnet fishermen have expressed interest in fishing longlines (“tub trawls”) to target this species; this interest existed prior to my decision to preclude gillnet gear from this opening, as the 6.5” minimum mesh size rule constrains their ability to target haddock with gillnets. Other species commonly taken in April are available and have conservative trip limits, and they include cod (200 lbs.), winter flounder (500 lbs.) and yellowtail flounder (250 lbs.).

It is notable that spatial access to groundfish—within the April closure area and throughout the spring—are limited for both hook and trawl fishermen due to other overarching state regulations (Appendix 1). Mobile gear fishing is restricted in all Inshore Net Areas and is seasonally restricted within mobile gear Areas 1 (North Shore) and 2 (Greater Boston Harbor). Additionally, there remain spatial spawning protections for Gulf of Maine winter flounder and cod, as all commercial groundfish fishing is prohibited from within the inshore winter flounder spawning closure (February 1 – May 31) and in Spring Cod Conservation Zone (April 16 – July 21). Lastly, there are rolling commercial groundfish closures in Massachusetts Bay in May between Boston (42°20’ N) and the MA/NH maritime border and in June between Marblehead (42°30’N) and the MA/NH maritime border. These various management measures all constrain groundfish harvest and protect fish from harvest in many known spawning grounds.

Consideration of the Gillnet Fishing Issues.

The opening of this area in Massachusetts Bay (Figure 1) to gillnetting poses a challenge for the agency in light of the ongoing right whale conservation initiatives and the spring-time presence of right whales in the area. While the presence of right whales is not as routine and predictable as the aggregations in Cape Cod Bay, there have been sightings off Boston in Massachusetts Bay in recent years. Given that right whales may become entangled in the gillnet gear—specifically the panels—it would be prudent to take a conservative approach. Right whales are currently being afforded unprecedented levels of conservation in Massachusetts, with DMF recently taking action to seasonally prohibit the setting of lobster trap gear in Massachusetts Bay during the winter and spring, and requiring new year-round buoy line modifications for all trap gear fishermen. With this in mind, I prefer to not increase the entanglement risk by inviting this fixed gear into this area while the more common activity—lobster trap fishing—is precluded.

Figure 1. Closures in MA Bay Affecting April Gillnetting



Relative Risk of Longlines

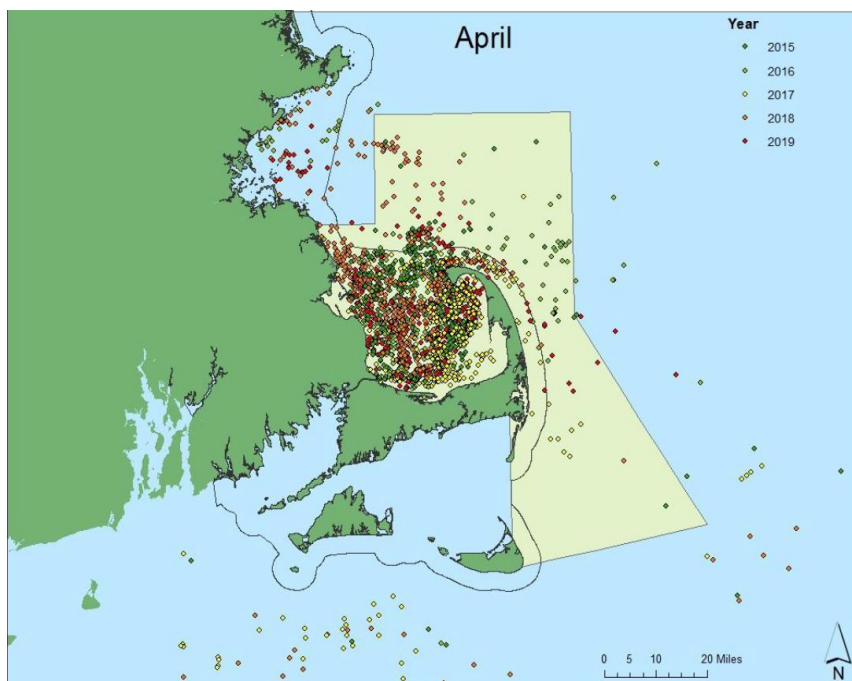
I expect some of the 5-6 active gillnetters, and some displaced lobstermen, will capitalize on longlining abundant haddock in this area. I believe that groundfish longline gear is sufficiently safe for this area. The gear is generally weak. The mainline that holds the gangions and hooks is typically comprised of what is known as “parachute cord” and typically has a breaking strength of about 550 pounds. While the vertical buoy lines may be stronger, they can be rigged with weak rope as prescribed for lobster gear during open periods. Moreover, the quantity of longline gear being fished will likely be limited and can be actively tended. Longlines are typically set in a series of 300 hook “bundles” and up to five sets connected together with a vertical buoy line on each end. Two to three of these are usually set by an inshore vessel, resulting in only a handful of buoy lines being deployed.

The gear is also typically not set over night and is actively tended with the fisherman beginning to haul the gear after the last string is set. This results in the gear being in the water for short periods of time and gives the fisherman the ability to avoid setting the gear near whales that may be visible at the surface.

Public Comment

The regulation implementing the April condition commercial groundfish closure sets a process for DMF to annually lift the closure

Figure 2. Right Whale Sightings in April in Massachusetts



should it be supported by the landings analysis. This includes conducting a two-week public comment period and having the action approved by the MFAC.

DMF received approximately 70 public comments on the proposal. Those comments in favor of the proposal to lift the April closure for 2021 were generally from commercial fishermen seeking access to the resource. Notably, there is interest from some Massachusetts Bay commercial lobstermen to lift the closure, as it will provide an alternative source of seasonal fishing income to help alleviate the impacts of the extension of the trap gear closure to those waters north of Cape Cod Bay. However, most of the public comment objected to lifting the closure. These commenters argued that the closure provided additional needed conservation for groundfish stocks, particularly winter flounder and cod, added a layer of spawning protections for winter flounder and cod, and ameliorated user group conflicts between recreational fishermen and commercial fishermen who may be seasonally targeting haddock and winter flounder.

While I understand the concerns set forth by these entities, their rationale for keeping the closure in place goes beyond the scope and purpose of the closure. As stated earlier in this memo, the closure was implemented to address the SW fishery exceeding its federally allocated groundfish sub-components and the regulation instructs DMF to lift the closure if an annual analysis of landings data demonstrate that the closure is not necessary to achieve this purpose. While the closure may provide additional groundfish conservation benefits it was not implemented on that basis and other existing restrictions are in place that either directly or indirectly address these conservation and user group concerns.

I also believe there is some level of misunderstanding about the amount of fishing grounds that will be “opened” by this action. This misunderstanding may be from inclusion of a simple closure area map in the advisory that depicted all state waters west of 70° 30’ W longitude and between latitudes 42°00’ N latitude and 42° 30’ N latitude would be opened for groundfishing. As evidenced in Appendix 1, this is not the case and much of the area will remain closed to groundfish fishing through overarching spawning closures and other gear restrictions.

Conclusion

Based on all the considerations described above, I am recommending the conditional closure be lifted for April for hook and trawl gears only, and am asking the MFAC stay true to the narrow scope of this regulation and vote in favor of this recommendation.

Attachment

Appendix 1: Closures Affecting Groundfish Fishing in Spring in Massachusetts Bay
Written Public Comment

Table 1. Estimates of SW Landings and State-waters sub-component utilization for select groundfish stocks during FY2019-FY2020.

Groundfish Stock	FY2020			FY2019		
	State Waters Sub-Component (lbs)	Preliminary SAFIS Dealer Landings for SW fishermen (lbs)	% Utilization	State Waters Sub-component (lbs)	State Estimates of SW Landings (lbs)	% SW Utilization
American Plaice	70,548	4,564	6%	70,548	14,110	20%
GOM Cod	105,822	29,917	28%	103,617	62,391	60%
GOM Haddock	143,300	87,986	61%	200,621	325,843	162%
GOM Winter Flounder	306,443	82,343	27%	147,710	147,710	100%
GOM Yellowtail Flounder	127,868	66,822	52%	112,436	93,256	83%
Pollock	2,420,676	683	0%	886,258	1,543	0%
Redfish	132,277	88	0%	2601,145	8,598	3%
SNE/MA Winter Flounder	79,366	*	<1%	160,937	1,543	1%
White Hake	24,250	198	1%	63,934	220	0%
Witch Flounder	97,003	38,691	40%	88,185	42,770	49%

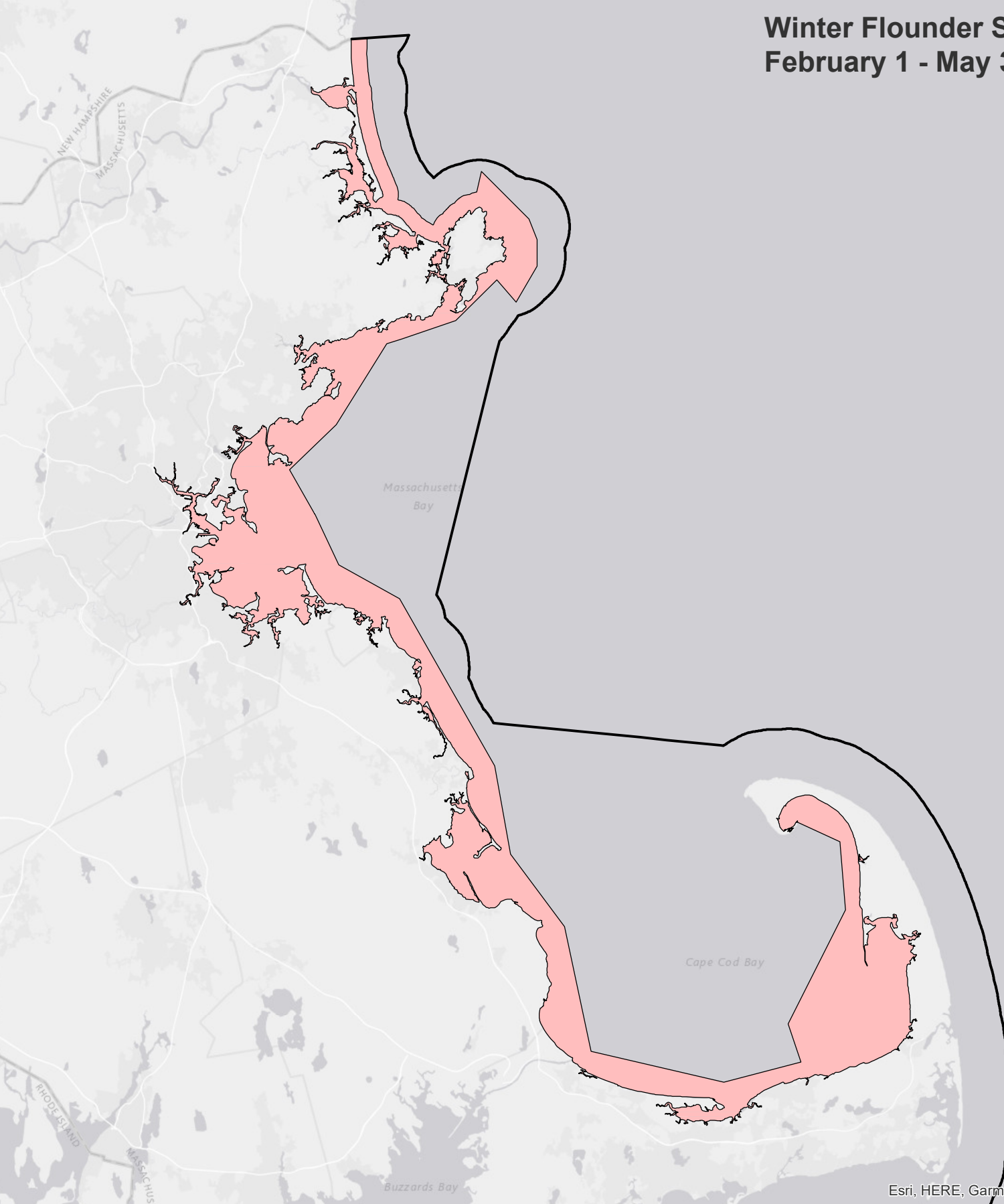
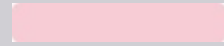
Data Source: NMFS VTRs, MA trip-level reports, MA permitting database,
https://www.greateratlantic.fisheries.noaa.gov/ro/fso/reports/h/groundfish_catch_accounting, compiled February 2020.

