



**MARINE FISHERIES ADVISORY COMMISSION
BUSINESS MEETING AGENDA**

9:00 AM

August 20, 2020

Held Virtually Via Zoom

Webinar Link: <https://bit.ly/3kMnqHS>

Dial In: 1-929-436-2866

Webinar ID: 854-9752-8266

Webinar Passcode: 691763

1. Introductions and Announcements (9:00 – 9:10)
 - a. Review and Approval of the August 20, 2020 Business Meeting Agenda
 - b. Review and Approval of the May 21, 2020 and June 18, 2020 Draft Business Meeting Minutes
2. Comments (9:10 – 9:30)
 - a. Chairman
 - b. Commissioner
 - c. Director
 - d. Law Enforcement
3. Update on Performance of 2020 Quota Monitored Fisheries (9:30 – 10:00)
 - a. Menhaden Episodic Event Set-Aside
4. Action Items (10:00 – 11:15)
 - a. In-Season Adjustments to Commercial Fishing Limits for Quota Managed Species
 - i. Striped Bass
 - ii. Summer Flounder
 - iii. Black Sea Bass
 - b. Final Recommendation on Closing Cape Cod Canal to Commercial Striped Bass Fishing
5. Optional Break (11:15 – 11:30)
6. Discussion Items (11:30 – 12:30)
 - a. Incidental Take Permit Application and Future Rule Making Affecting Fixed Gear
 - b. Update on Issues Related to COVID-19 and the Seafood and Fishing Industry
 - i. CARES Act Fisheries Relief in MA
 - ii. DMF Seafood Marketing
 - iii. New Workplace Safety Standards for For-Hire Fleet
 - iv. Extension of For-Hire Black Sea Bass and Gulf of Maine Cod Fisheries
 - v. Limited Entry Permit Transfer Policy on Active Fishing in 2020
 - vi. Resumption Federal At-Sea Observer Program
 - vii. Updates from Commission Members
 - c. NEFMC, ASMFC, and MAFMC Updates
7. Other Business (12:30 – 12:45)
 - a. Commission Member Comments
 - b. Public Comment
8. Adjourn (1:00)

Future Meeting Dates

9AM
September 24, 2020
Location TBD

9AM
October 29, 2020
Location TBD

9AM
November 19, 2020
Location TBD

9AM
December 10, 2020
Location TBD

All times provided are approximate and the meeting agenda is subject to change. The MFAC may amend the agenda at the start of the business meeting. Due to constraints imposed by virtually meeting capabilities, public comment will not be accommodated during the May 14, 2020 MFAC business meeting. However, the public may log into the meeting virtually and follow the proceedings.

MARINE FISHERIES ADVISORY COMMISSION
Business Meeting Minutes
May 21, 2020
Held Virtually via Zoom

In attendance:

Marine Fisheries Advisory Commission: Raymond Kane, Chairman; Michael Pierdinock, Vice-Chairman; William Doyle, Clerk; Arthur “Sooky” Sawyer; Kalil Boghdan; Tim Brady and Lou Williams. Absent: Charlie Quinn.

Division of Marine Fisheries: Daniel McKiernan, Acting Director; Michael Armstrong, Assistant Director; Kevin Creighton, CFO; Jeff Kennedy, Shellfish Program Chief; Jared Silva; Nichola Meserve; Story Reed; Melanie Griffin; Julia Kaplan; Jeff Kennedy, Brad Schondelmeier, Robert Glenn, Kathryn Ford, Chrissy Petitpas, Erin Burke and Bill Hoffman.

Department of Fish and Game: Ron Amidon, Commissioner; Mary Lee King, Deputy Commissioner; Mark Reil, Director of Legislative Affairs.

Massachusetts Environmental Police: Colonel Shaun Santos; Lt. Colonel Pat Moran; Captain Kevin Clayton; and Lt. Matt Bass.

INTRODUCTIONS AND ANNOUNCEMENTS

Chairman Ray Kane called the May 21, 2020 Marine Fisheries Advisory Commission (MFAC) business meeting to order.

REVIEW AND APPROVAL OF MAY 21, 2020 BUSINESS MEETING AGENDA

No changes to the May 21, 2020 MFAC business meeting agenda were proposed.

Bill Doyle made a motion to approve the draft agenda. The motion was seconded by Mike P.

REVIEW AND APPROVAL OF APRIL 1, 2020 DRAFT BUSINESS MEETING MINUTES

Chairman Kane asked if there were any amendments to the April 1, 2020 MFAC draft business-meeting minutes. Mike Pierdinock requested a minor revision be made (p 5) with regards to a comment he made on potential unintended consequences related to the potential use of commercial permits by recreational fishermen to retain bluefish as bait. There were no objections to this amendment. **Sooky Sawyer made a motion to approve the minutes as amended. Lou Williams seconded the motion. The motion was approved unanimously.**

ACTION ITEMS

Officer Elections

Chairman Kane requested guidance on how to proceed with officer elections. Jared Silva stated that if sitting officers wished to retain their seat, then to ask if Commission members objected to this. If there were no objections, then the Chairman could proceed to a motion and vote by unanimous consent.

There were no objections to Ray Kane retaining his seat as Chairman. **Bill Doyle made a motion to reappoint Ray Kane as Chairman. The motion was seconded by Lou Williams. The motion passed by unanimous consent.**

There were no objections to Mike Pierdinock retaining his seat as Vice-Chairman. **Lou Williams made a motion to reappoint Mike Pierdinock as Vice-Chairman. The motion was seconded by Kalil Boghdan. The motion passed by unanimous consent.**

There were no objections to Bill Doyle retaining his seat as Clerk. **Kalil Boghdan made a motion to reappoint Bill Doyle as Clerk. The motion was seconded by Lou Williams. The motion passed by unanimous consent.**

Appointment of DMF Director

Commissioner Ron Amidon recommended Dan McKiernan be appointed Director of DMF. As former Director Pierce moved to retire last year, he transitioned a lot of his workload to Dan. Following David's retirement in November 2019, Ron appointed Dan Acting Director. Ron felt strongly regarding Dan's capabilities as Director. He had built a strong working relationship with him and respected that Dan accepted challenge of the job and worked hard for the agency. Ron thanked Ray Kane and Bill Doyle for sitting on the interview panel.

Chairman Kane called for motion for the Commissioner's recommendation. **Sooky Sawyer made a motion to appoint Dan McKiernan as the new DMF Director. The motion was seconded by Kalil Boghdan. The Chairman called for a roll call vote, which resulted in unanimous approval of the motion. Dan McKiernan was appointed DMF Director.**

Dan thanked Commissioner Amidon and the MFAC. Dan then provided some brief remarks regarding his appointment, the role of the Director, and the importance of DMF's working relationship with the MFAC. In conclusion, he pledged to work with stakeholders and ensure DMF delivers the best programs, policies, and regulations.

CHAIRMAN'S COMMENTS

The Chairman congratulated Dan on becoming the new DMF Director.

COMMISSIONER'S COMMENTS

Commissioner Amidon congratulated Dan McKiernan on his appointment.

Ron's comments then focused on DFG's work surrounding the COVID-19 pandemic. He noted that DMF and DFG were working to develop a spending plan for the federal CARES Act relief funding. Concurrently, there were also efforts across the Baker Administration focused on re-opening sectors of the economy. Ron and Mike Pierdinock served on a working group focused on reopening the for-hire and charter boat industry. He was happy that a segment of the for-hire population would be able to get back to work on May 25. However, the head boat industry would likely remain constrained by capacity controls and business may still be impacted by cancellations.

DIRECTOR'S COMMENTS

Director Dan McKiernan started his comments by focusing on issues related to the COVID-19 pandemic. Dan noted DMF focused on developing a spending plan for the CARES Act federal relief monies. Dan provided some background on the program and noted Massachusetts received \$28M of the \$300M allocated to coastal states for fisheries and seafood industry economic relief. State agencies were working with ASMFC and NOAA Fisheries to obtain more information about how the federal government allocated the funding to better determine how to develop spending plans for affected industry sectors. Dan noted a major challenge was determining loss mid-year, particularly given the uncertainty facing the second half of the year. This was even more challenging when working to address the seafood processing and for-hire sectors, as DMF does not have good, verifiable, economic data. Additionally, DMF was working to promote the local marketing of local seafood and released a brief YouTube video on the subject.

