

Public Hearing: New Recreational Fishing Rules for 2021

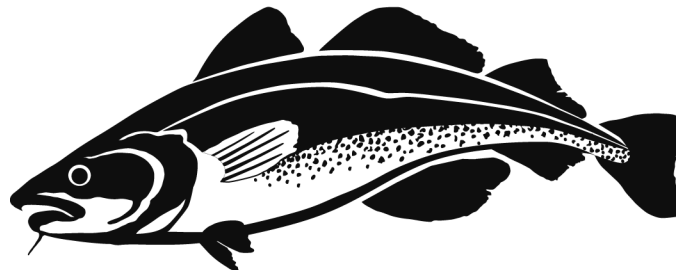
6PM

March 2, 2021

Virtually Via Zoom

<https://bit.ly/3aJw9Ye>

Marine Fisheries
Commonwealth of Massachusetts



Public Hearing and Comment

Under the provisions of M.G.L. c. 30A, and pursuant to the authorities found at M.G.L. c. 130 §§ 2, 17A, and 104, the Division of Marine Fisheries (DMF) is taking public comment and holding public hearings on proposed amendments to regulations at 322 CMR 6.00 affecting recreational fisheries.

Written public comment will be accepted through 5PM on Friday, March 5, 2021. Please send written public comment via e-mail to marine.fish@mass.gov or by post to the attention of Director McKiernan at 251 Causeway Street, Suite 400, Boston, MA 02114.



March 2, 2021

Division of Marine Fisheries

Slide 2



Virtual Rules of Engagement

- Purpose of the hearing is to afford interested parties an opportunity to submit data, opinions, comments, or arguments on specific amendments being proposed, or to offer how the proposed amendment can be changed to minimize the impact on those affected while still achieving goals.
- All members of the public will be muted throughout the presentation. At the conclusion of the presentation, DMF will first accept clarifying questions regarding the proposals, and then once all the questions are addressed, DMF will invite public comment on the various proposals.
- The written “chat” and “question and answer” functions have been disabled. DMF will respond to verbal questions at the end of the hearing. Additionally, you can follow up with DMF staff after the hearing by e-mail (marine.fish@mass.gov).
- When participating in the question and comment forums, the public is required to use the raise hand function. This creates a queue and DMF will recognize and unmute individuals when it is their turn to speak. Individuals will be provided two (2) minutes for questions and comments per hearing item. Follow-up comments may be allowed after all other persons have had an opportunity to speak.
- It is not necessary for you to provide verbal comment during this public hearing. You may use this virtual hearing for informational purposes and submit written comments later. In fact, submitting written public comment is recommended.
- Given our remote working status, DMF prefers that written comment be submitted by e-mail (marine.fish@mass.gov). All written comment is to be submitted by 5PM on March 5, 2021. Written comment will be shared with the MFAC in advance of the March 18, 2021 business meeting.
- This public hearing will be recorded, and questions and comments are part of the public record. The recording of the public hearing will also be posted to [DMF's YouTube Channel](#).



March 2, 2021

Division of Marine Fisheries

Slide 3



Overview of Public Hearing Items

1. Adopt recreational fishing limits for Gulf of Maine haddock and cod consistent with federal rules.
2. Adjust the state's circle hook mandate for recreational fishermen fishing for striped bass with natural baits.
3. Prohibit the use of traps to catch blue crabs.



March 2, 2021

Division of Marine Fisheries

Slide 4



Recreational Gulf of Maine Haddock

Existing:

Season	Bag Limit	Minimum Size
April 15 – February 28/29	15-fish	17"

Proposal: Add April 1-14 to open season for 2021 and 2022

Season	Bag Limit	Minimum Size
April 1 – February 28/29	15-fish	17"

Rationale:

- Consistent with interim action approved by NOAA Fisheries for April 2021.
- NEFMC recently approved these measures for May 2021 – April 2022.



March 2, 2021

Division of Marine Fisheries

Slide 5



Recreational Gulf of Maine Cod

Existing:

Mode	Season	Bag Limit	Minimum Size
All	Sept 15 – Sept 30	1 fish	21"

Proposal: Add April 1–14 to open season for all anglers; and add September 8–14 and October 1–7 for anglers during for-hire trips.

Mode	Season	Bag Limit	Minimum Size
Private	April 1 – April 14 and Sept 15 – Sept 30	1 fish	21"
For Hire	April 1 – April 14 and Sept 8 – Oct 7	1 fish	21"

Rationale:

- Consistent with interim action approved by NOAA Fisheries for April 2021.
- NEFMC recently approved these measures for May 2021 – April 2022.
- Uncertain if NOAA Fisheries will approve the additional 14 days in September & October for for-hire (if not approved, then DMF will not pursue in final rule).



Striped Bass and Circle Hooks

Background:

- State adopted initial recreational circle hook requirement in 2019 for 2020.
- For 2021, ASMFC's Addendum VI aims to reduce discard mortality in recreational fishery by requiring circle hooks coastwide when recreationally bait fishing for striped bass.
- DMF now addressing compliance with Addendum VI and recent decisions by ASMFC Striped Bass Board.
 - Initially, no exemptions to rule granted.
 - Subsequently, tube rigs exempted while MA DMF and ME DMR complete 2-year study.
 - Striped Bass Board working to define the term "bait".

Existing Rule (must be amended to comply with FMP):

- Mandatory use of inline circle hooks by recreational anglers fishing for striped bass with whole or cut natural baits, with following exemptions:
 - Anglers fishing on for-hire trips, and
 - Anglers fishing with lures rigged with natural baits that are trolled, cast and retrieved, or vertically jigged.

Proposal:

- Mandatory use of inline circle hooks by all recreational anglers fishing for striped bass with whole or cut natural baits.
 - Allow exemption for tube and worm fishing.
 - Clarify that pork rinds are not to be considered natural bait when attached to an artificial lure.
- Require any striped bass caught on non-conforming terminal tackle be immediately released without unnecessary injury.



March 2, 2021

Division of Marine Fisheries

Slide 7



Blue Crab Trapping Prohibition

Proposal:

Prohibit the use of traps for catching of blue crabs (would not apply to open or collapsible traps).

Rationale:

- Diamondback terrapin turtles listed as threatened under MESA.
- Spatial overlap of habitat between these turtles and blue crabs (estuaries and marshes along Cape Cod and Buzzards Bay).
- These turtles may be captured and drowned in blue crab traps. MEP found large numbers of dead diamondback terrapin turtles in blue crab traps set in upper Buzzards Bay in 2020.
- Prohibition on this gear would eliminate this potential source of turtle mortality. Other trap gears are typically not set in warm, inshore estuarine waters.
- Longstanding 25 crab limit makes this a de facto recreational fishery.
- Other common gears exist that allow recreational fishermen to access fishery and take limit without incidental catch of protected species.
- Turtle excluder devices not preferred because of concerns regarding effectiveness and continued takes.



March 2, 2021

Division of Marine Fisheries

Slide 8



Questions and Comments

1. Meeting moderator will now recognize members of the public.
2. DMF will first recognize individuals with questions regarding the presentation and proposals.
3. Upon conclusion of the question period, DMF will accept verbal public comment.
4. To ask a question or submit a verbal comment, please use the “raise hand” function. This will create a queue of participants.

Written Public Comment

Written public comment will be accepted through 5PM on Friday, March 5, 2021. Please address written by e-mail to marine.fish@mass.gov or by post to the attention of Director McKiernan at 251 Causeway Street, Suite 400, Boston, MA 02114.

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