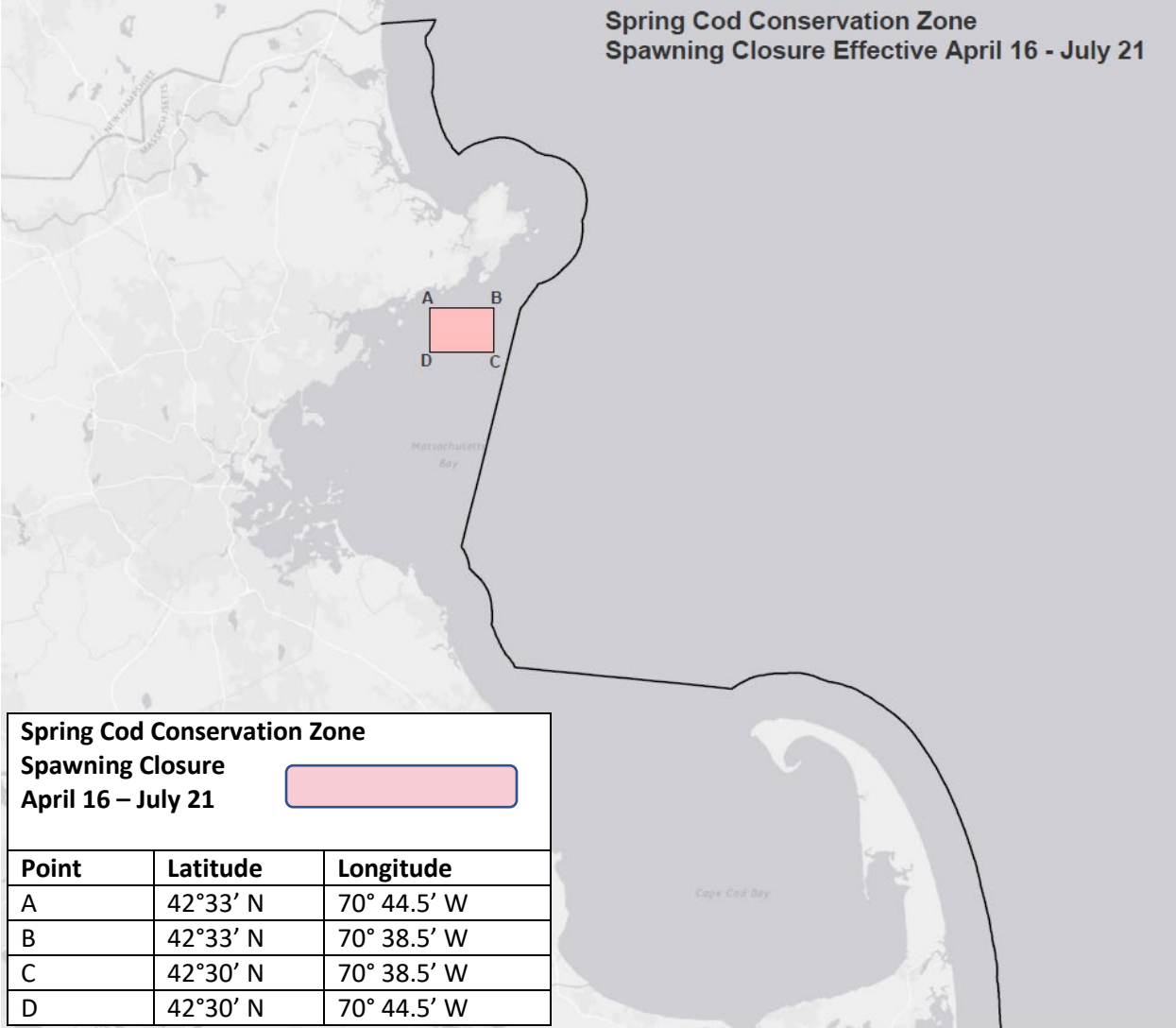
Appendix 1 – Closures in April Affecting Groundfish Fishing and Additional Springtime Commercial Groundfish Closures in Gulf of Maine

1. Winter Flounder Spawning Closure (February 1 – May 31)
2. Spring Cod Conservation Zone Closure (April 16 – July 21)
3. Inshore Net Area Closure (Year Round)
4. Mobile Gear Closures
 - a. North Shore Closure (Year Round)
 - b. Boston Harbor (April 1 – December 31)
 - c. Ipswich Bay Exemption Area (December 15 – April 30)
5. Open and Closed Areas for Trawlers in April
6. Open and Closed Areas for Hook Gear in April
7. May Commercial Groundfish Closure North of 42° 20' N
8. June Commercial Groundfish Closure North of 42° 30' N