Sooky Sawyer appreciated DMF's seafood marketing video and felt it did a good job at underscoring the importance of buying local. Dan gave credit to Story Reed and Wendy Mainardi.

Dan then turned to staffing and noted several new hires across the agency, including Julia Kaplan who will serve as the Director's assistant and communication's specialist. She would be working closely with the DMF Boston staff and would likely interact with the MFAC.

DMF is renewing its Period II Summer Flounder Pilot Program for 2020. This pilot program allows trawlers to fish consecutive days without returning to port and land summer flounder caught across these days. Summer flounder caught on the first day is to be segregated and tagged. Daily trip limits for other species incidentally caught in this trawl fishery still apply. DMF anticipated getting out tags and Letters of Authorization by early June.

DMF's discussion with MEP and ACOE regarding the commercial fishery along the Cape Cod Canal had gained attention on social media and recreational angler message boards. Dan stated that DMF was exploring a potential emergency action to close the shoreline of the Cape Cod Canal to commercial fishing as a means of ameliorating ongoing poaching and public nuisance activities. However, a final decision would not be made until early June. There were some concerns that this ban would eventually extend to the recreational fishery, but felt those concerns were not justified.

Mike Pierdinock was contacted by recreational and commercial fishermen regarding the rumored closure. He was surprised to hear about it because he left the February meeting with ACOE thinking DMF would see how the issue played out in 2020 and consider action for 2021 if problems persisted. He liked the wait-and-see approach because it would allow DMF and the MFAC to understand how disparate size limits for each sector influenced compliance issues along the Canal. Pierdinock urged DMF to be cautious in their approach. He argued that it was generally difficult to regain access once a prohibition was implemented. Moreover, he was skeptical as to whether a prohibition would have a demonstrable impact on poaching if ex-vessel values remained high, and felt that the pandemic's negative impacts on seafood markets may curb poaching this summer by diminishing profit motive.

Mike P. the asked if there were any other discrete locations within the Commonwealth where commercial fishing is prohibited. Dan stated that commercial fishing is banned within fish weirs and adjacent buffer zones, as well as on the Harwich reef. Additionally, municipalities restrict commercial shellfish fishing on certain flats for management purposes. Lt. Matt Bass added that certain fishing piers and boating access sites are off limits to commercial fishing.

Ray Kane asked about potential improvements to the MRIP program. In the past, he had suggested a 4-tier approach to the MRIP data collection (e.g., observer, interview passengers, interview crew, interview captain). He was curious if any measures had been taken to improve the data collection methodology. He noted that the program was under increasing scrutiny given its use in potential reallocation proposals.

Mike Armstrong stated that MRIP is a federally designed program with very tight controls. As a result, the program is highly standardized and it is difficult to quickly change data collection methodologies. Dan McKiernan added individual states (or regions) are not able to implement novel data collection approaches that differ from the federally standardized approach because it may skew the data. Armstrong stated that despite these realities, there are efforts being made to analyze potential improvements. A recent study was conducted on charter boats involving observer coverage. This allowed for the comparison of catch information across three data streams: observer reports; captain's report; and angler intercept. He expected the results would be made available soon.

Mike P. commended DMF for their work to improve data collection with the for-hire fleet in Massachusetts. However, he expressed a continued frustration that VTR data

provided to NOAA Fisheries by the for-hire fleet is only used to calculate effort. He noted a sentiment among for-hire operators that they are investing the time and effort to provide the data and are frustrated it is not being used to estimate harvest. Armstrong noted statistical issues with using this data to estimate harvest, including the fact that it is self-reported and cannot be independently verified. However, efforts are being made to address these challenges as mandatory reporting in the for-hire fleet becomes more commonplace.

LAW ENFORCEMENT COMMENTS

Lt. Colonel Patrick Moran introduced Colonel Shaun Santos. Col. Santos was brought on to lead the MEP over the winter. The Col thanked the MFAC for their work in managing the state's marine fisheries and looked forward to a continued working relationship with the MFAC and DMF. Col. Santos then congratulated Dan on his appointment.

Lt. Bass stated that since the pandemic began MEP efforts were focused on individuals visiting DCR parks that were closed due to the pandemic. As the parks begin to reopen, MEP are refocusing on their more typical enforcement duties. He noted it was timely, as it appears that recreational boating and fishing activity appears to be up this year.

With regards to fisheries enforcement, there were several striped bass violations, a for-hire black sea bass violation, and several horseshoe crab cases. Additionally, there were a number of conflicts between the general public and tribal members regarding indigenous hunting and fishing rights, particularly regarding striped bass and river herring. MEP has been working to educate the public and post more signage around herring runs and fishing access sites, including the Canal.

MEP was also anticipating a final decision from DMF on emergency action to address commercial fishing along the Cape Cod Canal. He noted that the feedback he and his officers have received from the public on a potential action to prohibit commercial fishing in the area was positive.

With regards to personnel, three officers are due to graduate from the Academy in June. Two of the officers will be reporting to the Coastal Bureau, which will result in a net gain of two officers.

DISCUSSION ITEMS

Review of Recent ASMFC and Council Meetings

Atlantic Sea Herring

Dan McKiernan covered DMF's comments on sea herring. The ASMFC's Sea Herring Board reviewed Addendum III to the FMP, which proposed options to adjust the management of the Area 1A quota. However, at the time, the NEFMC had not published

the final rule for Amendment 8 to the federal FMP, which considers and ABC control rule and MWT buffer zones. Accordingly, the Board postponed action on Addendum III.

Following the Board meeting, the states of Maine, New Hampshire and Massachusetts met to set effort control measures for Area 1A. These measures are designed to control the harvest of area's quota to ensure lobster bait availability throughout the season. For the period of June 1 – September 30, the directed fishery will open on July 20. The Category A purse seine fleet will be subject to a 6-truck limit and days-out on Fridays-Sundays; the use of carrier vessels is also prohibited. The Category C and D fisheries will be subject to their federal trip limits and Category C small mesh bottom trawl vessels will take days out on Saturdays and Sundays. These measures will be reviewed throughout the season.

Atlantic Menhaden

Nichola Meserve reminded the Commission that the Menhaden Board had approved the first ecological reference point (ERP) assessment for menhaden at the February 2020 meeting. At that time, the Board requested the ERP workgroup conduct sensitivity analyses regarding the assumptions on certain predator and prey species' levels. The Board reviewed the results at the May meeting which indicated a need for further analysis. One area of analysis was to be the possibly overestimated influence of herring abundance on the amount of menhaden needed to support striped bass at target levels. Ray Kane and Nichola discussed the inclusion of river herring and sea herring in the ERP assessment. Nichola noted that both were included, but sea herring was modeled as a focal species and was what was being further analyzed. Nichola indicated that the Board could be in position to adopt ecological reference points for menhaden at the August meeting.

Nichola also noted that the ASMFC had recently dropped its non-compliance finding against Virginia. Management of menhaden had transferred from the state's legislature to the state's fisheries agency, which had adopted compliant Chesapeake Bay cap rules.

Tautog

Director McKiernan stated that RI provided the Tautog Board with a conservation equivalent proposal to increase their for-hire trip limit from 5-fish to 6-fish during the fall season. Their argument was that MA maintains a 1-fish limit during the summer months, when spawning is occurring, and as RI does not allow the retention of tautog during the spawning period they should be able to recoup this potential lost harvest later in the year. The proposal was ultimately voted down because it was viewed as a departure from the regional management approach for MA and RI, and should be considered regionwide.

Dan reminded the MFAC that when the regional approach was adopted, RI and MA blended their regulations. RI historically closed their fishery in the summer months. However, DMF did not support a summertime closure because it would coincide with the peak of the tourist and recreational fishing season and would force anglers to

discard any tautog they may catch. Instead, DMF opted to pursue a 1-fish summertime limit; RI chose maintain their closed season. Now they were trying to use this action to justify providing additional fish to their for-hire fleet in the fall.

