



## MA Marine Fisheries Advisory Commission April 7, 2022 Meeting Summary

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This document serves as a brief summary of the April 7, 2022 Marine Fisheries Advisory Commission (MFAC) business meeting. This business meeting was held virtually. All meeting materials are available on the [MFAC's past meeting website](#). The full meeting can be viewed on [DMF's YouTube channel](#).

### Action Items

Commercial Limits for Quota Managed Species. The MFAC unanimously approved DMF's final recommendations to adjust commercial limits for certain quota managed species. Final regulations are expected to be announced by May 1, 2022 and go into effect for the 2022 fishing season. The recommendations are described in the bullets below:

- *Summer Flounder.* For Period I (January 1 – April 22), the commercial fishing limit will be increased to 3,000 pounds and the multi-state pilot program is being codified. For Period II (April 23 – December 31) the inshore directed fishery will open on April 23 for all gears. The trip limit will be 500 pounds for trawlers and 300 pounds for hook and line. There will be no closed fishing days with complimentary adjustments to the closed fishing day schedule black sea bass and horseshoe crabs caught by trawlers. Effective, September 1, the trip limit will increase to 800 pounds for all gears, should more than 20% of the quota remain. Then effective October 1, the trip limit will increase to 3,000 pounds for all gears, should more than 5% of the quota remain. The multi-state landing program that occurs during Period I will also be authorized for October 1 – December 31. During Period II, should a vessel be fishing with small mesh or in possession of more than 250 pounds of squid, the summer flounder possession and landing limit will be 100 pounds.
- *Black Sea Bass.* For black sea bass, the commercial directed fishery will open on the first open fishing day on or after July 1. The open fishing days are Sunday – Thursday. Trip limits will be 400 pounds for pot fishermen and 250 pounds for other non-trap and non-trawl gears (e.g., hook and line) to start the directed fishing season. Then, effective September 15, closed fishing days on Fridays and Saturdays will be eliminated allowing commercial fishing seven days per week. Additionally, should at least 15% of the quota remain on September 15, the trip limits will increase to 600 pounds for potters and 300 pounds for other non-trap and non-trawl gears (e.g., hook and line). The trawl fishery will open on May 1, the limit will remain at 100 pounds, and there will be no closed fishing days consistent with the squid and summer flounder trawl fisheries. There are no changes to the weir limits.
- *Menhaden.* The limited entry menhaden fishery will open on June 1. Weirs will be exempt from this season start date as it is an opportunistic, multi-species fishery. This limit will not apply to the open entry fishery governed by the 6,000 pound trip limit.
- *Bluefish.* The commercial bluefish minimum size will be set at 16".
- *Spiny Dogfish.* The spiny dogfish trip limit will increase to 7,500 pounds, consistent with federal action.

Regulatory Housekeeping. Two regulatory housekeeping items were also unanimously approved by the MFAC. This includes: (1) rescinding unnecessary and confusing language regarding officer discretion when enforcing recreational fishing limit violations on for-hire vessels; and (2) requiring all recreational lobster and edible crab traps to be configured as recreational lobster traps.

### **Consultation on Permitting Decisions**

DMF sought the MFAC's consultation on four permitting actions. No objections were raised to three of the actions. The supported actions included: (1) updating the commercial striped bass permit endorsement control date to June 14, 2022; (2) clarifying the owner operator requirement applies to commercial fishing activity only and the named permit holder does not need to be present when fish is sold to a primary buyer; and (3) clarifying regulations governing the permit application renewal deadline for limited entry permit endorsements.

DMF also notified the MFAC of its intention to issue Inshore Net Permit Conditions to allow menhaden seining on Boston Harbor on Fridays but restrict the use of carrier vessels in the harbor on all open fishing days. There were objections raised by MFAC members to both decisions. Despite these objections, DMF will move forward with the Inshore Net Permit Conditions as proposed and informed the MFAC it would be paying close attention to seining activity in Boston Harbor this summer.

### **Discussion Items**

Protected Species Updates. DMF briefed the MFAC on a number of issues relevant to protected species. The briefing focused on: (1) DMF-MEP efforts to remove trap gear from the whale closure; (2) DMF's determination to deny the issuance of a Letter of Authorization to the Pioneer's for a Thoughtful Co-Existence to allow so-called "ropeless" fishing to occur in the seasonal trap closure; (3) the publication of a DMF contracted study by Homarus Strategies LLC titled [Assessing the Feasibility of ON-Demand Gear in New England Lobster Fisheries](#); (4) the agenda for the upcoming Atlantic Large Whale Take Reduction Team meeting in Philadelphia (May 9 – May 13); and (5) DMF's Incidental Take Permit application.

Updates Concerning the ASMFC. DMF briefed the MFAC on various topics related to the ASMFC. This included: (1) the approval of DMF's proposed recreational fishing measures for black sea bass, scup, and summer flounder; (2) the approval of Addendum XXIX to the American Lobster FMP requiring electronic vessel tracking requirements; (3) a pending final vote on Amendment 7 to the Striped Bass FMP; and (4) public hearings on the Recreational Harvest Control Rule for summer flounder, black sea bass, scup, and bluefish. DMF also reviewed the agenda for the upcoming spring ASMFC meeting in Arlington, VA (May 3 – May 5). Lastly, DMF discussed recent issues related to MSC certification for spiny dogfish. The species may have incidentally been decertified which would affect market access in Europe. DMF submitted a comment letter to MSC and requested a meeting to discuss the issue further and was optimistic this could be resolved in a timely fashion.

Updates Concerning Federal Fisheries Management. DMF briefed the MFAC on the upcoming April 13 – April 15 NEFMC meeting. DMF focused on: (1) final actions on the Southern New England Habitat Area of Particular Concern; (2) approval of limited access scallop leasing scoping document and potential changes to groundfish priorities; and (3) the initiation of new frameworks for monkfish and groundfish. Additionally, DMF anticipated the NEFMC would discuss offshore energy, sea scallop rotational management, sea turtle bycatch in trawl fisheries, electronic monitoring to maximize retention, ecosystem based management, and industry funded herring monitoring. DMF staff then briefed the MFAC on the MAFMC's Atlantic mackerel rebuilding plan. The MAFMC scheduled two public hearings in MA—New Bedford on April 25 (6PM) and Plymouth on April 26 (6PM)—and there will be a public hearing webinar on May 2.

**Upcoming Meetings**

The May MFAC meeting is cancelled. The MFAC will meet again on Tuesday, June 7, 2022. This meeting will be held in person at a location to be determined. Information regarding the meeting will be published on the [MFAC's website](#). If you would like to obtain any materials regarding past or upcoming MFAC business meetings, please contact Jared Silva at DMF (617-634-9573 or [jared.silva@mass.gov](mailto:jared.silva@mass.gov)).