MEETING OF THE MARINE RECREATIONAL FISHERIES DEVELOPMENT PANEL
December 17, 2020
Via Webinar

Attendance:
Panel Members: Kalil Boghdan (chair), Kevin Blinkoff, Patrick Paquette, Mike Pierdinock (Not present: Mike Moss)

Department of Fish and Game: Ron Amidon

Division of Marine Fisheries: Daniel McKiernan, Michael Armstrong, Kevin Creighton, Greg Skomal, John Boardman, Matt Ayer, Ross Kessler, Dave Martins, Nichola Meserve, Story Reed, Julia Kaplan, Maggie Nazarenus

Office of Fishing and Boating Access: Doug Cameron

Call to Order, Approval of Agenda and Minutes

Kalil Boghdan called the meeting to order and began by recognizing Department of Fish and Game (DFG) Commissioner Ron Amidon for some announcements.

Ron reported that he had recently received a call from MWRA Director Fred Laskey indicting that they had completed their portion of the work at the Deer Island Fishing Pier, that the project is now complete, and he is looking forward to a celebration of the official opening.

Ron also recognized DMF's CARES Act Fisheries Relief Team for being the first in the nation to submit a spending plan, have it approved, issue funds, and complete all disbursements. This achievement had garnered both a Commonwealth Citation for Outstanding Performance and the Manuel Carballo Governor's Award for Excellence in Public Service.

DMF Director Dan McKiernan thanked Ron for the recognition, noting that relative to recreational fishing, the CARES Act Team had provided $1 million in financial relief to the much impacted for-hire fishing industry. He also noted that, while completion of the full video on the Deer Island pier's completion had been delayed by Covid-19, there was a 1-minute trailer that he'd like to share later in the meeting.

Kalil moved on to the draft agenda, and Mike Armstrong indicated that he would like to add a review of DMF activities that had been impacted by Covid-19, some of which are funded by the Marine Recreational Fisheries Development Fund (Fund).

With no further revisions, Kevin Blinkoff made a motion to approve the Panel's December 17, 2020 agenda as modified, which was seconded by Mike Pierdinock, and approved unanimously.

Kalil thanked Jeanne Hayes for drafting the minutes of the Panel's last meeting on April 28, 2020. With no edits offered, Patrick Paquette made a motion to approve the minutes, which was seconded by Mike Pierdinock, and approved unanimously.

Covid-19 Impacts

Mike A. provided a summary of DMF operations that had been impacted by Covid-19. He reported that MRIP APAIS sampling had been put on hold early in the year in Massachusetts and pretty much every state nationwide. Having resumed sampling in late May, Massachusetts was one of the first states to do so (with safety measures in place), although not with some decline in length measurement sampling compared to normal years. Headboat sampling had also resumed, but then been suspended due to staff concerns about insufficient social distancing occurring onboard vessels, meaning we would not have much headboat data for the year. Mike noted how NOAA Fisheries was working on methods to try to fill the data gaps so that there would still be harvest estimates for inclusion in stock assessments.

Mike reported that all the usual Angler Education events supported by the Fund had been cancelled. While not supported by the Fund, also notable was the cancellation of DMF's spring and fall trawl surveys. A decision had not yet been made about the 2021 spring trawl survey. Many Federal surveys had been similarly cancelled, and this would produce gaps in the time series of indices for stock assessments that would also need to be addressed.

Mike was pleased to report that most of the planned diadromous fish monitoring and sampling activities had continued, thanks to DMF staff that had been able to get the work done while following safe social distancing measures. The diadromous fish work also included several fish passage projects that were completed, which would be reported on fully to the Panel at their spring meeting. Mike reminded the Panel how the Fund supports two employees in the Diadromous Project.

Lastly, Mike reported that phase one of the striped bass terminal tackle study comparing release mortality between circle and J hooks had been completed, with the deployment of 150 acoustically tagged striped bass in Salem and Beverly harbor. Staff were still collecting and analyzing data from receivers throughout the east coast, but he expected to be able to report more fully in the spring. He looked to the Panel for any questions.