Striped Bass

Mike Armstrong stated the Striped Bass Board covered two primary items. First, they reviewed an analysis of the potential expected reduction in striped bass mortality through the final regulations set forth by the states as part of Addendum VI. Considering the regulations approved through conservation equivalency, the analysis showed the final rules will likely achieve a 15% reduction in fishing mortality, rather than 18%, but with a similar confidence of achieving the F target. Armstrong noted that it was assumed that effort would be the same in 2020 as it was in 2017 (the year used in the initial analysis) and he was interested in how this would play out given the pandemic. The second item was the development of the next Amendment. A six-member working group was established and is tasked with considering the range of issues to be included (e.g., a rebuilding plan for SSB; SBB targets and thresholds; area-specific management; commercial quota allocations). The working group will present its findings at the August meeting.

Mike P. asked about working group membership. Mike A. stated the members were Marty Gary (Potomac River Fisheries Commission); Megan Ware (ME DMR); Ritchie White (NH delegate); John McMurray (NY for-hire captain); Mike Luisi (MD DNR); and himself. The goal was to provide a geographically diverse set of stakeholders with differing views.

Bluefish, Summer Flounder, Scup and Black Sea Bass

Nichola Meserve reported that the ASMFC management boards for these species had met jointly with the MAFMC to provide direction on the range of issues and alternatives to be developed in draft amendments following recent public scoping hearings. Both amendments were initiated to address the commercial/recreational fishery allocations, with bluefish also addressing the state-by-state commercial allocations, due to these allocations being based on 1980s data that may no longer reflect the performance of the fisheries, especially after the revision to MRIP estimates. Based on public input, mode-specific allocations or regulations within the recreational fishery (i.e., for-hire vs private anglers) would also be considered for inclusion after further development. The plan development teams will be working throughout the summer and fall with Board and Council input on the draft amendment, with the goal of having public hearings this winter for a potential implementation date of 2022.

Director McKiernan recognized that the for-hire fleet was struggling this year on account of the pandemic and supported creative solutions to provide them with opportunities to stay afloat. He felt it was most appropriate to examine policies that would consider days lost and provide additional flexibility this year. However, he was concerned about long-term changes to management, particularly the increasing trend to establish disparate limits for the for-hire fishery. He argued the issue of disparate limits should be

addressed separately and policies should be developed on when such limits should be implemented if they are to be implemented.

Mike P. asked if - in response to the pandemic - DMF was considering liberalizing recreational fishing limits in the fall (particularly for black sea bass and tautog). He noted that this could provide substantial relief to the for-hire fishery. Dan stated that this was a topic of discussion at recent meetings of the state directors. Nichola anticipated that DMF would be pursuing efforts to recoup lost black sea bass fishing opportunities for the for-hire sector.

Mike P. commented that total landings from HMS regulated pelagics was down 60% coastwide across all sectors of the fishery. Ray Kane noted that MRIP evaluates recreational fisheries based on two-month waves and speculated we would not have catch estimates for the current Wave 3 (May – June) until early-to-mid August. Nichola confirmed this but noted DMF could likely pursue potential season extensions in exchange for delayed season openings if warranted more quickly.

Ray noted that North Carolina had experienced much greater than anticipated recreational black sea bass harvest in its special February fishery. Nichola added that the states that opt to participate in this February fishery have to offset the harvest elsewhere in the normal season. NC's February estimate being more than their typical annual harvest would require a closer look at the estimate and how the usual accounting process occurs.

May Groundfish Closure in Gulf of Maine: Industry Requests and DMF Response

Director McKiernan mentioned that with the disruption caused by the pandemic and its impact on the seafood industry, DMF was evaluating how best to provide regulatory relief while also maintaining conservation goals. In April, DMF received requests to amend the May groundfish closure in MA Bay by either rescinding it or moving its southern boundary from Boston north to Marblehead. However, DMF decided to not pursue any action. This was principally due to spawning and mortality concerns.

Lou Williams spoke to the few fishermen who were pushing for the opening and understood their interest in the request. However, he ultimately agreed with Dan's decision.

Ongoing Review of Local Shellfish Aquaculture Regulation

At the February MFAC meeting Bill Doyle raised concerns about the local management of shellfish aquaculture negatively impacting growth and stability in the state's shellfish aquaculture industry. He moved a motion forward to keep this issue on monthly agendas until the MFAC came to a position on it. For the April 1 meeting, Bill provided his synopsis of local management. Dan tasked his staff with reviewing the document and teasing out potential areas for further analysis. Dan presented a memorandum based on staff's analysis and acknowledged Jeff Kennedy, Kathryn Ford, Chrissy Petitpas and Jared Silva for their contributions.

Dan introduced Jeff Kennedy to the MFAC. Jeff currently serves as DMF's Acting Shellfish Program Chief. Jeff noted that home rule is a core component of shellfish and aquaculture management in Massachusetts and given the joint state-local management system it creates a lot of complexity. Jeff reviewed the various local and state shellfish aquaculture controls outlined in the memo.

Dan noted that as a result of this home rule system, there were stark differences between how certain municipalities manage shellfish resources and fisheries. For instance, Wellfleet embraces shellfish farming while Chatham tends to favor the wild harvest fishery. He added that any move away from home rule would be challenging given it would require the legislature amend the statute and move control away from municipalities and to the state. He favored an analysis of existing municipal rules affecting shellfish aquaculture to potentially inform state guidelines on best practices. This could then help municipal shellfish aquaculture programs evolve and grow.

Jeff also noted that the home rule issue and best local aquaculture management practices were being addressed through the MSI. Jeff Kennedy mentioned that the MSI is not a DMF initiative. However, Dan is the Chair of the Task Force and staff are involved in the development of critical documents.

Jared Silva provided an update on the MSI. He stated that the MSI Scoping Committee report was finalized and the MFAC received this report at their February meeting. This report established several areas of public interest for the MSI Task Force to consider in the development of their Strategic Plan, including home rule and aquaculture permitting. Additionally, DMF staff were finalizing their edits to the MSI's Assessment Report. This report reviews the various shellfish resources and stakeholders in the Commonwealth and outlines how shellfish and shellfish aquaculture are managed.

Dan then introduced Kathryn Ford, DMF's Shellfish Habitat Program Manager. Kathryn works with shellfish aquaculture staff on issues pertaining to environmental permitting. Accordingly, she was heavily involved with the Massachusetts Aquaculture Permitting Plan (MAPP), which was a project among various EEA agencies and offices to streamline environmental permitting for aquaculture in Massachusetts. Kathryn noted that MAPP was designing a web-based tool to navigate the various permitting requirements and hoped the resource would be available to the public this summer. Additionally, NOAA's SeaGrant was funding the development of the MA-ShellFAST project, which was developing an aquaculture grant siting tool. The project was expected to be funded through 2021 to catalogue municipal aquaculture siting regulations. Kathryn was working with them to include information regarding license transferability.

Bill Doyle asked he would like to continue to work with DMF on these projects as they move forward. Dan questioned if this would be a good topic for the SAP was the appropriate body to move this issue forward. Bill felt the SAP was too large and diverse to serve as a working group. Instead, he felt a sub-committee of the MFAC would be more suitable. Dan stated that he would discuss this with staff and provide further information at the next meeting.

Mike P thanked DMF and Bill Doyle for continuing to push this issue forward. He noted that oyster farmers reached out to him regarding concerns about the sale of municipally propagated shellfish affecting commercial market supply and value. Jared Silva noted this was a concern raised in the MSI Scoping Report.

Impacts of COVID-19 on Seafood and Fishing Industry

CARES Act

Director McKiernan stated that that Congress appropriated \$300M in COVID-19 related fisheries disaster relief across the country. NOAA Fisheries allocated funding to individual states based on revenues from their for-hire, aquaculture, commercial fishing and seafood processing sectors. MA received \$28M, the third highest allocation.

At present, DMF was requesting NOAA Fisheries provide them with a breakdown of how they developed MA's allocation. This will inform DMF's eventual spending plan. Dan noted that there is a focus on getting the money out quickly to eligible seafood businesses. Eligible businesses need to be able to demonstrate a 35% loss related to the pandemic and cannot be made more than whole by the various federal relief mechanisms.

Dan identified several factors that complicate the distribution of this funding. These factors include the ability to demonstrate loss rather than project loss, lack of data for certain sectors, and the fact that the funding was allocated based on revenue not loss. However, DMF would not have to conduct the audits necessary to determine compliance with these federal guidelines; instead applicants would be able to self-certify and audits would be done by the federal government.