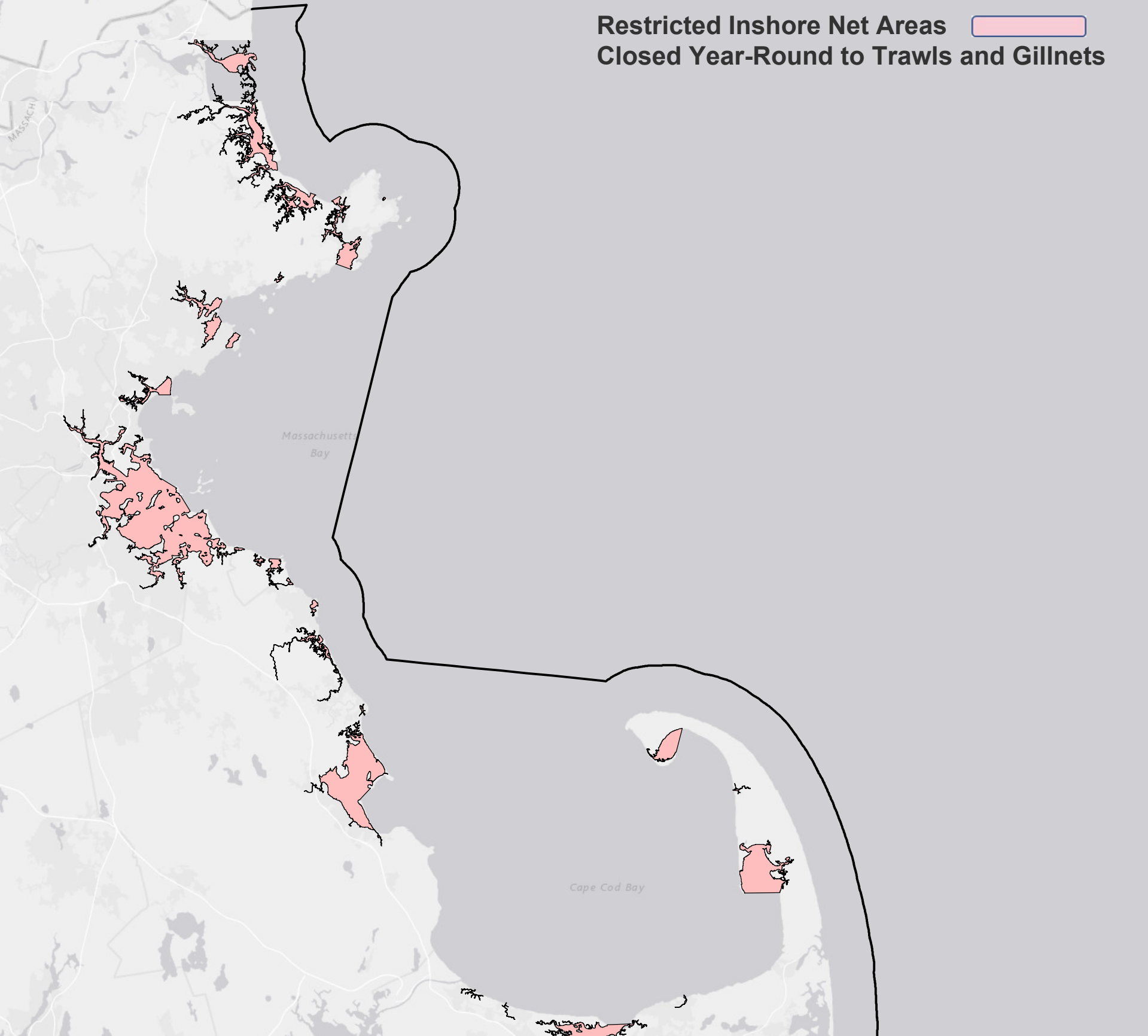
Winter Flounder Spawning Closure

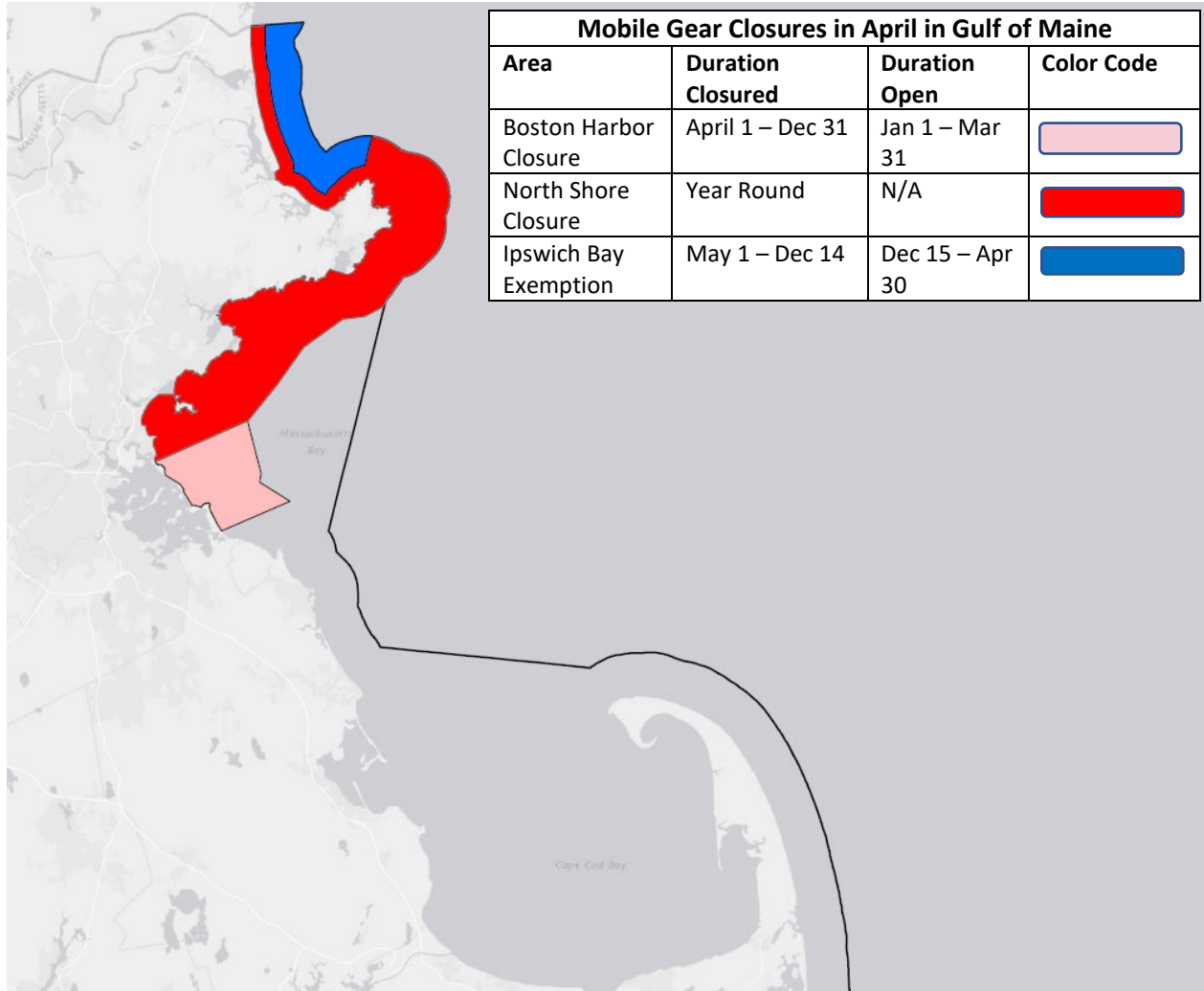
February 1 - May 31



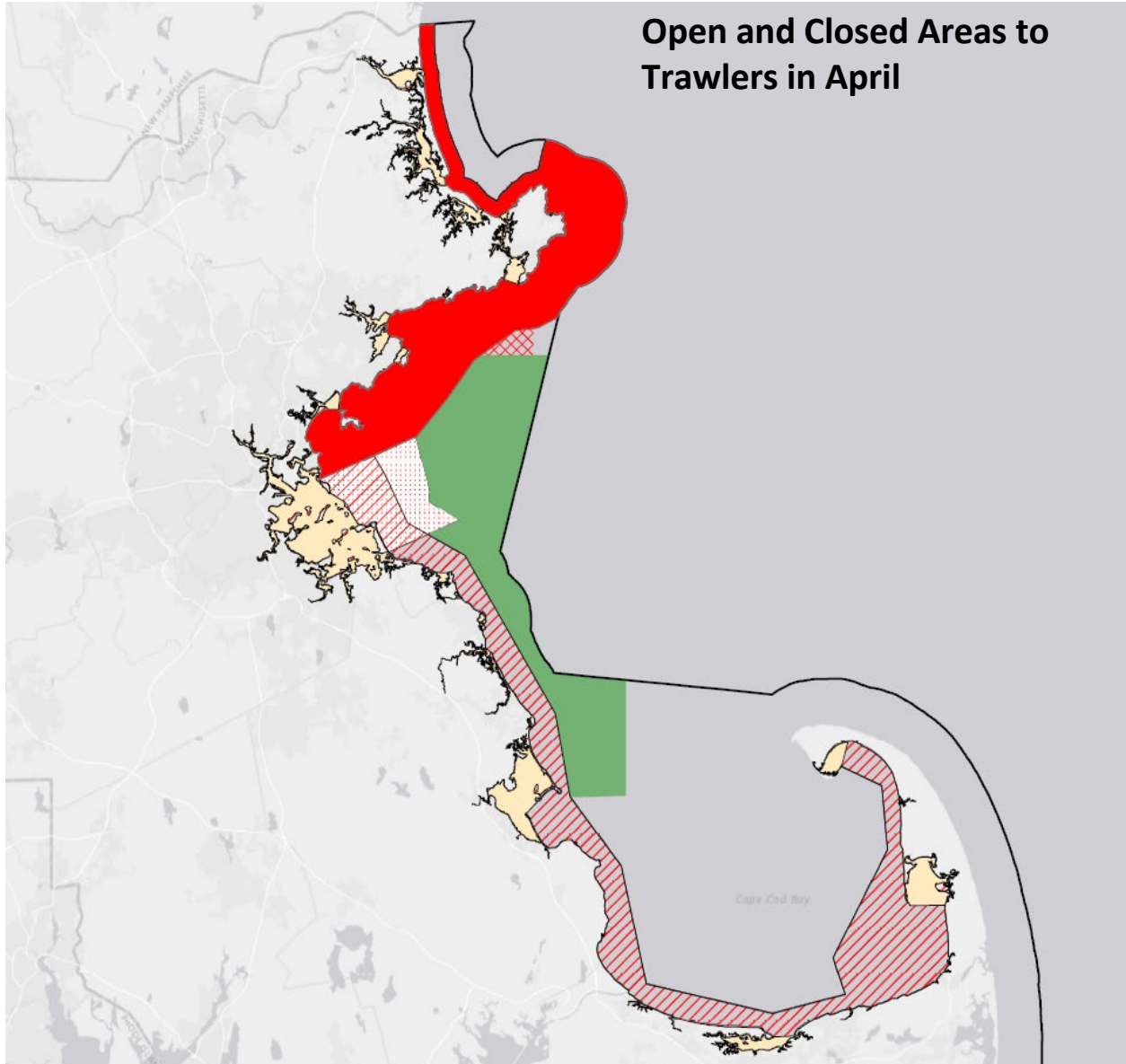








Restricted Inshore Net Areas
Closed Year-Round to Trawls and Gillnets



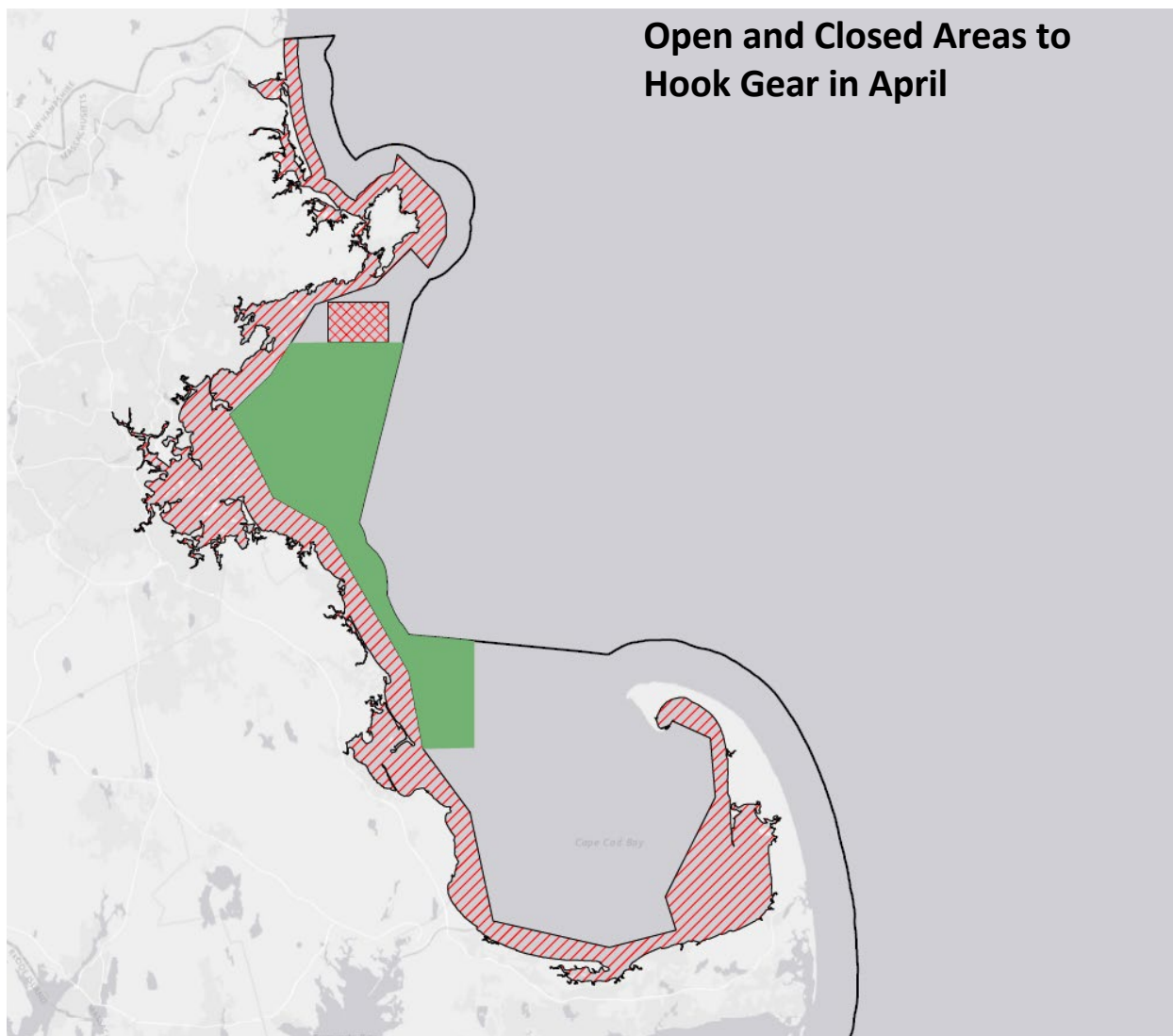





Open and Closed Areas to Trawlers in April



Area	Color Code
North Shore Mobile Gear Closure	
Boston Harbor Mobile Gear Closure	
Winter Flounder Spawning Closure	
Spring Cod Conservation Zone Closure	
Inshore Net Area Closure	
Area to Be Opened to Trawlers	

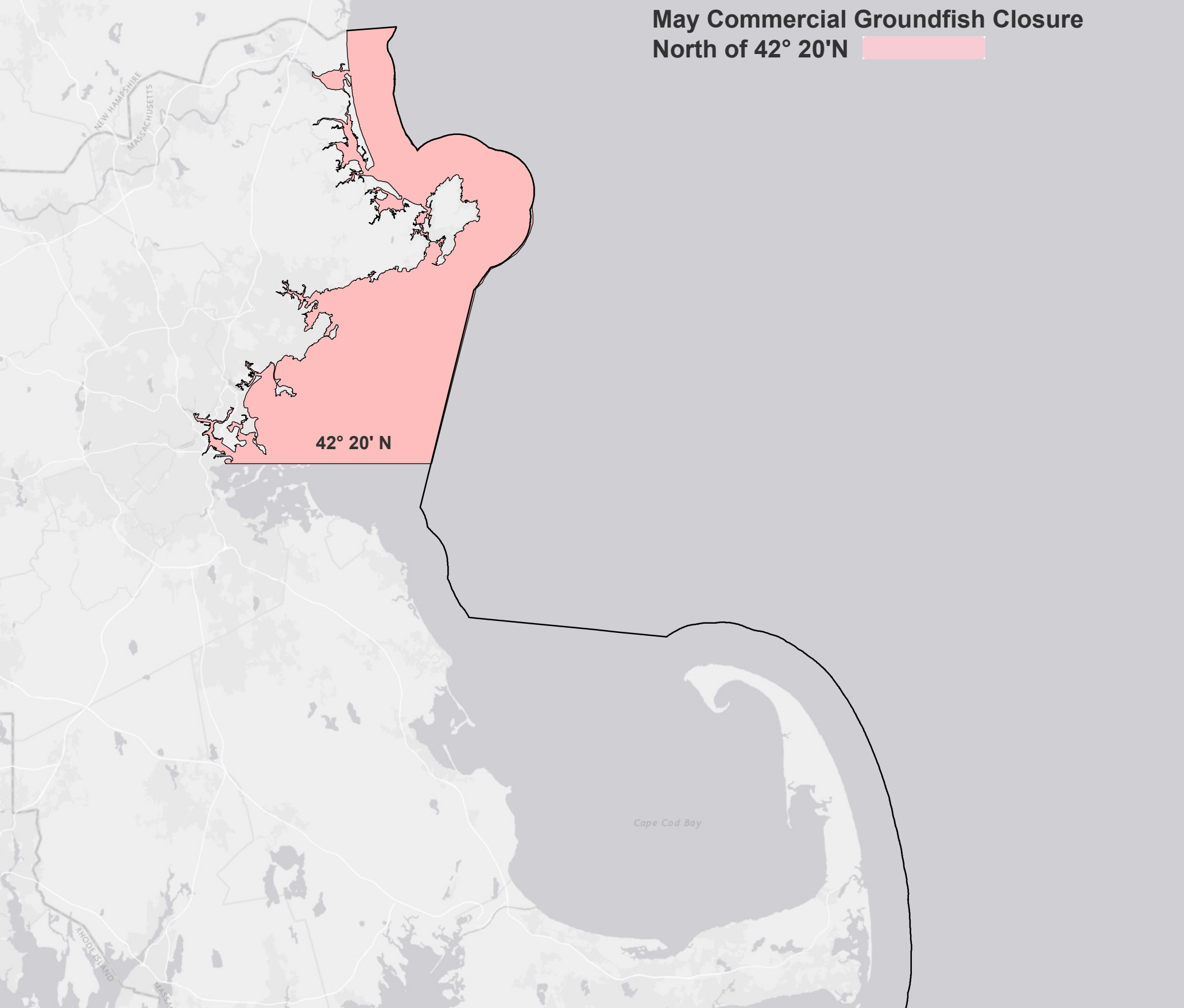
Open and Closed Areas to Hook Gear in April