Patrick asked if the federal NEAMAP surveys had also been cancelled, and Mike responded he believed that they were also put on hold, and that survey cancellation had been very widespread.

Mike P. asked if there were any early conclusions from the striped bass terminal tackle study. Mike A. replied that it was too soon to report much, other than the observation that the smaller circle hooks they were using were hooking deep and so they had sized up to what is more typically used in the fishery.

Public Access Large Project Schedule

Mike A. said how the plan was to review those projects that were completed, in progress, and potential future endeavors, leading into a discussion of whether we should try to raise more money through permitting to be able to do more. Regarding past projects, Mike tried to begin with the trailer of the Deer Island Pier video, but due to IT difficulties this was postponed until Other Business.

Ross Kessler shared pictures from the construction phase of the Deer Island Pier project. He remarked how it was a beautiful spot, that people were eager to use it, and he expected the fishing to be productive. Ross then shared a map of the 39 public access projects completed since 2011 through a combination of small grants and large project funding. He noted that an announcement of the most recent round of small grant winners was expected soon. He described how the map was interactive

and available online to view any project in more detail. Prior to Deer Island, the other Large Projects included the piers at Oak Bluffs and on the Bass River (two).

Ross continued with the projects that are currently under progress. First is the re-decking of the Besse Park pier in Wareham, which Ross remarked was a great example of a collaborative project (between DMF, FBA, and the Town). The replacement pier at Salem Willows is in progress in the early phase. A cost-share agreement, capping DMF's contribution at $1.5M, had been brokered for the roughly 300' pier with an estimated overall cost of $3M. A new engineer had been hired, and if all went according to plan, engineering would take two years and construction another nine months.

Ross shared his list of potential future projects, remarking that it was ideal to have a sizeable list so that when money is available something should be ready to move. He noted that many in the list already included a land management agreement, and that the list demonstrates the goal to spread funding throughout the state. However, completing all the projects could take as much as 41 years to complete given the amount of funding potentially needed.

Mike A. asked for any comments on prioritizing this list. He noted that the selection of which to move forward with next is largely ad hoc, depending on what is ready, but that cost-sharing generally bumps up a project's priority.

John Boardman commented that he expected the Somerset or Fall River Bridge projects would be popular with more urban demographics, and he'd support their prioritization. Mike A. noted that they had also been in the queue for some time.

Kalil sought more information on whether the projects in the list represented new construction or renovations/replacements, and how we identified these potential projects. Mike A. replied that many are a product of towns coming to us with requests, but it was a combination with us identifying them as well. He turned to Ross for more details on new versus maintenance access.

Ross provided some details on each project in the list: in Somerset at Slades Ferry Blvd, it would be a new pier to replace access from the bridge to Taunton River; in Fall River it would be a new structure for which DMF suggested the location to the city; in Dighton, the project would be a new small pier with car-top access at a shore access area planned for additional improvements; in Dartmouth, the idea for a new pier at Padanaram was at a stalemate with the town; in Wareham, the town had approached us about a new pier; in Lynn, the interest is to put in a replacement of the Willis Pier at the mouth of the Saugus River; Beverly had contacted us about wanting a new pier; in Fairhaven, at Little Bay, the town wants to improve shore fishing access; and lastly, along the Cape Cod Canal, ACOE was interested in new smaller, fishing platforms to provide ADA-access along the canal.

Patrick stated support for the general approach of selecting projects, and that his preference would be for the southeastern part of Massachusetts to be the focus area for the next project based on looking at the completed project map, and that several projects on the list would fill the gap. He commented on the importance of good relationships with the towns and trust. Ross said that, regarding the history with Fairhaven, the town would pay for engineering if that project moved forward again.

Mike A. stated how new piers like Deer Island and Salem were in the $2-3M cost range, which takes five or six years to pay for, and that one consideration could be to require cost-sharing for such projects. At present, cost sharing is not required but tends to bump a project up in the queue.

Patrick stated his preference in the prioritizing for projects that preserve or rebuild current access rather than establish new access. Kalil agreed with Patrick's statement and DMF's strategy for prioritizing projects that have a cost sharing agreement, and that he further supported consideration of making it a requirement. Mike A. agreed that a busy pier in need of repairs/replacement should be prioritized over a pier in a new area.