Dan anticipated establishing working groups to assist DMF in developing spending plans for each sector. Once finalized, DMF would submit a spending plan to the ASMFC. From there, fishermen would be able to apply.

Dan envisioned that most relief would come as direct checks to fishermen, there was some interest in exploring a program that would buy standing stock from aquaculturists. This shellfish could then be planted on municipal grants for public fisheries. In turn, this could reduce the market gluts that are expected to occur when the oyster market rebounds.

Dan noted that it was important to understand that this aid would likely not cover the losses being incurred by the state's seafood and fishing industries. The state received only \$28M and once this money is divided up among eligible recipients, the individual payments will likely only be a fraction of the actual loss incurred.

Ray Kane stated that most fishermen he speaks with understand the limits of this disaster relief. He requested DMF consider looking at tax and enforcement records and potentially withholding payments from non-compliant entities.

Mike P. was concerned about how that 35% loss threshold may impact the for-hire industry. He noted that depending on the business model, certain segments of the industry will be able to demonstrate a 35% loss straight out of the gate, but other segments may not be able to demonstrate a loss until later in the year. Accordingly, he was interested in potentially delaying for-hire payouts or developing a potential tiered approach.

Dan added that he is relying on public input and guidance from the Baker Administration to make these types of decisions. He noted that the focus has been on getting the money out to affected parties. He had heard from his federal counterparts that there may be another relief package later in the year.

Among the for-hire sector, Mike P. stated VTRs could be provided for certain entities. However, other criteria for demonstrating loss would have to be developed for those entities who do not fill out VTRs. Dan noted that his Sportfish Program staff were looking into what tools are available to verify activity and loss.

Mike P. asked whether freshwater fishing guides would be eligible for funding. He noted that several contacted him on the subject. Dan stated the CARES Act funding was only for marine coastal fisheries. Ray Kane concurred.

Bill Doyle agreed that managing this disaster relief program was a daunting task. He encouraged DMF to take a look at what the bigger states are doing. He also suggested that Dan allow the MFAC to vote on his plan to provide him a backstop against potential pushback.

DMF Seafood Marketing Promotion

Story discussed DMF's Seafood Marketing strategies. Due to COVID-19 there has been a shift to more online content. DMF was maintaining a list on its website of retail seafood dealer locations that remain open. A promotional YouTube video featuring the Director encouraging local seafood demand and Wendy Mainardi was developing a chef series to highlight local seafood recipes and potentially feature videos of chefs preparing these dishes. These are expected to be released sometime in June. With guidance from the Seafood Marketing Steering Committee, species-specific videos featuring the fisheries and fishermen themselves are also in the works. Wendy Mainardi DMF's website of retail locations that are open.

Increase in Retail Boat Permits and Challenges

Story discussed the increase in requests for Retail Boat Permits. To make the application and issuance process easier, the \$65 retail boat permit fee was waived. DMF worked with DPH to develop a Letter of Authorization to allow the sale of scallops off the back of the boat.

As the sale of seafood straight from boat to the consumer was becoming more popular, there were a number of challenges. First, there are concerns regarding being able to

maintain social distancing guidelines at the marinas, particularly as we move into the busier summer months. There were also requests to consider allowing seafood being sold in separate parking lots in close proximity to the marina to avoid social distancing issues. DMF is working closely with MEP and DPH to determine what is allowed under the authority of the boat retail permits as there are strict requirements dealers need to abide by (e.g. temperature restrictions).

Director McKiernan stated that given the circumstances of the pandemic with numerous seafood processors and dealers being closed, selling seafood right off the boat is an appropriate method. However, as we move forward and dealers start re-opening, a movement back towards more traditional seafood distribution model is necessary to serve the demands of the broader seafood economy. This has to be done through the dealer/processor infrastructure due to the HACCP investment needed to process fish.

Story discussed several emerging local seafood distribution models occurring along the Cape. The first involves a fishermen who brings his scallops to a wholesale dealer where it is re-packaged and in some cases frozen, and then he services local demand (e.g., farmers market) from a refrigerator truck. There is also interest in a fishermen co-op where a HACCP establishment could be shared to process and package their catch.

Procurement by State Agencies

Due to timing issues this agenda item was not addressed.

Updates from Commission Members

Lou Williams stated that this year was trying for his business. He was planning on conducting an experimental whelk fishery, but that was put on hold due to loss of markets. Lou was also not gillnetting or lobstering, as he did not have crew. His crew member decided not forgo working this spring due to familial concerns related to the risk of contracting COVID-19. Sooky added that some crew have been apprehensive to return to work, in part because of the substantial compensation provided by the pandemic unemployment benefits. Mike P. agreed and noted this was also occurring in marinas and other shoreside businesses.

Mike Pierdinock stated that due to the closure of the for-hire industry in April and May and persistent concerns about the pandemic, the for-hire industry was facing substantial cancellations throughout the spring and summer. Pierdinock thanked Ron Amidon for his work to re-open the for-hire fishery and hoped it would offer some relief to charter boat captains. However, he expected cancellations would continue to occur, and noted the party boat fleet remained effectively closed due to the social distancing guidelines and limitations of 10 people per vessels.

Mike thanked Ron, Dan, and the DMF staff for fielding questions about COVID restrictions, as there were discrepancies in what local authorities were implementing versus what the state was implementing. He was concerned that some of these discrepancies were being implemented by municipal officials that further constrained activity and congestion at boat ramps and parking areas.

Sooky Sawyer asked if it was possible for DMF to amend the actively fished criteria for the transfer of limited entry permits to not include 2020 in the lookback period. He noted that some older fishermen were apprehensive about having to work during the pandemic to keep their permit active for a transfer. Dan supported this and stated he would work with staff to develop a policy on this issue.

On the topic of permits, Mike P. stated that given the loss of for-hire fishing opportunities some operators were looking to commercially fish. However, select captains no longer hold certain commercial permits, which are now limited access. He was curious if DMF would be able to issue limited access permits or LOAs on a controlled basis to provide these operators with access to these fisheries. Dan stated he would review this with staff and would let Mike know if any such options exist.

Tim Brady stated that the for-hire fleet was tied up through Memorial Day. Moreover, the reopening guidelines restrict operations to 10 people and this effectively kept the head boat sector closed. He was very concerned that the pandemic would force many operations out of businesses.

Kalil Boghdan stated that several guides out of Plum Island Sound and the Essex River have filed for unemployment. Given concerns about the spread of the pandemic, they likely will not re-open due to the close quarters associated with these operations.

LONGFIN SQUID FISHERY PRESENTATION

Director Dan McKiernan stated that the legislature commissioned DMF to produce a report on the longfin squid small mesh trawl fishery through the FY19 budget. This report arose to further investigate concerns that were driving interest in a bill to ban mobile gear fishing in Nantucket town waters. DMF's Fisheries Dependent Investigation Project was tasked with reviewing state and federal sea sampling data and provide an analysis. Dan then introduced Brad Schondelmier. Brad was the main author of the report along with Bill Hoffman. DMF intended to release the report to EEA by the end of the week and from there it would be submitted to the legislature.

Brad presented a preliminary analysis of the report. The presentation focused on how the fishery is managed and how data is collected; where the fishery is conducted in state-waters and adjacent federal waters; fleet composition across areas; catch, bycatch and discards; and areas where additional research is needed. Following the presentation, Brad took questions.

Chairman Kane recognized Pat Johnson. Pat is the Chief of Staff for Julian Cyr, the state senator from the outer Cape and Islands. Senator Cyr was among the legislators who were primarily responsible for obtaining funding for this report.

Pat thanked Brad for his presentation. He noted Senator Cyr was very interested to read over the report. Pat then asked if DMF felt past extensions of the squid fishery

impacted the viability of the squid resource, particularly as mobile gear may dislodge squid egg mops from the ocean floor and damage them before they hatch.

Brad noted that this was an area where additional research was needed. There was no scientific literature regarding what, if any, impact mobile gear fishing activity had on squid egg mops and squid reproductive capacity.