Area	Color Code
Winter Flounder Spawning Closure	
Spring Cod Conservation Zone Closure	
Area to Be Opened to Hook Gear	

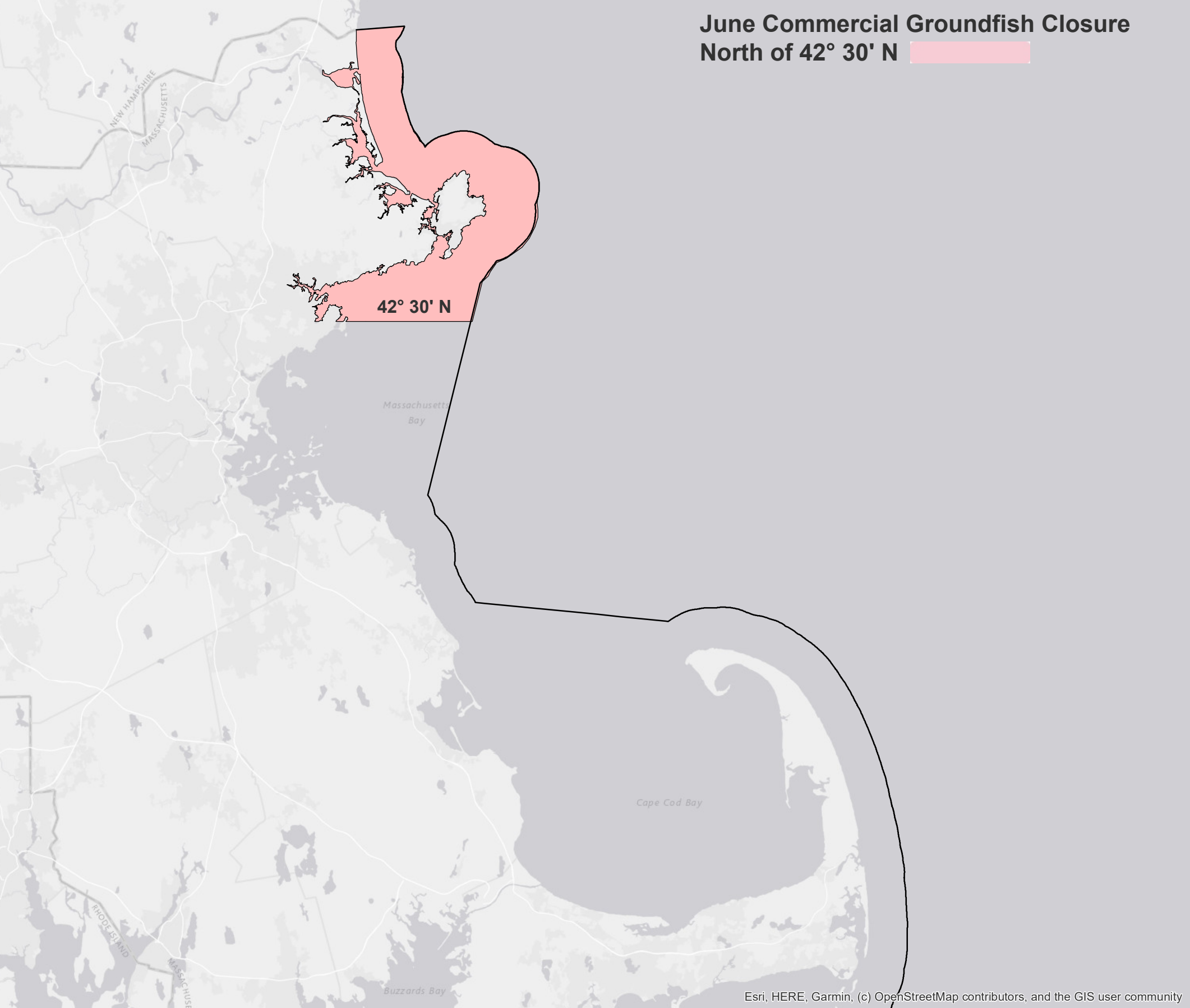
May Commercial Groundfish Closure

North of 42° 20'N



June Commercial Groundfish Closure

North of 42° 30' N



From: [David Fewster](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Against opening.
Date: Saturday, February 27, 2021 9:07:27 AM

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Good Afternoon Folks

I hold a RI multi purpose Fishing license and a Massachusetts commercial fishing license. I am AGAINST opening the closed groundfish area. This is a very important time for spawning . The minimal financial bump for a few select fisherman will cause greater hardship in the future for all... Please keep this area closed and let these fish continue to rebuild their numbers. Thankyou

David Fewster
East Providence , RI

Sent from my iPhone

From: [Patrick McEachen](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Allowing Groundfish Taken Early
Date: Tuesday, February 23, 2021 4:51:44 PM

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Hello my name is Patrick McEachen I have been a avid angler for many years here in Quincy, Boston Harbor and South Shore etc.

Please do not allow the opening of the grounds boats /daggers to wipe out any existing stocks of Flounder Cod or whatever else that may be wiped out and continue keep restrictions on this serious problem will because it would wipe out the grounds stock "New Groundfish" for the next four to five years atleast.

In last five years I have consistently fished for groundfish aboard a couple of different Charter Boats including my own Boat. Only to see a tougher season after the previous season and now to maybe allow the daggers in sensitive waters early I think is going to be a complete disaster for recreational anglers, charter boat caps. Trying to make a living and ofcoyrse the paying clients who look forward to catching groundfish.

Please reconsider your decision and feel free to contact me if you have any questions or concerns. I am out on the water frequently and may be able to answer important questions you may have.

Patrick E. McEachen. (617) 870 - 1187

Thank You for listening to my concern

Patrick McEachen

From: [Dana L. Blackman](#)
To: [Fish, Marine \(FWE\)](#)
Subject: April 1 Groundfish Opening
Date: Sunday, February 21, 2021 4:43:05 PM

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To Whom it my concern,

I would like to see April open so I can start ground fishing that month like have done in years passed and have the same amount fishing time before the October closure.

Thank you for your time,

Dana L. Blackman

F/V Finestkind

From: [Paul Tokarz](#)
To: [Fish, Marine \(FWE\)](#)
Subject: April closure comments
Date: Friday, February 19, 2021 9:09:15 AM

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Good morning my name is Paul Tokarz TOKARZ and I'd like to put a comment in in regards to the closure opening of the air program fish waters I am not for opening the closure we don't use or the state and federal government doesn't use hard-core real data to evaluate the conditions of the fisheries everything is suggested or hypothetical and typical trend run 4 to 5 years you can't go based off of last year or the year before his presence just like the kite industry which collapsed years ago it is not even near where it needs to be today with all the enforcement regulations put in place to continue to restock build a restock efforts of all our fisheries striped bass cod Haddock everything when the quote is aunt Matt it's not because people aren't fishing it it's because the fish I've moved to different locations or just aren't there to be caught anymore this is evident with codfish it is evident with Haddock it is evident with striped bass it is evident with the tag and it is evident with black Seabass again I am not in favor of re-opening the fisheries I am for protecting the fisheries and the fisherman but if the fisherman don't learn to suffer and we deplete our stock of fisheries nobody wins
Thank you for reading and be safe

Sent from my iPhone

From: [Michael Polisson](#)
To: [Fish, Marine \(FWE\)](#)
Cc: [Reed, Story \(FWE\)](#)
Subject: april closure
Date: Saturday, February 20, 2021 11:40:22 AM

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I belive this is a step in the right direction.....mass fishermen should be allowed to catch as much as possible of the annual allocation due to them.....fishermen should be always be allowed to catch 100% of our instate quota allocations...your job is to make sure we always are allowed to catch all of our quotas not restrict us so the applicable species can swim elsewhere and be taken by non Massachusetts fishermen.

Thank you Michael Polisson permit #000320

From: bpjp04@yahoo.com
To: [Fish, Marine \(FWE\)](#)
Subject: April ground fish closer
Date: Friday, February 19, 2021 11:30:24 AM

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Lifting restrictions a bad idea to commercial
Fisherman. I'm surprised it's even being thought of

Sent from my iPhone

From: [borntotow](#)
To: [Fish, Marine \(FWE\)](#)
Subject: April groundfish closure
Date: Friday, February 19, 2021 3:05:26 PM

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To whom it may concern, I would like to go on record to say that I would like DMF to lift the April groundfish closure again this year. I dont believe opening up April 1st will hurt the quota for the year. Please take this into serious consideration, we need to get back fishing in these areas. Thank you Jim Keding F/V MARY K, ZNK FISHERIES Plymouth

Sent via the Samsung Galaxy S8+, an AT&T 5G Evolution capable smartphone

From: [Thomas Blinstrub](#)
To: [Fish, Marine \(FWE\)](#)
Subject: April Groundfish closure
Date: Tuesday, March 2, 2021 1:51:32 PM

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I am in favor of opening April to groundfishing. I fish just outside of Scituate. I wish they would keep it open in October also.

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N.B. The Massachusetts Secretary of State has determined that Email is a public record.

From: [russell.stebbins](#)
To: [Fish, Marine \(FWE\)](#)
Subject: April groundfishing closure 2021
Date: Tuesday, February 23, 2021 4:04:25 PM

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Please do not lift the temporary groundfish closure for April 2021. I saw so few fish with "net rash" in 2020. The commercial nets clearly have a negative impact on the fisheries ability to recover. Thank you.

rhs

From: [William Lawrence](#)
To: [Fish, Marine \(FWE\)](#)
Subject: April
Date: Monday, February 22, 2021 5:49:57 PM

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Please keep the commercial fisherman off the grounds through April. Too fragile an ecosystem to have them tearing up spawning fish.

Thank you

Sent from my iPad

From: [Robert L. Bolger](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Closure in state waters
Date: Wednesday, March 3, 2021 10:29:18 PM

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To whom it may concern:

Please keep the current closure of commercial fishing on ground fish in state waters for March and April.

Please do not lift this ban in 2021.

I am a recreational fisherman.

Thank you, Robert L. Bolger

From: [Sydney Schultz](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Cod fish
Date: Friday, February 19, 2021 10:46:03 AM

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What benefit does allowing commercial fishing in these areas provide? Nothing!!! Meanwhile recreational fishermen allowed to keep to keep only 1 fish for 2 weeks in cold weather in April!!

Sent from my iPhone

From: [Dominick Pucci](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Comment for Proposed Action for Temporary Lift of Inshore Groundfish Closure
Date: Sunday, February 21, 2021 11:40:21 AM

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There are no words to describe my profound dismay and disgust for this unconscionable proposal besides the need to appease some small commercial fishermen. This proposal will have incurable damage to the newly recovering inshore winter flounder fishery, and that will have a far larger negative financial impact on recreational fishing and all its supporting businesses than any gains that you've calculated on the commercial side

There's no secret that the inshore population of winter flounder is separate from the offshore population. The offshore population is in good health and can be commercially fished with good results. On the other hand, the MA's inshore population is just beginning to recover from an almost total annihilation due to overfishing. How can you justify again causing this fishery to collapse. It's inconceivable!!