Ross stated how a replacement of the Willis Pier in Lynn would be a good one to preserve access, and how the small grants are frequently awarded to do so, such as with brush clearing at shore access sites. Mike A. commented how the Willis Pier area would need some larger improvements to enhance the safety of the area first (which Lynn is interested to do), and that it's a project we would also want to cost share with DCR.

Mike P. agreed with the prioritization approach but that economics must also be considered; i.e., it's sometimes more cost effective to build new than repair. Mike A. agreed and also noted that if a pier was not well-sited in the first place, we'd want to consider a new structure in a better location.

Recreational Permit Fee Structure

Mike A. began by reviewing permit issuance by category and in total since inception (2011–2020), noting the larger than usual increase in permits issued in 2020, although non-resident permits had declined which wasn't unexpected given travel restrictions. He questioned whether the 2020 issuance number would last. Mike recapped the history of how the fee structure had come to be, including that it was a somewhat last minute decision to adopt $10 rather than $15 and that this had put our fee below average among other states. Additionally, the permit group's recommendation had been for the free permit age to be 65, but the Legislature had selected 60, which also put MA below average.

Mike A. reviewed the options to potentially increase permit revenue: 1) increase the permit fee from $10, such as to $15 or $20; 2) raise the age for the free permit, such as from 60 to 65 or 70 years old; 3) make non-resident permits more costly than resident permits; and 4) end the reciprocity agreements with NH, RI, and CT (meaning residents of those states permitted there would now have to get a non-resident MA permit to fish here). He then shared a table of revenue projections, using the 2020 permit issuance as the baseline, and then applying either a $15 or $20 permit fee and/or a 65 or 70-year age threshold for free permits. This produced a range of revenues from $1,526,580 (2020 baseline) to $3,816,340 ($20 and age 70). He also noted that we only sell about 15,000 permits to non-residents but there's likely more than 100,000 people so we are likely losing the revenue of 85,000 non-resident permits due to the reciprocity agreements. Mike stated that if we did increase revenue by any of these means, the additional funds would not be used to create new staff positions, although a small amount would contribute to funding cost-of-living adjustments to salary of currently funded positions.

Kevin Blinkoff noted that these projections assumed no decrease in the number of permits issued, and he inquired whether Mike knew of any other states that had increased fees and whether it had affected the number of people applying for permits. Mike A. stated that was something DMF should look into but he didn't know off the top of his head. He surmised that a $15 permit would not have much if any effect on permit issuance, perhaps with some casual anglers, but some of the projections may be biased a bit high because of this. Mike reminded the Panel that a permit fee increase would have to go through A&F (Executive Office of Administration and Finance) with appropriate justification and after public hearings. He felt that $15 was easily justified based on the national

average, but additional increases could be harder to justify especially during the pandemic. He added that a change to the age at free permit would have to be done through the Legislature.

Dan McKiernan noted that when DMF increased the recreational lobster permit fee from $40 to $50 to raise money for research several years ago there had been some decline in permit issuance, so Kevin B.'s point was a good one. He also guessed that there could be some decline in the amount of donations to the Fund with an increase in the fee. He asked the Panel to consider what they would be able to defend to constituents.

Patrick stated he assumed we'd be out of the pandemic by the time these types of changes could become effective, and that he didn't think a 50% increase (to $15) would cause much backlash. He said he could support this, but would want an equivalent increase applied to the for-hire permits to likewise be considered, noting that it is that permit which covers a bunch of otherwise unpermitted anglers. He was not supportive of ending the reciprocity agreements, but was okay with considering differential fees for non-resident permits. He supported consideration of age 70 for the free permit in order to align with fresh water permits. Mike A. pointed out that MA fresh water permits are a bit unique in that they go to half-price at age 65 and then free at age 70. Patrick stated he wasn't opposed to considering mirroring that system. He noted that many fishing clubs and organizations were having similar discussions about fee increases as their revenues declined with the aging of their membership (and insufficient new recruitment among younger folks). He stated that DMF likewise needs to consider a fee structure change just to stabilize the Fund.