Director McKiernan discussed to the management aspects of the question. Regulations close the fishery on June 9, but allow the Director to extend the season. The June 9 day was chosen because it historically coincided with increasing recreational fishing effort and when inshore catch tends to become more mixed species. The June 9 date was therefore chosen to satisfy concerns about user group conflicts and bycatch. However, in some years the squid run may occur late (usually due to water temperature) and catch remains strong into June. To provide the fleet with access to this squid resource, DMF may extend the season and such extensions are generally only for one week.

Dan was confident that these short-term extensions were not having a demonstrable impact on the squid resource. Moreover, he noted that trawlers typically fish in several hot spots south of Cape Cod. This was in part because they were restricted from fishing in other areas because of shoal or rock bottom, the presence of fixed gear (e.g., fish pots or whelk pots), or regulatory factors (e.g., spatial closures). Accordingly, most of the area south and west of Cape Cod where squid are seasonally present are not being fished and any squid egg mops laid in this area would not be subject to potential impacts associated with mobile gear fishing effort.

Pat thanked Dan, Brad, and DMF staff for their work and added that Senator Cyr would be interested in working with the agency to better understand the squid mop disruption issue.

Kalil applauded Brad and Bill's work. He asked for more clarification on the reasons why squid may be discarded. Brad stated that a majority of squid that were observed being discarded were discarded because they too small to be marketable. In some instances this may be coded as "no market" because it is based on comments from the captain to the observer and is open to interpretation. Brad explained that squid spawn throughout the year, as a result there are micro-cohorts within the population that exist at different sizes. Therefore, it is common that throughout the season the fishery may encounter smaller runs of squid. Brad added that overall the average poundage of squid discarded compared to pounds per haul was very small.

Director McKiernan thanked Brad S. for a great presentation, the depth of the analysis, and all the work that went into the squid project.

OTHER BUSINESS

MFAC Meeting Schedule for Remainder of 2020

Jared Silva reviewed the MFAC meeting schedule for the rest of 2020. He stated that the meeting scheduled for June 18th meeting will be held via Zoom, as DFW's Westborough Headquarters remains closed until further notice. Then for the remainder of the year, Jared laid out August 20th, September 24th, October 29th, November 19th, and December 10th as potential meeting dates. He asked MFAC members to contact him if they had any conflicts with those dates.

COMMISSION MEMBER COMMENTS

Kalil Boghdan thanked Dan McKiernan on his appointment as Director and wishes him the best of luck. Kalil noted that he has gotten to know Dan over his 4-year on the MFAC and thinks he has a tremendous leadership style and is a great fit for the position. Kalil then asked about the appointment of the 9th MFAC member. Commissioner Amidon was optimistic there would be an appointment by the June meeting. Kalil then asked a procedural question about what constitutes a forum. Jared Silva stated that state law establishes a quorum of the MFAC as 5 members.

Mike P. and Ray Kane also congratulated Dan.

PUBLIC COMMENTS

There were no public comments.

EXECUTIVE SESSION

Chairman Kane moved for the MFAC to go into Executive Session in accordance with G.L. c. 30A s. 21(3). The purpose of this executive session was to discuss with legal counsel a May 15, 2020 Notice of Intent to bring suit against the MFAC for alleged violations of the Endangered Species Act and that having such a discussion will have a demonstrably likely detrimental impact on the MFAC's position in any resulting litigation. The May 21, 2020 MFAC meeting will adjourn from Executive Session.

A motion to move to Executive Session was made by Bill Doyle. This motion was seconded by Tim Brady. The motion was approved unanimously by a roll call vote. An Executive Session was held from 1PM to 2PM.

ADJOURNMENT

The May MFAC meeting adjourned from Executive Session. Chairman Ray Kane requested a motion to adjourn both the May MFAC meeting and the executive session. **Sooky Sawyer made a motion to adjourn both sessions. The motion was seconded by Kalil Boghdan. The motion was approved by unanimous consent.**

MEETING DOCUMENTS

- May 21, 2020 MFAC Business Meeting Agenda
- April 1, 2020 MFAC Business Meeting Draft Minutes
- ASMFC Spring 2020 Meeting Summary
- DMF's Response to Industry Request to Adjust May Groundfish Closure
- DMF Overview of Shellfish Aquaculture Permitting and Regulation
- Characterization of Longfin Squid Trawl Fishery Presentation

FUTURE MEETINGS

9AM
June 18, 2020
Zoom

9AM
August 20, 2020
TBD

9AM
September 24, 2020
TBD

9AM
October 29, 2020
TBD

9AM
November 19, 2020
TBD

9AM
December 10, 2020
TBD

MARINE FISHERIES ADVISORY COMMISSION

June 18, 2020

Held Virtually via Zoom

In attendance:

Marine Fisheries Advisory Commission: Raymond Kane, Chairman; Michael Pierdinock, Vice-Chairman; William Doyle, Clerk; Arthur “Sooky” Sawyer; Tim Brady; and Lou Williams. Absent: Charlie Quinn; and Kalil Boghdan

Division of Marine Fisheries: Daniel McKiernan, Director; Michael Armstrong, Assistant Director; Kevin Creighton, CFO; Jared Silva; Nichola Meserve; Story Reed; Julia Kaplan; Ross Kessler; Robert Glenn; Jeff Kennedy; Greg Skomal; and Kathryn Ford

Department of Fish and Game: Ron Amidon, Commissioner; Mary Lee King, Deputy Commissioner; Mark Reil, Director of Legislative Affairs.

Massachusetts Environmental Police: Lt. Matt Bass.

INTRODUCTIONS AND ANNOUNCEMENTS

Chairman Ray Kane called the June 18, 2020 Marine Fisheries Advisory Commission (MFAC) business meeting to order.

REVIEW AND APPROVAL OF JUNE 18, 2020 BUSINESS MEETING AGENDA

No changes to the June 18, 2020 MFAC business meeting agenda were proposed.

Mike Pierdinock made a motion to approve the draft agenda. The motion was seconded by Lou Williams. The motion was approved by unanimous consent.

REVIEW AND APPROVAL OF MAY 21, 2020 DRAFT BUSINESS MEETING MINUTES

Chairman Kane asked if there were any amendments to the May 21, 2020 MFAC draft business meeting minutes.

Mike P. requested a minor revision to his comment on page 8 regarding landings of HMS managed species to more clearly state that pelagic landings by all sectors were down 60%. Jared Silva added that Captain Kevin Clayton was in attendance at the last meeting but that was not reflected in the draft minutes and the roster would be updated accordingly.

Due to technical issues, a motion to approve the May 21, 2020 MFAC business meeting minutes was not made. The MFAC will move to adopt the May 21, 2020 business meeting minutes, with the recommended amendments at the August 20, 2020 business meeting.

CHAIRMAN'S COMMENTS

There were no comments made by the Chairman.

COMMISSIONER'S COMMENTS

Commissioner Ron Amidon's comments focused on ongoing pandemic related efforts. Ron served on the committee to re-open the for-hire industry with Mike Pierdinock and thanked Mike P. for his assistance on the project. The Commissioner also sat in on several meetings regarding the development of DMF's CARES Act relief program's spending plan and the state's Food Supply Task Force. Ron was impressed by DMF's work to roll out spending CARES Act spending plans. Lastly, the event to commemorate the opening of the Deer Island fishing plan was delayed due to the pandemic. DFG and DMF staff were working with MWRA to reschedule an event for the end of July.

Mike P. expressed his disappointment that social distancing guidelines and vessel capacity measures prevented the head boat fleet from reopening during Phase 2 of the reopening plan. The Commissioner was optimistic that restrictions would be further eased on the for-hire fleet during Phase 3. However, Ron also recognized that while this may allow for the head boat fleet to reopen later in the season, they were not provided access to their profitable springtime fisheries.

DIRECTOR'S COMMENTS

Director McKiernan began his comments by noting that President Trump recently issued an Executive Order suspending certain commercial fishing restrictions within the Northeast Canyons and Seamounts National Marine Monument. This action reversed an Obama era Executive Order that intended to phase out lobster and crab trap fisheries within the monument over a seven-year period of time. Dan noted that both Executive Orders were controversial and he expected that environmental interests would proceed with litigation.