As you well know during the 1960s-1970s winter flounder fishing was the Holy Grail for spring recreational fisherman in MA, especially in Quincy Bay. As the 80s progressed, this fishery all but disappeared due to overfishing by commercial and recreational fishermen alike. Over the past 10 years or so, this resource seems to be healing itself and there have been MODEST increases in the recreational catch, but at numbers nowhere near what was seen in the heyday. This recovery is tenuous at best and the concept of adding the pressure and physical damage of commercial trawling is just plain contraindicated to plans to reestablish this fishery for all in MA to enjoy.

When I originally read this proposal, I was hoping it was someone's idea of a bad joke. Now I realize it's a concerted suicide mission for winter flounder. I cannot more heartily express my opposition to this proposed travesty.

Dominick L Pucci, PhD

From: [Luciano Mascari](#)
To: [Fish, Marine \(FWE\)](#)
Cc: luciano.mascari@gmail.com
Subject: Comment on - Public Comment Sought on Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021
Date: Tuesday, February 23, 2021 2:28:10 PM

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I am opposed to lifting the state waters groundfish closure and I have a groundfish permit. I dispute the COVID resulted in still low landings as the significant factor and attribute this to still low biomass of older fish. Please do what's right to restore the biomass as we are beginning to see some positive results. Thank you.

Kind regards,
Luciano Mascari

From: alsmegal@aol.com
To: [Fish, Marine \(FWE\)](#)
Subject: do not lift the closure
Date: Friday, February 19, 2021 3:21:38 PM

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Dear Mr. McKiernan
Please do not lift the closure
There is evidence that this effort has worked.
I cannot understand why we would even consider lifting it.
Let common sense prevail
Show us that the organization change to your leadership, will continue
the closure AS IS.
DO NOT CHANGE IT
Regards
Al Smegal

Albert B. Smegal

Licensed Insurance Agent
Health Markets Agency
Life, Health, Medicare, Long-Term Care, Disability
16 Eden St., Millis, MA 02054
P 508-794-1633 M 508-308-8452 F 508-794-1633
alsmegal@aol.com

From: timmerso@aol.com
To: [Fish, Marine \(FWE\)](#)
Cc: jason@littlesister1.net; simmerso@sbcglobal.net; mpetersen@ccfc-ct.org
Subject: Dragger Decimation
Date: Friday, February 19, 2021 6:01:20 PM

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Dear Mr. McKiernan:

As a concerned out-of-State angler and employee of Long Island, NY's Town of Oyster Bay Environmental Resources Dept. that has greatly enjoyed flounder/bottom fishing in Boston Harbor over the past decades, I deplore the cowardly non-action of the DMF in not enforcing CLOSURE TO DRAGGERS IN ALL STATE WATERS for the months of March **and April!** The flounder population has been decimated and only in recent years, shown a minimal resurgence. To oppose lifting of the closure would give flounder and other 'Spring species', a chance to rebuild their populations. Currently, far too many immature fish are being taken, making propagation of the species difficult, if not impossible. Please take what you undoubtedly already know to be the proper course of action in backing CLOSURE during March **and April!** Thank you in advance for your anticipated attention to this important matter.

Very truly yours,

Thomas Immerso
183 Massapequa Ave.
Massapequa, NY 11758

From: [STEVE IMMERSO](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Flounder fishery closure - Quincy Bay
Date: Sunday, February 21, 2021 4:35:01 PM

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Dear Mr. McKiernan:

As a former resident of New York and now living in Connecticut, I have long enjoyed the springtime flounder fishery that is rooted in Quincy Bay and its surrounding waters. The fishery was so strong that nothing, not even boatloads of eager fishermen from surrounding states could deplete it – or so it seemed. Yet what all these avid fishermen could not do over many years HAS been done in just a short few years by allowing commercial dragging interests to work unchecked just outside the bay and depleting the flounder fishery. How do we know this is true? Consider that after years of decline, the 2020 spring run showed a marked resurgence in the fishery - because VERY FEW draggers (because of covid regulations), were out 'harvesting' every day as they had done in years past (and killing all under-sized flatfish in the process). Please don't make 2021 another 'let's see' year – enact legislation to save our fishery for years to come and don't cater to the special interests of the select few of the commercial fishing fleet. Proactive legislation in New York State (the Hudson River) saved their striped bass population from near-extinction – let's take a lesson from their playbook and use it to save Quincy Bay's flounder nursery and breeding grounds.

Please consider CLOSURE TO DRAGGERS IN ALL STATE WATERS for the months of March and April (**adding May would reap even further benefits**) to keep our flounder population healthy and vibrant for years to come. The time to act is NOW, before the Spring migration begins. Another year of inaction will surely have devastating consequences.

Very truly yours,

Steve Immerso
1 Bayberry Lane
Shelton, CT 06484

From: [TERRENCE LYONS](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Flounder
Date: Monday, February 22, 2021 5:50:13 AM

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Why don't you people for once do the right thing, draggers should not be allowed within two miles of shore year round. Not only do they deplete the resource they destroy the bottom ecosystem.

Terry Lyons
Foxboro MA

From: fishinglsister@aol.com
To: [Fish, Marine \(FWE\)](#)
Cc: [McKiernan, Dan \(FWE\)](#); fishinglsister@aol.com
Subject: Fwd: Public Comment Sought on Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021
Date: Friday, February 19, 2021 9:21:43 AM

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Among the most outrageous moves the DMF can make!

First, they recognize there is an issue with ripping apart the fish when they move inshore and congregate to spawn and then they **CONSTANTLY** ignore their own findings and allow the decimation to continue.

I was under the impression that things would get better (I was assured by someone on this email) with the change from Pierce to McKiernan. I know this is not a "done deal" as of yet but looking at the past, 100% of the time this has come up for public comment the comments were overwhelmingly against the proposal and yet The DMF lifted the closure anyway. **THIS CLOSURE "SHOULD" encompass ALL STATE WATERS and "SHOULD BE" for March and April.**

Mr. McKiernan, consider this my "public comment" opposing the lifting of the closure and please show me you are different.

Thank you!

Captain Jason Colby
Little Sister Charters
fishinglsister@aol.com
617-755-3740
www.littlesister1.com

From: marine.fish@public.govdelivery.com
To: fishinglsister@aol.com
Sent: 2/19/2021 5:55:37 AM Pacific Standard Time
Subject: Public Comment Sought on Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021

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February 19, 2021

Public Comment Sought on Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021

DMF is seeking public comment on lifting the conditional April groundfish closure for 2021. This annual closure was developed in 2019 to address allocative concerns that landings from the state waters-only groundfish fishery may impact access to federal groundfish quotas. By regulation, those state waters between 42°00'N (Plymouth) and 42°30'N (Marblehead) west of 70°30' W are closed to commercial groundfish fishing in April. However, the closure may be lifted on an annual basis if DMF projects the action will not result in an exceedance of the annual federally allocated state-waters subcomponent for regulated groundfish stocks or will not compromise federal conservation objectives.

DMF has analyzed landings data for the current fishing year (May 1 – April 30) and intends to lift the conditional April groundfish closure this year. Landings for the

current fishing year are well below the federally allocated sub-components, likely driven by COVID related impacts on fishery effort last spring and summer. Accordingly, it is unlikely that an April opening will result in an exceedance of the state waters sub-components or of overall annual catch limits. Further information on this analysis may be found in DMF's February 12, 2021 [memorandum](#) to the Marine Fisheries Advisory Commission.

DMF will accept written public comment on this proposal through 5PM on Friday, March 5, 2021. Written comment may be submitted to by e-mail to marine.fish@mass.gov or by post sent to 251 Causeway Street, Suite 400, Boston, MA 02114. The Marine Fisheries Advisory Commission will consider adopting this action at their March 18, 2021 business meeting.

For more information regarding the management of marine fisheries in the Commonwealth please visit our website: www.mass.gov/marinefisheries

groundfish closure



Massachusetts Division of Marine Fisheries

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This email was sent to fishingsister@aol.com using GovDelivery Communications Cloud, on behalf of: Massachusetts Division of Marine Fisheries · 251 Causeway Street, Suite 400 · Boston, MA 02114



From: [Richard Vincunas](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Groudhfish closure
Date: Friday, February 19, 2021 11:23:26 AM

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If the area outlined are known to be cod spawning grounds in April. There should be no commercial fishing allowed at that time. Secondly cod are considered to be a public resource and as such the public recreational fishing sector should be prioritized over a hand full of commercial boats. So if fishing in April this close to shore is being considered the recreational fleet should be allowed access
Sent from my iPhone

From: [Mark Veducio](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Ground fish ban lifted in April
Date: Friday, February 19, 2021 1:00:06 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

So you're organization wants to harvest Flounder during the spawning season?

If I am correct your group cares much more about commercial harvesters than anything else. Including biomass.

You always seem to negate recreational fisherman to a much lower class than the privileged commercial permit holders you seemingly crave to appease under all circumstances.

So no no opening in April for the rich too line there fat pockets at the public and fish expense.

Thank you

[Sent from Yahoo Mail for iPhone](#)

From: [Center](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Ground fish closure ?
Date: Friday, February 19, 2021 11:19:59 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Please lets just keep it closed for April. The stocks are trying to spawn and build. So give them the chance they need and no fishing by anyone. PERIOD

Bill Biswanger
1 Hayes Dr
Townsend Ma 01469
978 337 0696

From: [Richard McGlynn](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Ground Fish Closure
Date: Friday, February 19, 2021 11:17:18 AM

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Massachusetts Division of Marine Fisheries

Richard McGlynn

17 Butternut Ave.

Peabody, Ma. 01960

To Whom It May Concern,

As an avid boater and recreational fisherman on the North Shore of Boston, I myself do not think that it is a good idea to lift the State – Waters Groundfish Closure for 2021. Having fished the area for many years it has been apparent that many of the groundfish species are only starting to recover. Although the old Cod Conservation Area just south of Gloucester may have held some fish I feel that more time is needed. Recreational fisherman still cannot take cod, with small exception and if not for the return of some baitfish to the area even striped bass have not fully recovered. If restrictions are to be relaxed consider lifting the recreational moratorium on cod and make the size limit 21” with a 2 fish maximum. Also there is no reason a recreational fisherman should desire to retain 15 small haddock at 17”. Anything more than 10 is too many at 17”.

Best Regards

Rich McGlynn

Miles From Nowhere

NO1283573

From: [Carmine Zottoli](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Ground fish closure
Date: Friday, February 26, 2021 7:06:14 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Keep it closed my uncle took me fishing 60 yrs ago. I loved it because we caught fish. I would like to take my grandchildren fishing to.

Sent from my iPhone

From: [Wesley Penney](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Ground fish opening comments
Date: Saturday, February 27, 2021 5:10:11 PM

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To whom it may concern:

As the owner of a lobster boat in Boston I would like to see ground fish open for April 2021 especially as a hook and line only fishery. This would help alleviate the loss of income due to the fixed gear closed season. While lobstering in February to May is not a large percent of my annual income, it does allow me to keep my sternman working throughout the year when I stayed fishing during February to May. The lost income to my sternman is significant, even when fishing on small catch. This opening would allow small boat operations to make some money during the closed months.

Sent from my iPad
Regards,
Wesley Penney

From: surfcastjk@aol.com
To: [Fish, Marine \(FWE\)](#)
Subject: Ground fish
Date: Friday, February 19, 2021 6:50:41 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear sir;

Let the closure stand . The resource should be allotted to recreational fishing without dragging. This is a environmentally conscious way to fish.

John Kokoszka

Sent from my iPhone

From: [Don Malo](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Ground fish
Date: Friday, February 19, 2021 1:40:10 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Keep the closure for commercial fishing, it will allow more growth and return for all next year.

Sent from my iPhone
Don Malo

From: [Carl Johansen](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Hearing
Date: Friday, February 19, 2021 4:39:19 PM

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We should keep the resource closed as was originally planned . It is time we consider all aspects of these resources and do the right think for them Thank you for your consideration of my view point. Peace and Prayers

Carl Johansen

28 Oxford Road East Sandwich 02357

anglerjj@comcast.net

From: [Harry Van Sciver](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Keep Them Closed
Date: Friday, February 19, 2021 9:17:26 AM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Protect dwindling stocks, let them spawn.