Mike P. recollected that the reasons for considering this included the aging population of permit holders, as well as keeping license revenue high for grant matching. Mike A. responded that if Mike was referencing Wallop-Breaux funding, that while permit issuance is a part of the funding equation, state geographic size is as well, and due to how it is binned, it's highly unlikely that MA will ever get into the next funding bin. Kevin Creighton later confirmed this aspect of Wallop-Breaux funding, and he and Ron Amidon further specified that it is how many permits are sold (excludes free permits and revenue is irrelevant).

Mike P. asked to confirm that $15 is the average price among all states with saltwater fishing permits. Mike A. responded that $15 is actually the median price, and the average is higher, which reflects an uneven distribution in the fees, with some states (i.e., on the west coast) having permits in the $40 to $50 range. He noted that MA's high cost of living should also be considered in the pricing.

Mike P. said there was plenty of justification for $15, but he was hesitant about $20 due to the seasonality of MA's fishery (not year-round like FL). He stated a willingness to consider higher non-resident fees, but would rather not end the reciprocity agreements because they are advantageous to MA resident anglers and for-hire captains. He could support age 70 as well for the free permit. However, he had concern with any increases occurring during the pandemic, due to the economic challenges it has caused, and noted that a number of people fish to put food on the table. He guessed that the for-hire industry would be opposed to a fee increase given other increasing costs to their operations and amidst increasingly restrictive fishing regulations. He questioned whether the equivalent of a fresh water trout stamp could be applied to salt water. He further added that these structural changes to the permit fees do not address the foundational problem of the aging permit holder demographics, and that other actions were needed to encourage new, younger participants like artificial reef building. Conversely, he stated that regulatory changes like the banning of tube and worm to fish for striped bass would only serve to discourage new entrants.

In response to Mike, Dan McKiernan reiterated that any changes could not be implemented until at least 2022, and Mike A. pointed out that the Fund had been used to support some reef work and that more could be done relatively cheaply with materials that have been accumulated but we need funding to deploy.

Mike A. remarked how Patrick had pointed out that anglers on for-hire vessels are exempt from permitting requirements themselves, and asked if there were any comments on whether that should change as a means to increase revenue. In a sense, the for-hire permit could be argued to cover only the anglers on the first for-hire trip, and then any fishing on a for-hire boat is "free" (in terms of not buying a state permit), while everyone else fishing from shore or a private vessel have to buy a permit. Mike P. felt that should not be changed, as it would be another burden on captains to make sure everyone is permitted.

Ron Amidon clarified the fresh water permitting structure, which includes the requirement to have a permit beginning at age 15, but that it was free for 15–17 year olds, which encouraged their purchase of the permit when they turned 18. The current cost is $27.50, which becomes have price at age 65, and then free at age 70. He felt this structure worked very well and should be considered for salt water permits as well, which would likely mean going to a $20 permit, which would become $10 at age 65. He added that there are no trout stamps in MA's fresh water permitting.

Mike A. asked if in the fresh water permitting scheme, 70+ year olds have to be permitted (but its free), or don't need to be permitted at all. Ron replied that he'd need to double check that [it's the former]. Mike reminded everyone that the federal requirement for saltwater permitting is that everyone age 16 and up must have a permit (but pricing is up to the state).

Kevin C. recalled how the Division's R3 efforts have focused on new angler recruitment. He noted how most of the growth in permitting in 2020 was among younger individuals (almost exclusively 39 years and younger, with many in the under 20 category).

Dan commented on how increasing non-resident fees but maintaining our reciprocity agreements would disproportionately effect individuals from states outside of NH, RI, and CT. He preferred to focus on a straight fee increase and change in the free age for their simplicity, and noted that the for-hire fleet had been hit hard by the pandemic. Ross suggested an option of maintaining reciprocity agreements with just our coastally adjacent states where crossing state lines is more common; Dan did not favor this idea.