The Director then moved on to discuss DMF's efforts to develop a CARES Act relief program spending plan. Dan praised DMF's Statistics Project, specifically Anna Webb and Erich Druskat, for their work in manipulating data and gathering statistics. He noted that developing spending plans highlighted some data collection flaws facing the for-hire and aquaculture industry, which DMF would work to improve moving forward.

Lastly, Dan discussed the state's Food Supply Task Force. Several DMF staff members were serving on this body. Dan noted that the pandemic underscored the importance of secure local food supply chains and there was a growing interest in developing programs to get local caught seafood into the hands of local consumers.

LAW ENFORCEMENT COMMENTS

Lt. Matt Bass handled the comments for MEP. His opening remarks focused on enforcement, noting several recent black sea bass and striped bass violations. He then moved on to discuss some local social distancing issues related to the dockside sale of seafood to consumers under retail boat permits. Lastly, with regards to personnel, MEP had three officers graduating from the police academy on June 19 and two more starting in the academy this summer.

DISCUSSION ITEMS

Emergency Action to Close the Cape Cod Canal to Commercial Striped Bass Fishing
Director McKiernan stated that he recently filed emergency regulations to close the Cape Cod Canal to commercial striped bass fishing.

Jared Silva reviewed the regulatory language. He stated that the emergency action effectively prohibits any person from retaining any striped bass that do not conform to the recreational fishing slot limit (28" to less than 35") and bag limit (1-fish per angler) while fishing along the Cape Cod Canal. Additionally, it makes it unlawful for any person to possess a commercial sized striped bass (35" or greater) when fishing along the Canal or within 1,000 feet of the Canal, unless that fish was lawfully caught elsewhere and is being actively transported to a seafood dealer for sale. Jared also noted that all fishing (commercial or recreational) from a vessel within the Canal project's boundaries is currently prohibited pursuant to the Army Corps of Engineers (ACOE) navigation regulations.

Dan explained that his decision to take this emergency action was strongly influenced by concerns raised by the ACOE, MEP, and local police departments regarding poaching and public nuisance issues along the Canal that are worsened due to commercial fishing activity. Of note was the March 31 letter from ACOE to DMF. This letter described how commercial fishing activity was driving certain public nuisance behaviors that negatively impacted the ability for ACOE to meet its mission of providing a space for recreation on the property. He noted that extensive rationale was provided in DMF's June 2 memorandum to the MFAC.

Dan recognized that some commission members have expressed their reservations about this emergency action and restricting commercial fishing access. Specifically, some preferred a wait-and-see approach to determine how this year's new commercial and recreational striped bass rules would affect fishing activity along the Canal. While Dan understood these concerns, he felt that it would be difficult to parse how the new striped bass regulations affect fishing behavior along the Canal, particularly given other factors such as the pandemic and local striped bass abundance. Ultimately, he was swayed to take action in 2020 due to the poaching and public nuisance activities documented by MEP, ACOE, and local police departments.

The Director noted that as this was an emergency action it would expire after 90-days. He anticipated favoring making it a permanent closure following this emergency period. To do this, DMF would need to hold a public hearing and the MFAC would need to approve a final recommendation from DMF. Jared Silva stated that a public hearing notice would likely be issued in July, for a public hearing in early August, and then a final recommendation would be provided to the MFAC at their August 20 business meeting. Given current pandemic-related restrictions on gatherings, the public hearing would likely be held virtually.

Mike P. asked if it would be possible to have two meetings on two separate dates to accommodate input from the public. Dan stated that he was unsure how the virtual hearings would work, but the agency would work to encourage public input on the subject.

Mike P. asked for clarification on the exemption for the active transportation of lawfully caught striped bass through and around the Canal. Jared Silva explained that the regulation prohibited the possession of commercial sized striped bass within a 1,000 foot buffer zone along the Canal's shoreline. This was done to allow enforcement along the Canal's banks, access roads and parking areas. However, this restriction would not apply to the active transportation of fish lawfully caught outside the Canal for immediate sale to a primary buyer. This exemption included transiting the Canal waterway by vessel, landing at marinas along the Canal, travelling Canal adjacent roads in vehicles or selling fish to primary buyers at parking lots near the Canal.

Mike P. then mentioned there were several fishermen interested in potential commercial permit refunds. Dan stated DMF would refund any 2020 commercial fishing permit provided the permit holder had not landed any fish to date.

On the subject of striped bass permitting, Chairman Kane asked about the number of commercial striped bass permits issued to non-residents. Dan stated that Story Reed and Mike Armstrong were working on an analysis of striped bass permit trends for the MFAC to consider at a future meeting.

Sooky Sawyer and Mike P. expressed skepticism that DMF's emergency action would eliminate the poaching and public nuisance issues along the Canal. Dan agreed the prohibition would not solve all of the ongoing issues. However, ACOE, MEP, and local police departments indicated that problems were worse around commercial fishing days when fishing activity would spike and this would relieve some of the challenges. Additionally, given the new striped bass regulations governing minimum size, enforcement can be more targeted and effective. For these reasons, he was hopeful that the problems may be curtailed to the point where they are manageable. Lt. Matt Bass agreed with the Director and noted that the feedback his officers have received so far has been overwhelmingly positive.

Mike P. added that given the uncertainty that this prohibition will achieve its goal, some fishermen were concerned that it is effectively the first step towards prohibiting all fishing along the Canal.

McKiernan noted that he spent much of his career working to protect fishing interests. However, the situation at the Canal – driven by commercial fishing activity – had become so untenable that it was preventing the ACOE from meeting their mission in managing the property for recreational purposes. In response, DMF tried to take a surgical approach to curtail this activity. If fishing activity continues to create problems along the Canal, then DMF may have to reconsider this approach. However, the agency had not discussed a blanket prohibition in the area.

Commissioner Amidon stated the ACOE is tasked with managing this property to provide recreational opportunities for a diversity of interests, not just fishing. In recent years, certain fishing activity along the Canal was producing fisheries enforcement and other law enforcement problems. This rule takes a practical approach to minimizing certain problematic behaviors by prohibiting a driving behavior. However, sportsmen must recognize that they are guests on a federal property and that their continued access to the property is contingent on their behavior. He expected managing fishing activity along the Canal would be an iterative process and that DMF would review performance and adjust controls as necessary.

Bill Doyle supported DMF's action. His view was strongly influenced by the reports from ACOE and the Bourne Police regarding the activity along the Canal, particularly the volume of complaints received by the Bourne Police on commercial fishing days in 2019. He noted that the recent activity along the Canal activity demonstrates a certain lack of professionalism among certain commercial striped bass anglers. This allows the fishery to be portrayed negatively and makes it difficult to defend the commercial striped bass fishery from its detractors.

Chairman Kane and Director McKiernan then discussed the ASMFC's striped bass tagging program. The Chairman noted that this program was implemented to prevent poaching and Massachusetts was the only state to adopt a point-of-sale tagging program. Point-of-sale tagging was generally viewed as less effective. Accordingly, the issues along the Canal were getting coastwide attention. Ray felt this minimized Massachusetts influence at the ASMFC as a leader with regards to striped bass conservation and made it more difficult to criticize management efforts in other states.

Update on Issues Related to COVID-19 and Impacts on the Fishing and Seafood Industries

CARES Act Fisheries Relief in MA

Director McKiernan provided an overview of CARES Act relief. The federal government provided \$350M in federal relief money to the coastal states for their fishing and seafood industries, which have been negatively impacted by the COVID-19 pandemic. MA was allocated \$28M for impacts to four-sectors: aquaculture, commercial fishing,

for-hire, and seafood processing. DMF was tasked with developing spending plans for this disaster relief aid.

Using past experience with disaster relief programs, DMF assembled an industry-based Advisory Panel to oversee the development of a spending plan. The Advisory Panel met in early June. DMF explained that NOAA Fisheries calculated the state's \$28M allocation based on each of the four sectors economic contributions. DMF then suggested that these calculations serve as the basis for allocating funds to each sector. However, due to the substantial losses accrued in the aquaculture and for-hire industry, DMF would move to double these sector's allocations through re-purposing the monies the state may take for administrative purposes and through slight reductions to the allocations for the seafood processing sector and commercial fishing industry. The Advisory Panel did not object to this approach. The Advisory Panel also supported convening working groups to develop sector-specific spending plans.