Harry. Sent from mobile device. Not Spell-Checked.

From: [chris mace](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Lifting April closure in MA for groundfish
Date: Friday, February 19, 2021 4:56:27 PM

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Are you going to lift the cod prohibition in MA state water for private recreational boaters as part of this decision!?

Please do not lift the April groundfish closure in MA!! We finally get a good season in 2020 and you're taking that as an opportunity to lift the structures that made it all possible!

Recreational fisherman typically cannot show up to your meetings - you must realize how many of us are out there and paying attention and care about this. We're not there because we have non-fishing day jobs and are working (the more fortunate among us that still have jobs) to make the money to spend all over the region on recreational fishing - boats marinas, bait, tackle food ice fuel and so on.

Don't just cut the draggers loose! Limiting access is good stewardship. Lifting the closure will only set the expectation and business assumptions for commercial exploitation going forward and make your job harder next year. Don't punt on this.

We need fewer draggers not more. Opening things up encourages growth. There are already enough draggers and packing plants - encouraging growth in this industry is a detriment to existing commercial operators and recreational fishermen alike.

--

Chris Mace
917 825 2004

From: [Stephen Penta](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Lifting Ground Fish Closure for April 2021
Date: Wednesday, February 24, 2021 11:37:08 AM

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DMF:

Suggest you take this opportunity of ongoing low fishing pressure due to Covid by keeping the ground fish closure in effect in order to allow the fisheries an extended low harvest period in order to broaden the entire biomass base thereby increasing long term reproductivity and sustainability.

From: [Matt Fitzgerald](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Lifting state water groundfish closure????
Date: Friday, February 19, 2021 7:15:48 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Please stop encouraging commercial fisheries to destroy our public resource! Have you not learned a thing????? We don't want this. You are causing untold harm to our oceans and fisheries. You know this but do not care. The majority has spoken and we don't want this yet you keep pushing for it. Mind boggling!!!!!!!!!!!!!!!!!!!!!!

From: [arthur.molinari](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Lifting temporary groundhogs closure for April 2021
Date: Friday, February 19, 2021 4:46:13 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I am opposed to lifting this groundhogs closure for April 2021

From: [Jon](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Lifting the ground fish closure.
Date: Friday, February 19, 2021 6:39:26 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Insane. Absolutely insane. I can't fathom why this would be lifted after the determination was made that those fish were falling victim to inshore commercial fishing while vulnerable during the spawn. To suggest it's better because of covid is equally illogical. I'd like to better understand how all of those findings that caused the closure could now be ignored in such a short time period.

Truly disheartening.

Thanks,

Jon

From: [Patrick Masters](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Ma ground fish closures should NOT be lifted
Date: Wednesday, March 3, 2021 1:35:04 PM

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Among the most outrageous moves the DMF can make!

First, they recognize there is an issue with ripping apart the fish when they move inshore and congregate to spawn and then they CONSTANTLY ignore their own findings and allow the decimation to continue.

I was under the impression that things would get better (I was assured by someone on this email) with the change from Pierce to McKiernan. I know this is not a "done deal" as of yet but looking at the past, 100% of the time this has come up for public comment the comments were overwhelmingly against the proposal and yet The DMF lifted the closure anyway. THIS CLOSURE "SHOULD" encompass ALL STATE WATERS and "SHOULD BE" for March and April.

Mr. McKiernan, consider this my "public comment" opposing the lifting of the closure and please show me you are different.

Thank you!

Patrick M.

Sent from my iPhone

From: [Joseph Gomes](#)
To: [Fish, Marine \(FWE\)](#)
Date: Friday, February 19, 2021 1:46:09 PM

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On the April opening of fishing, I wonder if consideration of the time of breeding is being taken into consideration?

Surely we must place the successful breeding of the species in question ahead of quotas reached or not reached and so on at all times. I'm personally not familiar with the breeding seasons of all the fish in question but would advocate for Not opening the season until after the major portion of the population has bred. Obviously recruitment success needs to be verified in order for any program to be successful.

In summary, I feel that population size and health are more important than the quota allotment imposed by we human fisheries managers.

Joseph Gomes

From: [Tom Foxon](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Open ground fishing
Date: Friday, February 19, 2021 9:10:29 AM

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My vote is to open ground fishing due to current conditions and the financial health of commercial fishermen. Time to worry about what's going on above the surface vs below without too much of a step back

Tom Foxon
Recreational fisherman

Sent from my iPhone

From: [Ronnie Strohsahl](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Opposed to March-April Ground fishery Opening
Date: Friday, February 19, 2021 3:58:16 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi,

I'm very much opposed to allowing the ground fishery season to open to commercial ground trawlers in March and April this year. Ground trawling is the equivalent of a razed earth capture method, destroying habitat and killing other bycatch. Also, fish populations are already over-fished throughout the world, including MA. You mention on the request for public comment that landings are down for this year - maybe we should let the populations recover from our ever-increasing harvesting and allow them to grow more than a quarter-inch over the legal limit size.

The inshore commercial groundfish season should remain closed through March and April in all waters of the Commonwealth.

Sincerely,
Ron Strohsahl
Groton, MA

From: clydejazz@aol.com
To: [Fish, Marine \(FWE\)](#)
Subject: Please close commercial ground fishing for March and April
Date: Friday, February 19, 2021 5:45:30 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

The evidence is obvious that pounding the inshore fishery when the fish move inshore to spawn devastates the stock. Time to face facts. Please close commercial ground fishing for ALL state waters in Massachusetts for March and April.

thank you,
Clyde Cortright
39 Jaffrey St.
Weymouth, MA 02189
clydejazz@aol.com

From: amarujb@comcast.net
To: [Fish, Marine \(FWE\)](#)
Subject: Possible opening of April groundfish closure
Date: Saturday, February 27, 2021 8:00:03 AM

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My comments follow:

I have thought hard on this potential additional access for cod fishing in a previously closed area.

I have often favored additional access for the take of fish I have, by personal experience, seen in abundance when fisheries scientists said few existed. This often resulted in discards of perfectly good fish, one of the tragedies of modern fishery management in the modern era. That scenario does not exist here.

Coming to the conclusion that the area in question should remain closed for the month runs contrary to my fundamental principles until we look at the fish available in that region.

Despite the low landing level and potential for some modest income from additional cod landings, I believe the industry will be better served by allowing those fish to remain in the water, spawn, grow and contribute more to catch potential in the near future. Our national government in partnership with State efforts, have provided plenty of financial assistance for fishermen. As of today we have additional funds Nationally of nearly 2 TRILLION DOLLARS coming our way. The fishing industry will receive its share.

My personal fishing experiences the past year in the area under consideration tells me the cod there should be left there. Whether it's warming water, changing predator/ prey relationships or some other combination of factors, it is obvious to me cod need all the help they can get.

From my perspective, access provided by opening the area comes at too great a cost.

Thanks for the opportunity to comment.

Sincerely,
Bill Amaru

Sent from Xfinity Connect App

From: cameronbrandt@aol.com
To: [Fish, Marine \(FWE\)](#)
Subject: Proposal to lift the conditional groundfish closure
Date: Wednesday, March 3, 2021 5:21:15 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I am writing to record my opposition to the proposal to lift the conditional April groundfish closure for 2021.

During this period, in happier days, I frequently encountered spawning cod and pre-spawn winter flounder in the areas that would be opened to fishing. Given the state of both stocks, the logic of increasing the pressure on spawning fish makes no sense to me. While there are some nods to protecting spawning fish, both flounder and cod move around.

I am not opposed to increasing the opportunities for commercial fishermen to access established quotas. But I believe there are better ways of doing so than lifting this closure.

Cameron Brandt
Cambridge, MA
617-851-4645

From: jhasychak@aol.com
To: [Fish, Marine \(FWE\)](#)
Subject: PROPOSAL TO TEMPORARILY LIFT THE STATE -WATERS GROUND FISH CLOSURE FOR APRIL 2021 Temporarily Lift the April 2021
Date: Friday, February 26, 2021 11:57:54 AM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Sirs

I am writing as a concerned, licensed Massachusetts recreational fisherman to express my extreme concern regarding the Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021

I am wholeheartedly 100% against it.

DMF should prioritize the findings from the latest assessment models in order to reduce uncertainty and more accurately assess the winter flounder stock status and improve reference point goals. Current state waters regulatory policies should immediately be implemented in order to significantly lower winter flounder mortality now, when there is an extremely low probability of the region's winter flounder stock meeting the designated rebuilding plan goal.

This is certainly a case in which it is far better to err on the side of cautious conservatism, while there still are some remaining stocks that could be allowed to rebuild.

Ground fishing is destructive to the environment and fish stock as well as being extremely wasteful given all the small and out of season fish and marine life discarded overboard, dead.

I have fished Massachusetts waters for close to 50 years and I am appalled, concerned and saddened by the continued and consistent decrease in fish stocks year after year. Technology and experience have made most of us better fisherman, but the results of our efforts do not coincide with our catch results. Those bus loads of fisherman arriving at Houghs Neck and renting scores of boats at Hurleys and other similar places had little skill, and certainly no technology, yet were able to catch all the flounder they wanted.

Please consider taking a conservative approach and allow flounder, and other ground fish stocks to rebuild.

THANK YOU

John

John Hasychak, Jr.
P. O. BOX 73
HOLLIS, NH 03049
1-603-465-7590

From: [Robert Lie](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021
Date: Friday, February 19, 2021 5:50:33 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

To Whom it May Concerns,

I am a recreational fisherman that very much cherish the opportunity to spend time to fish in the New England water, targeting the ground fish including winter flounder, flukes, haddock, cod and black sea bass . In the past few years, unfortunately, with the exception of the black sea bass, the ground fish populations in these waters have had a dramatic decline. One notable contributor to this decline is the pervasive commercial draggers that constantly destroy our in-shore fishing ground.

on several outings, we have had good outing days, only to be followed by the extreme opposite upon sighting of draggers present in the water. Many of the fish that we landed showed clear evidence of net rash.

Commercial fishermen, with their insatiable appetite to harvest any and all swimming creatures, fish species and their forage, in our water, has decimated the population of stripe bass and blue fish resulting in strict limit on their keep for recreational fishermen. Have we not learned from this lesson and plundering away our ground fish stock as well??

Please consider making the in-shore ground fish closure to be permanent to allow the fish population to rebound so that we all can enjoy them, both as sport sport and commercial fishing, as well as savoring the delicacy preciously unique to our water.

Thank you.

From: [Feldman, Mark](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021
Date: Monday, February 22, 2021 10:39:55 AM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear DMF,

Please do not under any circumstances lift the conditional April ground-fish closure for 2021! Your logic stating that the analysis of landing data are well below the allocated sub-components because of Covid 19 is hard to believe. As a recreational fisherman I've experienced the dramatic decline in both the number of ground-fish and the quality of the catch over the past 5 years. Covid may have affected some commercial fisherman but it certainly isn't the cause of the decline in fish numbers.

Commercial landings are not reaching their allocated annual catch limits because the fish stocks are being devastated by over-fishing during critical spawning season. By opening the commercial fishery earlier will likely wipe out most of the breeding ground fish in these waters and further destroy any chance of a rebound in the future.

What happens to the income of commercial fishermen with this short-sited approach? How about the recreational people that travel to our State to enjoy the great diversity of our fishing waters - do they come back when the fish are gone?

Give the ground-fish a chance to breed - continue to delay the openings as planned and think more about the future health of these critical waters.

Thanks,

Mark Feldman,

Massachusetts Resident and Recreational Fisherman

|

From: [Bill F](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021
Date: Friday, February 19, 2021 9:58:46 AM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good Day All,

I would like to oppose any action that would allow commercial fishing for ground fish in the present protected area. The stock has not recovered enough to sustain commercial fishing.

