



MA Marine Fisheries Advisory Commission

April 1, 2020 Meeting Summary

This document serves as a brief summary of the April 1, 2020 Marine Fisheries Advisory Commission (MFAC) business meeting. This MFAC meeting was held virtually. All meeting materials are available on the [MFAC's past meeting website](#).

Action Items

Recreational Bluefish Bag Limits. DMF's initial recommendation was to reduce the recreational bag limit from 10-fish per angler to 3-fish per angler, but allow patrons onboard for-hire vessels to retain a bag limit of 5-fish. Based on feedback from the MFAC, this recommendation was amended to clarify that the 5-fish bag limit would apply to all anglers onboard a for-hire vessel during a for-hire trip (i.e., captain, crew and patrons) and not just the patrons. This amended recommendation was unanimously approved by the MFAC. This action is necessary to comply with joint MAFMC and ASMFC mandates to reduce recreational bluefish harvest by 28% in 2020 and these limits are being adopted on a coastwide basis.

Recreational Striped Bass Management. The MFAC unanimously approved DMF's recommendation regarding recreational striped bass regulations. This approved recommendation had three discrete aspects. To comply with Addendum VI to the ASMFC's Striped Bass FMP, adopt a recreational slot limit of *28" and greater to less than 35"*. This new recreational slot limit will replace the existing 28" minimum size and is being uniformly adopted throughout the northeast (ME – NY). Consistent with Addendum VI's circle hook requirement to address recreational striped bass discard mortality, beginning in 2020 all recreational anglers fishing for striped bass from shore or onboard a private vessel will be required to use inline circle hooks when fishing with whole or cut natural baits, except when fishing with natural baits affixed to an artificial lure that is to be cast and retrieved, jigged or trolled (e.g., tube and worm). Lastly, to further address potential striped bass recreational discard mortality, all recreational anglers will be required to use only non-lethal devices (i.e., those that do not pierce or puncture fish) when removing striped bass from the water or releasing striped bass to the water. This will effectively prohibit the gaffing of striped bass by recreational anglers.

Commercial Striped Bass Management. The MFAC unanimously approved DMF's recommendation on commercial striped bass management measures. This approved recommendation was two-fold. First, the commercial minimum size will be increased from 34" to 35". This will segregate the recreational fishery from the commercial fishery based on the legal size limits with the goal of improving enforcement and compliance. In making this change, DMF will also rescind the existing rule requiring fin clipping by commercial fishermen fishing recreationally on closed commercial fishing days, and the allowance for commercially permitted for-hire operators to sell unwanted catch taken during a for-hire trip. Second, the commercial striped bass open fishing days will move from Monday/Thursday to Monday/Wednesday. This was done for market reasons, and to enhance participation by not having open commercial fishing days in the striped bass and black sea bass fishery overlap. No changes were made to the commercial striped bass season; for 2020 the season will open on Wednesday, June 24.

Commercial Menhaden Management. The MFAC unanimously approved the Director's recommendation affecting commercial menhaden management. There were three aspects of this recommendation. First, DMF will rescind the 95% quota trigger that reduces the trip limited for the limited access fishery from 25,000 pounds to 6,000 pounds. In doing this, the 25,000 pound trip limit will be in place from the time when 85% of the quota is taken until 100% of the quota is taken. This will provide small scale purse seiners with additional access to the available quota. Second, DMF will adopt regulations that will allow the state to apply to the ASMFC to participate in the Episodic Event Set-Aside once 100% of the state's commercial quota is taken. The Episodic Event Set-Aside is a provision within the ASMFC's Menhaden FMP that allocates 1% of the annual coastwide commercial menhaden quota to the states of ME-NY to allow commercial fisheries to continue to occur if they have taken 100% of their commercial quota prior to September 1 and fish still remain in their territorial waters. Lastly, DMF will adopt a 6,000 pound incidental catch and small scale fishery allowance after 100% of the quota is taken to allow some small scale bait fishing to continue to occur. This action is consistent with the incidental catch and small scale fishery allowance set forth in the ASMFC's Menhaden FMP. DMF is also moving forward final permitting regulations to make the limited entry menhaden fishery an owner-operator fishery. No action will be taken on the proposal to adopt a May 1, 2020 control date for the limited entry menhaden fishery.