These working groups met over the course of the June and began to develop eligibility criteria and spending plans. Information regarding the Working Groups and their decision making may be found on DMF's CARES Act [website](#). Updates were then provided regarding each sector's programs.

Jared Silva, who co-chairs the Commercial Sector Working Group with Melanie Griffin, provided a brief presentation on this group's progress. The Working Group met on June 11 and June 17. At the first meeting, the Working Group reviewed federal guidelines and qualification criteria. They also came to a consensus on a spending approach (e.g., tiering applicants based on revenues) and certain discretionary eligibility criteria (e.g., a minimum \$15,000 ex-vessel revenue qualification threshold for 2017 - 2019). Then at the second meeting, the Working Group reached consensus on a spending plan. This spending plan would create six payment tiers based on best annual ex-vessel revenues from 2017 – 2019. This approach attempted to balance the impacts of overall loss against relative loss. DMF estimated as many as 2,000 commercial fishermen may qualify, and individual payments – while ultimately dependent on the number of applicants - could range from about \$2,000 at the lowest tier to about \$14,000 at the highest tier.

Chairman Kane asked if money would be set aside for an appeal process. Jared explained that payments will not be made until the appeal process is complete. Accordingly, the payment estimates are subject change based on the final number of approved applicants.

Mike P. asked if for-hire operations that land bluefin tuna commercially would be eligible to receive funds from the commercial fishing program. Jared stated that they would be eligible if they met the minimum eligibility criteria.

Dan described the other three sector's programs.

He noted that developing a spending plan for the seafood processing sector was difficult due to a lack of data available to DMF that can characterize the sale of the business. DMF and the Seafood Processing Working Group were leading towards using the number of employees from prior tax returns as a metric to scale payments.

In the aquaculture sector, there was some debate in the working group whether DMF should tie payments more directly to individual losses. While some members of the Aquaculture Working Group supported this approach, DMF did not favor it. DMF felt that this would unduly complicate the program, resulting in a complicated appeals process, which would ultimately delay payments. Accordingly, DMF preferred tiering payments based on recent performance, similar to the commercial sector's spending plan. Staff were refining tiering options to better address some of the concerns raised by the working group.

McKiernan noted there were two issues facing the For-Hire Working Group. First, the Baker Administration decided to front DMF \$400,000 to make immediate payments to the head boat fleet; this fleet was tied up due to Governor's initial emergency public health order and subsequent pandemic related physical distancing guidelines. DMF and the For-Hire Working Group were developing a head boat spending plan that would tier vessels based on activity and vessel capacity. Second, determining activity levels in the for-hire industry was a challenge for DMF because of the lack of a uniform data source. DMF would have to determine effort through a series of differing and incomplete data sets ranging from the very detailed federal VTR program to voluntary DMF surveys issued with permit renewals.

This data gap was something Dan wanted to address moving forward. He felt the for-hire fishery would benefit from a more uniform and synchronized approach to data collection. Mike P. stated that DMF will face resistance from select for-hire operators regarding additional reporting requirements, as these operators are disappointed that the federal government has not used their paper or electronic VTR data for management purposes beyond estimating fishing effort.

Mike P. then asked about the aid application process. Kevin Creighton explained that DMF will be looking to complete the head boat application process by the end of June and get out checks as soon as possible thereafter. As for the other sectors, he anticipated that once NOAA Fisheries approved DMF's spending plans, the agency would initiate a two-week application period, followed by a two-week appeal period, and then the ASMFC would issue payments directly to eligible businesses.

DMF Seafood Marketing Promotion

Story Reed provided an update on DMF's Seafood Marketing Program. Wendy Mainardi was working on a chef series highlighting local seafood coupled with how-to videos on handling seafood (e.g., scaling, shucking, and filleting). Content from the chef series and how-to videos will be released ahead of the fourth of July. DMF was also working on a larger advertising campaign, and species-specific educational videos.

In regards to retail boat sales, there were meetings among industry, municipalities, and state agencies (e.g., DMF, DPH) on how these activities can be accomplished given physical distancing guidelines and the physical constraints of certain harbors. EEA recently announced a Food Security Infrastructure Grant that may benefit some fishermen. Dan stated that DMF would provide the MFAC with the grant announcement to determine if these funds could be of assistance to fishermen in their networks.

Chairman Kane was sorry to see the State House Fish Day postponed to 2021. For the 2021 event, he was interested in potentially serving black sea bass at this event. Given the lack of a commercial fishery during the spring, Ray suggested the fish could be provided by DMF through those fish harvested during their spring spawning research project.

Conservation Equivalency Proposal to Extend For-Hire Black Sea Bass Fishery
Nichola Meserve reviewed DMF's conservation equivalency (CE) proposal to the ASMFC to extend the for-hire black sea bass fishery into the fall based on lost opportunities this spring.

DMF's first proposal ("Option A") would extend the season closure date from September 9 to November 1. This was based on comparing harvest by day in Wave 3 to harvest by day in Wave 5. Given the for-hire fleet lost 7-days in Wave 3, this analysis shows that DMF could open for an additional 65-days based on Wave 5 data over the past two years. A 65-day season extension would close the fishery in Wave 6, but DMF does not have any Wave 6 data. Recognizing the lack of Wave 6 data and error bars associated with Wave 5 data, DMF instead proposed a 53-day extension through the end of Wave 5.

Given the likelihood that the ASMFC will raise concerns about the high PSE's associated with MA's Wave 5 data, DMF also provided a second proposal ("Option B"). This approach uses Wave 4 data as a proxy for Wave 5 data, as Wave 4 data has lower PSEs. Based on this analysis, DMF could potentially extend the season 13-days through September 21.

The Director will be helping move the proposals forward at the Board level in order to get support for a season extension. Nichola hoped for a quick review and turnaround time to allow the for-hire fleet to begin booking trips for the end of the season. It was notable that MA was the only state to file a CE proposal thus far in response to pandemic related impacts.

Mike P. appreciated DMF's work on this CE proposal and supported Option A over Option B. In the event that both CEs are not approved, Mike P. was curious if any underutilization of the RHL could be carried over to 2021. Nichola stated that this was not possible due to the how the black sea bass fishery is managed at the federal and interstate level. However, if 2020 harvest estimates are well below the 2021 RHL, there may be room for liberalizations. If this occurs, DMF would likely prefer pursuing lengthening the season over increasing the bag limit.

Mike P. asked about the potential to split out the for-hire mode from the recreational black sea bass fishery and manage it separately. Nichola noted that this type of action is allowed under the ASMFC management plan and is something the state could explore. Mike P. felt that it was worthwhile to pursue this, as it may give the for-hire fishery greater flexibility and provide needed relief.

Ray Kane commended Nichola for her work at the joint ASMFC meetings. He and Nichola noted that the MAFMC's allocation amendment may increase the recreational fishery's overall share of the allowable harvest. To this point, Ray added that he would like to see the northeastern states have a vote at the MAMFC given their interest in a variety of MAFMC managed species.

Updates from Commission Members

Mike P noted the for-hire fleet had a slight uptick in six-pack charter bookings with the opening of hotels. He was also hopeful that the striped bass migration may also encourage additional bookings. However, the 14-day recommended quarantine continues to be a challenge. At select locations, charter captains have been facing situations where patrons who have out-of-state license plates are not being allowed to board the vessel and go fishing.

Lou Williams did not set his gillnets this year. He was also waiting to set his lobster gear until he had a better handle on the price of lobsters and where right whale conservation measures may end up.

Bill Doyle mentioned a slight uptick in the selling of oysters, but it was still only about 12% compared to this time last year. He speculated this was being driven by other states opening up restaurant trade and Massachusetts restaurants allowing outdoor seating.

Offshore Wind Energy Development Update

Kathryn Ford provided a presentation to update the MFAC on the Vineyard Wind project. Before she began this presentation, she briefed the MFAC regarding ongoing efforts by the MA Ocean Plan to map recreational fishing activity in state-waters. This mapping initiative will help inform the siting of future energy, minimum, and beach nourishment projects. She was looking to work through the MFAC to review the map and provide guidance.

Chairman Kane moved to assemble a MFAC working group to assist Kathryn in the review of a MA Ocean Plan recreational fisheries mapping layer. Tim Brady and Mike P. volunteered. Ray then stated that either he or Kalil Boghdan would also be involved.