Mike P. agreed with Dan that the fee and age threshold should be the focus. He wondered if hunting and fresh water permits had seen similar permitting increases in 2020 as salt water.

Ron noted that MA fees for both fresh water and hunting permits are in the bottom 3% of the country because they have not been increased for 25 years. He stated that services had grown without a fee increase and this was a business mistake that he was asking others to look at closely, and he expected there would be revisions before too long.

Kevin B. also agreed with focusing on the fee and age threshold. While he had no reservations with a $15 fee, he expressed concern that $20 would garner negative attention as a "doubling", but that plans to get there within so many years should be made now. He also supported 65 for the age threshold and expected that many people would be surprised that it isn't that already. He did not favor ending the reciprocity agreements, as this could hinder the type of unplanned day trips across

state lines that occur in response to favorable fishing reports. He felt that keeping the resident and non-resident prices similar was more fair, and would be well accepted.

Kalil commented how simplicity and small, incremental steps can often get things done more quickly. He spoke against both requiring anglers aboard for-hire vessels to have to get their own permits and increasing the for-hire permit fees, and also supported the fee and age threshold to be the focus, commenting that the type of changes being discussed should not cause a large decline in participation.

Mike asked Ron if he thought it important or helpful to have the salt water and fresh water permit aging structures align. Ron said he didn't think so, save for simplicity, noting that the two experiences are very different. Dan and Mike discussed the timing off the legislative process to possibly change the age threshold, stating preference to get consensus now should we find ourselves in a position to get language inserted. Dan asked if there was any objection to raising the age to 70 for the free permit. Kalil said he did not but asked about "grandfathering in" some people, which Dan felt would be complex and problematic.

Ron noted that the legislative process generally has ample time for revisions, and that at a minimum it would be ideal to get the Panel's endorsement that it is time to update the fee structure in general, and then fine-tuning can occur. Kevin B. stated that age 70 was both defensible and understandable, and Mike P. agreed. Patrick also agreed with age 70, as well as the $15 fee, but wanted a similar fee increase for for-hire permits to be considered so that everyday citizens are not being asked to carry more burden. Mike P. disagreed on the basis for-hire fishing attracts a lot of younger participants so it is not contributing to the revenue problem of an aging angling population but helping to address it.

Mike A. summarized that there was consensus on increasing the free permit age to 70, and the private angler permit fee to $15 with the understanding that it would not become effective until 2022 at the earliest and that the public hearing process could further shape the final outcome. Regarding the for-hire permit fee there was not consensus.

Patrick noted that one Panel member was absent and he would like the for-hire permit issue to receive additional discussion when the full membership was present and with some additional data from DMF (specifics to be determined). He also pointed out that several nearby states have a lower resident fee. Kevin B. agreed that additional consideration should be given to sharing the burden of an increased fee across the recreational fishery. Mike A. pointed out that a for-hire permit fee increase would have minimal effect on Fund revenue due to the number or permits issued compared to private angler permits, making this an equity issue rather than a revenue issue.

Dan suggested that DMF work with the Department to put together a package for the Governor's office for consideration, and that the Panel be asked to review and give a consensus endorsement of it then. He states that having a minority opinion out of the Panel would not be ideal, so the package would be developed in a manner to try to achieve consensus. This approach was agreed to.

Mike P. inquired whether the Marine Fisheries Advisory Commission would also be asked for input. Dan indicated not; that the Panel (with its recreational make-up) was the appropriate body to contribute to the process, and that having the Panel's endorsement would carry a lot of weight.

Other Business

Kalil inquired if there were any other issues that Panel members would like to raise for discussion at a future meeting. There was not, nor any public present to comment. At this point that Deer Island Pier video trailer was shown. Dan noted that the full video would recognize the Panel members. Seeing as there was no other business, a motion was made by Patrick to adjourn, which was seconded by Kevin B., and unanimously approved.

Meeting Documents & Presentations

- December 17, 2020 Draft Meeting Agenda
- April 28, 2020 Draft Meeting Minutes
- Recreational Development Panel, Fall Meeting Presentation
- Video Trailer for Deer Island Fishing Pier Promotion