We do not see people fishing the area because there is nothing to catch. The Recreational licensed fishermen are almost nonexistent along the shores because there are no ground fish to be found.

It has been years since I have seen someone take a Fluke, a Flounder, or any other ground fish from the shore or a small boat north of Boston.

Sincerely,

Bill Forster

Nahant, Massachusetts

From: [luigi milone](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021
Date: Wednesday, March 3, 2021 11:42:51 AM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Director Mckiernan

I'm writing this email in hopes that this isn't another set in stone but let's ask public opinion because we have to policy. The ban on ground fishing state waters needs stay implemented to protect what little spawning cod and flounder we have left. The only viable ground fishery available for mass bay in 2021 is haddock and there is absolutely no reason to allow draggers to do that nearshore where species of less abundance are spawning. Please do not lift the April ban and allow what little we have gained to be netted away.

Sincerely,

Luigi Milone

Commercial and recreational inshore fisherman

Sent from my iPhone

From: [Stu Osattin](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed April 2021 lift of groundfish closure
Date: Friday, February 19, 2021 12:22:48 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

This is response to your requests for comment on possibly lifting scheduled the April 2021 ground fish closure:

Are you folks nuts? How about exercising a little common sense!! I have fished those waters for many years and can attest to the fact that the ground fishing in that area has not been improving. In fact, it's definitely getting worse. And you want to open it up to more commercial!?! Commercial ground fishing is depleting the stocks, and you want to make it worse. Not to mention, it's becoming more clear that the commercial guys and their lobby groups only care about today, not the future.

Stu Osattin
44 Pinecliff Drive
Marblehead, MA 01945

From: [Chris Jill](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed Groundfishing Change
Date: Friday, February 19, 2021 9:48:44 AM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

As a licensed charter boat captain and someone who has been groundfishing in the Gulf of Maine my entire life I don't think letting off the gas in terms of trying to improve the fishery is a good plan. There are fertile grounds inshore that serve as important habitat for the struggling species. Lifting the ban will further erode adjacent populations to the further offshore groups in crisis. One needs only to fish to see the status of where we are. There were solid populations in the late 90s and early 2000s and it has been all downhill from there. There is a hope that some of the inshore groups will help to repopulate the decimated offshore populations. The Whaleback area is a good example of the importance of certain grounds on the overall population. That area when open was exploited to ruin. Had those populations bred and been left alone we would be in a better place today.

Hoping that Covid will limit the impact of the opening is just that a hope. Recreational fishing is up 1000% just try to find a tip up or an ice auger. Folks are out in droves. Commercially the second the restaurants begin to rebound we will be on full force. Equally everyone who has been scraping by will be out to recover.

These are just my opinions but it would be sad if future generations would never know what a 70lb cod looks like.

Best,
Chris

From: [Nick Davidovich](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on State Water Groundfish Closure
Date: Wednesday, March 3, 2021 1:28:10 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello,

This is Nick Davidovich. I am a chef and recreational fisherman who lives in Cambridge MA. I am writing to OPPOSE the opening of the state's groundfishing waters for April 2021.

With COVID doing it's worse this past year, one of the few bright spots has been an opportunity for our ocean life to get a break from our constant taking. It is believed by many that our ocean's fish stocks are being overfished. Even though "landings for the current fishing year are well below the federally allocated sub-components, likely driven by COVID related impacts on fishery effort last spring and summer", there is no harm in giving these fish another "breather" for 2021.

I understand the prerequisite argument for commercial fishermen, "I need to make a living". Well my ability to make a living was also hurt by COVID this past year, and if our fish stocks collapse that will also hurt mine and many others ability to make a living.

Even with restaurants getting ready to reopen, we are not looking at full capacity until the warmer months. Demand will not be at peak until we are at "normal". Let the fish spawn, let them have a chance. There is no downside to this.

Best,

Nick Davidovich

From: [Lauren Peruzzi](#)
To: [Fish, Marine \(FWE\)](#); laurenperuzzi@abingtonps.org
Subject: Public Comment Sought on Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021
Date: Friday, February 19, 2021 10:01:28 AM

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Hello,

This COVID19 year has allowed a few parts of our Earth to repair itself in the smallest ways. Humans are a pestilence to our Earth and do not think twice about destroying it without afterthought. This is an opportunity to create a great regeneration of life in our ocean, yet we want to hijack that opportunity and destroy it for our own good.

Please let our ocean have one more month to heal itself, otherwise there is no turning back.

Do NOT open fisheries early for our own destructive greed!

Concerned,

Lauren Peruzzi
Centerville, MA

Sent from my iPhone

From: [John Martinsen](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment Sought on Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021
Date: Wednesday, March 3, 2021 12:47:54 PM

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To Whom It May Concern,

The groundfish closure should encompass all state waters and should be for March and April.

Please consider this my public comment.

**Thank you,
John Martinsen**

From: [Noah](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment Sought on Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021
Date: Monday, February 22, 2021 8:27:37 AM

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Hello,

Providing my comments on the above proposed action to lift the state-waters ground fish closure. Last year we finally noticed a rebound in flounder in Boston harbor. Temporarily lifting the closure will have a negative impact on the one of the few remaining strong fishing options in the greater Boston area. Until last year we saw fewer flounder, cod, and other ground fish in the area. Now that they are finally showing some sign of a rebound is not the time to give the commercial fleet another chance to wipe them out! Please don't make the change we need to preserve this fish for generations to come.

Thanks,

Noah Rosenbaum
2 Eastland Rd
Boston, MA 02130

From: [John Nichols](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment Sought on Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021
Date: Friday, February 19, 2021 9:14:30 AM

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Please do not open these grounds to commercial fishing. As a recreational fisherman I've seen what happens to stocks when commercial fishing gets into an area. I hate to see the effect this opening will have, besides diminished stock, it will affect what we as recreational fisherman will be allowed to catch. I'm begging you, do not open these grounds to commercials!!!

Thank you, Jack Nichols

From: [Mike Delzingo](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment Sought on Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021
Date: Wednesday, March 3, 2021 7:08:34 AM

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I disagree with the states proposal to lift this closure.

This area was very successful early last season for the local recreational haddock anglers and charter boats, Opening this small area up to commercial boats in April will allow them to harvest lots fish in waters small boats are restricted to do to weather /safety/ time constraints.

With a very small area of those waters holding haddock (over 150' deep) there isn't much real estate to go around.

We rely on these fish to book trips and such a small area does not need added fishing pressure.

Please do not lift the April closure

Captain Mike Delzingo
Fishbucket Sportfishing
Boston

From: [Mary-Beth Petersen](#)
To: timmerso@aol.com; [Fish, Marine \(FWE\)](#)
Cc: jason@littlesister1.net; simmerso@sbcglobal.net
Subject: Re: Dragger Decimation
Date: Friday, February 19, 2021 7:08:31 PM

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Great letter!

From: timmerso@aol.com <timmerso@aol.com>
Sent: Friday, February 19, 2021 6:01 PM
To: marine.fish@mass.gov <marine.fish@mass.gov>
Cc: jason@littlesister1.net <jason@littlesister1.net>; simmerso@sbcglobal.net <simmerso@sbcglobal.net>; Mary-Beth Petersen <MPetersen@ccfc-ct.org>
Subject: Dragger Decimation

Dear Mr. McKiernan:

As a concerned out-of-State angler and employee of Long Island, NY's Town of Oyster Bay Environmental Resources Dept. that has greatly enjoyed flounder/bottom fishing in Boston Harbor over the past decades, I deplore the cowardly non-action of the DMF in not enforcing CLOSURE TO DRAGGERS IN ALL STATE WATERS for the months of March **and April!** The flounder population has been decimated and only in recent years, shown a minimal resurgence. To oppose lifting of the closure would give flounder and other 'Spring species', a chance to rebuild their populations. Currently, far too many immature fish are being taken, making propagation of the species difficult, if not impossible. Please take what you undoubtedly already know to be the proper course of action in backing CLOSURE during March **and April!** Thank you in advance for your anticipated attention to this important matter.

Very truly yours,

Thomas Immerso
183 Massapequa Ave.
Massapequa, NY 11758

From: [Jonathan Shuster](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Re: Keep Commercial Groundfishing Closed in April
Date: Friday, February 19, 2021 4:07:03 PM

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Dear Mr. McKiernan:

I implore the DMF to keep the the inshore commercial groundfish season closed through April.

Subjecting our fragile fish stocks to commercial exploitation during this critical window in the season would have long term deleterious effects to fish populations and the resource shared by MA residents and commercial fishermen alike.

Yours truly,
Jonathan Shuster
Bolton, MA

From: [Fish, Marine \(FWE\)](#)
To: [Silva, Jared \(FWE\)](#)
Subject: RE: Proposal encouraging the harvest as much groundfish fish as possible
Date: Friday, February 19, 2021 10:29:10 AM

From: Richard Deschamps Jr <skrabking@aol.com>
Sent: Friday, February 19, 2021 9:31 AM
To: Fish, Marine (FWE) <marine.fish@mass.gov>
Subject: Re: Proposal encouraging the harvest as much groundfish fish as possible

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear MA Division of Marine Commercial Fisheries,

Here you go again putting commercial interests ahead of the environment and sustainable natural resources. At every turn you propose extending fishing seasons to squeeze every drop of blood out of the stone per se to cater to commercial interests. As taxpayers we are entitled to transparency in our government. So, I am asking for a release of all correspondence from our state government regarding this matter. Included in this should be any correspondence relating to this issue. Additionally, I would like information provided to the general public the projected impacts on long-term stocks. Finally, I oppose your proposal. Thanks!
Rich

From: [Luciano Mascari](#)
To: marine.fish@public.govdelivery.com; [Fish, Marine \(FWE\)](#)
Subject: RE: Public Comment Sought on Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021
Date: Friday, February 19, 2021 9:40:03 AM

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I have a Groundfish permit and I am against lifting the Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021. I vote for continued enforcement to try to replenish the abused fish stock biomass over short term interests of meeting given quotas. Please think long term and give these fish stocks a break! I'm for waiting a little in favor of larger fish size and more predictable near shore sustainable catches for all.

Kind regards,
Luciano Mascari

From: [Jonathan Hyett](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Re: Public Comment Sought on Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021
Date: Friday, February 19, 2021 10:55:40 AM

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I am strongly opposed to this proposal for so many reasons.
Please allow this email to serve as my public comment.

On Feb 19, 2021, at 8:56 AM, MA Division of Marine Fisheries
<marine.fish@public.govdelivery.com> wrote:

Having trouble viewing this email? [View it as a Web page.](#)

February 19, 2021

Public Comment Sought on Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021

DMF is seeking public comment on lifting the conditional April groundfish closure for 2021. This annual closure was developed in 2019 to address allocative concerns that landings from the state waters-only groundfish fishery may impact access to federal groundfish quotas. By regulation, those state waters between 42°00'N (Plymouth) and 42°30'N (Marblehead) west of 70°30' W are closed to commercial groundfish fishing in April. However, the closure may be lifted on an annual basis if DMF projects the action will not result in an exceedance of the annual federally allocated state-waters subcomponent for regulated groundfish stocks or will not compromise federal conservation objectives.

DMF has analyzed landings data for the current fishing year (May 1 – April 30) and intends to lift the conditional April groundfish closure this year. Landings for the current fishing year are well below the federally allocated sub-components, likely driven by COVID related impacts on fishery effort last spring and summer. Accordingly, it is unlikely that an April opening will result in an exceedance of the state waters sub-components or of overall annual catch limits. Further information on this analysis may be found in DMF's February 12, 2021 [memorandum](#) to the Marine Fisheries Advisory Commission.

DMF will accept written public comment on this proposal through 5PM on Friday, March 5, 2021. Written comment may be submitted to by e-mail to marine.fish@mass.gov or by post sent to 251 Causeway Street, Suite 400, Boston, MA 02114. The Marine Fisheries Advisory Commission will consider adopting this action at their March 18, 2021 business meeting.