Commercial Black Sea Bass Management. The MFAC unanimously approved the Director's recommendation affecting commercial black sea bass management. This recommendation effects those limits established for the weir fishery, the directed summertime hook and line and pot fisheries, and the trawl fishery. For the weir fishery, the annual quota set-aside has been increased from 15,000 pounds to 24,000 pounds; any unused set-aside is rolled over to the directed summertime fishery. The trip limits for the directed summertime fisheries will be increased. The pot fishery limits will be increased from 300 pounds to 400 pounds and the hook and line limits will be increased from 150 pounds to 200 pounds. No changes are being made to directed fishery season (July 8 – Quota) or directed fishery open fishing days (Sundays/Tuesdays/Thursdays). The incidental black sea bass catch limits provided to the trawl fishery are being amended to reduce regulatory discarding. For the springtime small mesh squid trawl fishery (April 23 – June 9), the incidental catch limits will increase from 50 pounds to 100 pounds, but the 50,000 pound seasonal cap will be maintained. For the summertime large mesh fishery, the regulations are being adjusted to reduce the trawlers limit from 150 to 100 pounds of incidental catch but allow retention on all 5 open fishing days during open fishing days during the summertime summer flounder fishery (i.e., Sundays – Thursdays beginning on June 10). These changes were made based on recent fishery performance and a 59% quota increase for 2020.

Commercial Summer Flounder Management. The MFAC unanimously approved the Director's recommendation affecting commercial summer flounder management. There were two aspects of this recommendation. First, during the June 10 – October 31 inshore summertime fishery, summer flounder trip limits will be increased from 300 pounds to 400 pounds for trawlers and 200 pounds to 250 pounds for anglers. There are no changes being made to the Sunday-Thursday open fishing day schedule. Then during the November 1 – December 31 offshore fishery, possession and landing of summer flounder will be authorized seven days per week and trip limits will be increased to 1,000 pounds if more than 5% of the quota remains available on November 1, or if 5% or less of the quota remains on November 1 then the trip limit will be increased to 500 pounds. These changes were made based on recent fishery performance and the expectation that the quota will remain at the current elevated levels through at least 2021.

Open Entry Commercial Horseshoe Crab Limit for Trawlers. The MFAC unanimously approved the Director's recommendation to establish a 75 crab incidental trip limit for those trawlers who do not hold

a limited entry horseshoe crab bait permit. The open access limit is designed to allow trawlers to retain an incidental catch of horseshoe crabs while participating in the inshore summer flounder trawl fishery. DMF previously issued Letters of Authorization (LOAs) to accommodate this activity and this limit will replace the LOA moving forward. This will help ensure the horseshoe crab quota is better managed and to reduce regulatory discarding in the trawl fishery.

Sand Lance Possession Limit. The MFAC unanimously approved the Director's recommendation to adopt a 200 pound sand lance possession limit. This new limit is designed to prevent the development of an industrial scale fishery for this important forage species, while allowing existing artisanal fisheries to continue to occur.

Sea Herring Management in Area 1A. The MFAC unanimously approved the Director's recommendation regarding sea herring management in Area 1A. This recommendation has two discrete aspects. First, a 2,000 pound incidental and small scale fishery allowance for non-federal permit holders will be adopted. This will improve the administration of the Management Area 1A fishery during the summertime directed fishery. Second, the MA/NH spawning closure language will be updated to conform to the ASMFC's Sea Herring FMP. This includes adopting a six-week spawning closure and eliminating the 5-day notification requirement prior to implementing or extending the closure.

Edible Crab Management. The MFAC unanimously approved the Director's recommendation regarding edible crab management. This was a primarily a regulatory housekeeping exercise. However, this final regulation defines edible crabs to exclude non-native crab species (e.g., green crabs). In doing so, DMF is clarifying that a Coastal Lobster permit is not required to harvest and sell green crabs for consumption. This may enhance efforts to eradicate this invasive species.

Permitting Decisions

DMF informed the MFAC that it would be making several refinements to its permitting regulations. The first refinement addressed trap allocation transfers and minimum trap allocations for Coastal Lobster permits for use in Lobster Management Areas subject to effort control plans (e.g., LMA2). These adjustments are being made to bring state rules into phase with federal rules to streamline the transfer of dual state/federal trap allocations. Second, DMF is amending its Coastal Lobster transfer rules for LMA1 to clarify that while DMF may waive the actively fished criteria under certain circumstances (i.e., death, disability, military service), the actively fished criteria would be applied to a look back period immediately before the circumstance occurred. Third, DMF is adopting a rule that requires commercial fishermen sell their catch only to authorized primary buyers; this is a corollary rule to the existing rule that requires primary buyers only buy catch directly from permitted commercial fishermen. Lastly, DMF is clarifying that the for-hire permit covers the recreational fishing activity of anglers onboard the for-hire vessel during a for-hire trip, as well as the private recreational fishing activity of the named permit holder.

Discussion Items

MFAC members described how the COVID-19 public health crisis and social distancing guidelines impacted the local fishing economies for shellfish, lobster and finfish. There was also some discussion about financial aid opportunities and local marketing campaigns.

Upcoming Meetings

The MFAC's upcoming April 16 business meeting has been cancelled. The MFAC's May 21 business meeting may be rescheduled. If you would like to obtain any materials regarding past or upcoming MFAC business meetings, please contact Jared Silva at DMF (617-626-1534 or jared.silva@state.ma.us).