For more information regarding the management of marine fisheries in the Commonwealth please visit our website: www.mass.gov/marinefisheries

groundfish closure



Massachusetts Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114
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This email was sent to jhyetnu@yahoo.com using GovDelivery Communications Cloud, on behalf of: Massachusetts Division of Marine Fisheries · 251 Causeway Street, Suite 400 · Boston, MA 02114



From: [roger3353](#)
To: [Fish, Marine \(FWE\); Jason](#)
Subject: Re: Winter flounder
Date: Saturday, February 20, 2021 12:15:35 PM

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On Friday, February 19, 2021, 4:28 PM, roger3353 <roger3353@aol.com> wrote:

My name is captain Roger Brousseau i own the charter business call Midnight Charter I fish for flounder starting 1974 and chartering for 37 years for flounder except some years when the flounder where so polluted.

I was very happy when the flounder population growth to a fantastic number. Now for the past few years the population demise marks of nets on the fish Are very visible. Are we going back to 0 fish yes we are Last spring around May 20 most of my customers can't even take there limits please for the new generation of fisherman reduce the commercial fishing so those fish have the time to reproduce

Thank you

PS hope you understand my English is very bad arrive in the US in 1973 and must work never have time to go to school but very proud to run 2 business very successfully

[Sent from the all new Aol app for iOS](#)

From: [Brian Butler](#)
To: [Fish, Marine \(FWE\)](#)
Subject: State-Waters Groundfish Closure - Opposed to Closure Lifting
Date: Friday, February 19, 2021 3:14:29 PM
Attachments: [image003.png](#)

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.


Mr. McKiernan:

As a citizen who regularly fishes for inshore winter flounder in Massachusetts, and a scientist with experience in population biology it is clear to me that the once significantly recovered Massachusetts inshore winter flounder fishery can not withstand the current or proposed expansion of commercial dragging practices in inshore waters. State waters should be closed during March and April to commercial groundfishing.

Sincerely,

Brian O. Butler, M.S.



Brian Butler | President & Principal Scientist
Oxbow Associates, Inc.
P.O Box 971 | Acton, MA 01720
978.929.9058 ext. 104
oxbowassociates.com | 

From: [Edward Hale](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Temporarily Lift the State-Waters Groundfish Closure for April 2021
Date: Friday, February 19, 2021 10:14:29 AM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

To DMF,

The lifting does not impact recreational fisherman as there are few in April. It does allow commercial fisherman to harvest closer to shore. They will be happy!

I support the lift as the DMF projected quota suggests.

Thanks You!

Edward Hale

Plaistow, NH

From: [kyle daley](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Temporary lift of ground fishery
Date: Wednesday, March 3, 2021 12:32:38 PM

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I don't see how this would help the long term or short term goals of a sustainable ground fishery. Therefore I'm opposed to the opening.

Sent from my iPad

From: [Leah B](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Temporary lift of state-waters ground fish
Date: Tuesday, February 23, 2021 6:46:22 PM

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I agree with the proposed action of lifting the temporary state-waters ground fish closure in April.

If the proposed lift has no effect on conservation objectives or exceed the catch limits set forth federally I see no issue with a temporary lift to the annual April closure/ban.

Thank you for requesting and allowing public comment.

Best,

Leah Barton
Weymouth, MA
7816644632

From: [Jeffrey Cabral](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Temporary lift on state waters ground fish area
Date: Sunday, February 28, 2021 11:35:46 AM

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To Whom it May Concern;

I am a recreational fisherman and I oppose the fact of opening this area to the commercial fisherman, unless, they are restricted to fishing strictly with rod and reel with a size limit and a number or pound limit. Due to the closure of commercial fishing due to covid, which I believe holds true to the fact that a lot more bigger and more plentiful ground fish came closer to shore allowing the recreational fisherman to enjoy catching his size and limit for the day. Also I may add that there were a lot less shorts that got thrown back with minimal if no harm to the fish. In previous years since the rules and regulations were put in effect it has always been difficult to catch sizes and limits after the commercial fishing has cleaned them out. By opening this area, this tells me that the ground fish population is growing and that the and should be left to the recreational fisherman and to increase the 1 fish to the 5 fish limit per angler for cod fish for it is not worth the time and money spent to catch one fish. This area is a lot safer and more accessible being closer to land than being offshore and more dangerous where winds can pick up very quickly. I am 65 years old and have been fishing since I was a kid with my father and have always known most ground fish to come close to shore to spawn and then move out to deeper waters and also congregate and spreaded out over areas where there is food. So ,please, please have sum consideration for the recreational fisherman and keep the commercial guys off shore.

Thanks For Your Consideration In This Matter;
Jeffrey Cabral

From: [Colin Cunningham Jr.](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Temporary Lifting the State-Waters Groundfish Closure
Date: Saturday, February 20, 2021 9:34:12 AM

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To Whom It May Concern:

I do not support the temporary lifting of the state-waters groundfish closure. It is understandable that there is a desire to help fishermen impacted by the Covid pandemic, however some of the groundfish stocks, primarily Gulf of Maine cod remain at all-time lows. Since demand from the restaurant trade has not recovered, isn't this a good time to leave more fish in the water to rebuild the stocks a little faster.

We need to take a longer term view for the health of the fish stocks.

Thank you.

C. M. "Rip" Cunningham

From: [roger3353](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Winter flounder
Date: Friday, February 19, 2021 4:29:01 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

My name is captain Roger Brousseau i own the charter business call Midnight Charter I fish for flounder starting 1974 and chartering for 37 years for flounder except some years when the flounder where so polluted.

I was very happy when the flounder population growth to a fantastic number. Now for the past few years the population demise marks of nets on the fish Are very visible. Are we going back to 0 fish yes we are Last spring around May 20 most of my customers can't even take there limits please for the new generation of fisherman reduce the commercial fishing so those fish have the time to reproduce

Thank you

PS hope you understand my English is very bad arrive in the US in 1973 and must work never have time to go to school but very proud to run 2 business very successfully

[Sent from the all new AOL app for iOS](#)

March 5, 2021

Daniel McKiernan, Director
Massachusetts Division of Marine Fisheries
251 Causeway Street, Suite 400
Boston, MA 02144

Submitted via marine.fish@mass.gov

RE: Proposed Action to Temporarily Lift the State-Waters Groundfish Closure in Massachusetts Bay for April 2021

Dear Mr. McKiernan:

Conservation Law Foundation (“CLF”) appreciates the opportunity to provide comments on Massachusetts Division of Marine Fisheries’ (“MA DMF”) proposed action to temporarily suspend the groundfish closure in Massachusetts Bay for April 2021. As we expressed the previous two years, CLF is greatly concerned by this action, particularly as it relates to overfished Gulf of Maine (“GOM”) cod, and we oppose suspending the closure for April 2021.

The status of GOM cod has not changed. It is overfished with overfishing occurring,¹ and the stock cannot rebuild by its scheduled deadline (2024) even under a no fishing scenario.² Given the dire state of GOM cod and its inability to rebuild by 2024, there should be no directed fishing on the stock, and both state and federal managers should use a precautionary approach.

The state-water subcomponent may be underutilized, but MA DMF is fully aware of the data inaccuracies underlying the overall GOM cod catch limits due to the discarding and misreporting issues in the groundfish fishery.³ Additionally, inshore Massachusetts waters are an important spring spawning area for GOM cod, particularly as other spawning grounds along the GOM coast have disappeared,⁴ therefore, protecting this area is central to halting the further decline of the stock. The April commercial groundfish closure also overlaps with a federal spawning closure set for April 15-30; and in CLF’s petition for rulemaking to the National Marine Fisheries Service, we advised expanding the federal GOM Cod Protection Closures,

¹ NEFSC. *Operational Assessment of 14 Northeast Groundfish Stocks, Updated Through 2018*. Pre-publication copy dated October 3, 2019, at 26; C. Perretti (NEFSC) pers. comm.

² Memorandum from Groundfish PDT to SSC regarding “Candidate Groundfish OFLs and ABCs for fishing years 2020 to 2022” dated Oct. 10, 2019 & revised Oct. 15, 2019, at 7.

³ MA DMF. 2018. “DMF Backed into Difficult Decision on GOM Cod.” *DMF News* 41, at 6-7. (“... I have learned from NMFS of incidents of elevated levels of cod discards (2,000-3,000 pounds of cod per trip).”).

⁴ NEFMC. *Framework Adjustment 53 to the NE Multispecies FMP, Appendix II: Analytic Techniques: GOM Cod and Other Groundfish Analysis*, at AII-2.



encompassing Massachusetts state waters, in both space and time to include the month of April. This recommendation was based on prior analysis by the New England Fishery Management Council's Groundfish Plan Development Team "because research has shown that in order for spawning closures to be effective that they need to be relatively large to insure that fishing activity does not disrupt courtship and spawning behavior which will ultimately determine spawning success."⁵

Under these collective circumstances, MA DMF should not suspend the April closure and thereby sanction increased cod fishing in Massachusetts state waters. Thank you for considering these comments.

Sincerely,

Allison Lorenc

Allison Lorenc
Senior Policy Analyst
Conservation Law Foundation

⁵ Memorandum from Groundfish Plan Development Team Development to Groundfish Committee regarding "Development of Framework Adjustment 53 (FW 53) to the Multispecies (Groundfish) Fishery Management Plan" dated Nov. 5, 2014, at 13.

From: [Levi Opsatnic](#)
To: [Fish, Marine \(FWE\)](#)
Subject: public comment on lifting groundfish closure for 2021
Date: Thursday, March 4, 2021 7:49:06 PM

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Hello,

My name is Levi Opsatnic and I would like to voice my concerns in regards to Massachusetts potentially lifting the conditional April groundfish closure for 2021. I am not even remotely on board with this idea and think that considering it is foolish at best. Please do not open ground fishing for the month of April, it is imperative that we do not allow this, especially considering it's the time when winter flounder spawn and that species needs no additional stress and pressure—and this is only one example of a reason against this, of which there are many more.

I appreciate you taking the time to read my words and really hope that the right thing is done.

Thank you

From: [Michael Mikhaylov](#)
To: [Fish, Marine \(FWE\)](#)
Subject: RE: Proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021
Date: Friday, March 5, 2021 11:00:18 AM

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The Marine Fisheries Advisory Commission
251 Causeway Street, Suite 400, Boston, MA 02114

I'm strongly **opposed** to temporarily lifting the State-Waters Groundfish Closure for April 2021.

Cod should not be targeted at all, given the state of Cod fishery, bycatch is not acceptable.

Winter Flounder stocks declined significantly and the stock is overfished. Both Cod and Flounder need protection, especially during the spring spawn season.

Given the current state of the fishery, it would be irresponsible to open the groundfish spawning grounds for the spring fishery.

No, I do not support the proposed Action to Temporarily Lift the State-Waters Groundfish Closure for April 2021.

Respectfully,
Michael Mikhaylov
46 Little Farms Rd, Framingham, Ma 01701

From: [Fondo, Garth M](#)
To: [Fish, Marine \(FWE\)](#)
Subject: DMF is seeking public comment on lifting the conditional April groundfish closure for 2021
Date: Friday, March 5, 2021 6:46:27 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

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As recreational fisherman I am against the lifting of the April groundfish closure for 2021. In the past I went to Boston to fish for flounder but about five years ago I stopped as the fishing has really dropped off due to the increased dragger pressure when draggers switch from Cod to other fish around 2013. We need to do whatever we can protect those flounder, especially in the spring when they are trying to spawn.

Thank you.

Garth



Garth M. Fondo, CFP[®], CRPC[®], MBA, APMA[®]
CERTIFIED FINANCIAL PLANNER[™] practitioner
Private Wealth Advisor

The Fondo Financial Group
A private wealth advisory practice of Ameriprise Financial Services, LLC
Ameriprise Financial Services, Inc

.....

Ameriprise Financial Services, LLC
1 Lumber Street, Suite 204
Hopkinton, MA 01748

O: 508.497.8931 | F: 508.434.6136

Support staff contact information is available on [my website](#)

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