Mike P. thanked Kathryn for involving the MFAC. He noted that with any mapping effort, he is concerned that a snapshot in time to make longstanding decisions regarding ocean usage. He cautioned that fisheries are conducted in a variety of areas over time and this is influenced by migratory patterns, forage availability, climate change, and

other environmental or oceanographic factors. Accordingly, a snapshot may not accurately capture the spatial extent of fishing activity and future access may be limited as a result.

Kathryn then provided an update on Vineyard Wind. The wind project is split into two projects VW-1 and VW-2. VW-1 is the original 100 turbine (800 MW) project that is in advanced stages of permitting. VW-2 - also known as Park City Wind - is in the south side of the lease area. It will be 50-100 turbines and is also a 800 MW project. RI provided VW-1 with federal consistency concurrence on February 28, 2019. MA issued theirs on May 21, 2019.

Compensation funds have been developed for any claims of direct impacts by wind farms on fishing activity. The total compensation will be about \$3.2 million. There are two funds that will offset potential direct, indirect, and cumulative economic impacts to MA fishing businesses. There are also funds available to both MA and RI to facilitate innovation.

Mike P. asked if the mitigation fund included the for-hire fleet. The Director noted that it was not yet clear. Kathryn expected this would be an issued raised with the mitigation committee. Mike P. pressed DMF to have the for-hire fleet included as their businesses will be impacted by turbine farm siting.

Bill Doyle noted that the for-hire business are a commercial enterprise but are often not considered commercial fishing businesses or legally defined as such. He suggested DMF and the MFAC could work to parse this out in a more clear and consistent manner. Dan stated that a commercial fisherman is defined in regulation for the purposes of fisheries management. This definition is not inclusive of for-hire fishing. Instead, for management purposes, they are considered part of the recreational fishery. This is because their commercial enterprise is selling recreational fishing opportunities to anglers, rather than harvesting and selling fish for seafood markets. However, this becomes complicated when we step back from the fisheries management perspective because they are for-profit businesses and they may be economically impacted by items like wind energy development.

COMMISSION MEMBER COMMENTS

Sooky Sawyer noted these are trying times for the lobster industry. Fishermen are nervous about the pandemic's impact on ex-vessel value and the litigation over right whale conservation. Sooky then discussed bait availability. He noted that fishing had been slow and alleged that a lot of the state's menhaden harvest was being shipped out of state.

During the May MFAC meeting, Sooky asked if it was possible for DMF to amend the actively fished criteria for the transfer of limited entry permits to not include 2020 in the lookback period. Dan stated DMF will provide a waiver for 2020 in response to the

pandemic. He expected DMF would have adopted a formal policy by the August meeting, which he would share with the MFAC. Sooky thanked Dan for the effort.

Tim Brady appreciated the work the DMF staff is doing to get CARES funding out to the industry sectors. He noted that he is debating on cancelling the whole season due to the pandemic.

Chairman Kane thanked members who have been in attendance of the Zoom MFAC meetings. He commended DMF for doing a great job with decisions regarding the distribution of CARES Act funds. He hoped that by the August MFAC meeting a ninth commission member will be appointed.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Chairman Ray Kane requested a motion to adjourn the June MFAC business meeting. **Sooky Sawyer made a motion to adjourn the meeting. The motion was seconded by Mike Pierdinock. The motion was approved by unanimous consent.**

MEETING DOCUMENTS

- June 18, 2020 MFAC Business Meeting Agenda
- May 21, 2020 MFAC Business Meeting Draft Minutes
- Memo on Closure of Cape Cod Canal to Commercial Striped Bass Fishing
- Meeting Summaries for CARES Act Advisory Panel and Working Groups
- CARES Act Commercial Working Group Presentation
- Conservation Equivalency Proposal to Extend For-Hire Black Sea Bass Season
- Presentation on Vineyard Wind Project Advancement

FUTURE MEETINGS

9AM
August 20, 2020
Zoom

9AM
September 24, 2020
Location TBD

9AM
October 29, 2020
Location TBD

9AM
November 19, 2020
Location TBD

9AM
December 10, 2020
Location TBD



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Secretary

RONALD S. AMIDON
Commissioner

DANIEL J. MCKIERNAN
Director

August 13, 2020

Marine Fisheries Advisory

Menhaden Commercial Fishery to Re-open on Limited Basis

State approved to draw quota from the interstate management plan's "Episodic Events Set Aside" quota

The Atlantic States Marine Fisheries Commission has approved a request from the Division of Marine Fisheries to allow the Massachusetts limited entry menhaden fishery to access the Episodic Event Set Aside (EESA) quota. Effective Monday, August 17, 2020, the fishery will re-open with a 25,000-lb trip limit.

Under the interstate fishery management plan, 1% of the annual coastwide commercial quota is set aside for the northeast states' use should they utilize their available state-specific quota and unusually high abundances of menhaden remain available in state waters prior to September 1. The Division of Marine Fisheries (DMF) closed the state's quota managed menhaden fishery effective August 7, having projected that full utilization of the state's quota would occur August 6 and subsequently enrolled in the EESA program. Roughly 425,000 pounds of the 4.76-million pound set aside remains available, with Massachusetts being the only state participating in the EESA program at this time.

In accordance with 322 CMR 6.43(4)(c), only those Massachusetts permitted commercial fishermen who have been issued a limited-access regulated fishery permit endorsement for Atlantic menhaden are authorized to participate in the EESA fishery. Participating vessels are restricted to harvesting menhaden from within the waters under the jurisdiction of the Commonwealth and required to land in Massachusetts ports. Daily catch reporting is required. DMF is issuing [permit conditions](#) restricting participants to a 25,000-pound possession and landing limit (per trip or calendar day, whichever duration is longer), consistent with our management of the last 15% of the state-specific quota. This lower limit will enable small scale purse seiners to target the available EESA quota over a longer period of time, facilitates the accurate monitoring and projection of quota utilization, and balances the needs of the commercial bait fishery with the role menhaden serves as forage to a multitude of predator species.

For more information about the management of menhaden in Massachusetts, contact DMF at 617-626-1520 or visit our website at www.mass.gov/marinefisheries.



The Commonwealth of Massachusetts

Division of Marine Fisheries

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Lt. Governor

KATHLEEN A. THEOHARIDES
Secretary

RONALD S. AMIDON
Commissioner

DANIEL J. MCKIERNAN
Director

August 13, 2020

STATEMENT OF PERMIT CONDITIONS:
CONTINUATION OF THE LIMITED ENTRY COMMERCIAL MENHADEN FISHERY
AT A 25,000-POUND TRIP LIMIT UNDER THE EPISODIC EVENT SET ASIDE

The Division of Marine Fisheries (DMF) closed the 2020 limited entry commercial menhaden fishery effective August 7, 2020, after the fishery was projected to have harvested its annual commercial quota on August 6. In accordance with Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden, DMF applied to the Atlantic States Marine Fisheries Commission (ASMFC) to participate in the Episodic Event Set Aside (EESA) Program. On August 13, 2020, the ASMFC approved DMF's application to participate in the EESA Program. This action allows the state's 2020 limited access commercial menhaden fishery to re-open per the regulations set forth at 322 CMR 6.43(4)(c).

This Statement of Permit Conditions establishes additional controls by which the state's limited entry commercial menhaden fishery may operate within the EESA Program. Specifically, whereas the regulations at 322 CMR 6.43(4)(c) set forth that the limited entry menhaden fishery may continue at a 120,000-pound trip limit under the EESA program, DMF is establishing a more restrictive 25,000- pound trip limit through this Statement of Permit Conditions. This is being done in response to the fact that the EESA is currently limited to roughly 425,000 pounds of its initial 4.76-million pound level, and a 25,000-pound trip limit will allow for more prolonged access to this available quota.

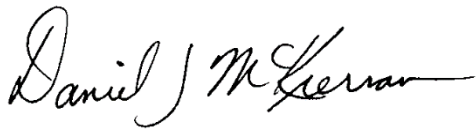
In accordance with the authority at G.L. c. 130, §80 and 322 CMR §7.01(7), this Statement of Permit Conditions is being applied to all 2020 Limited Entry Regulated Fishery Permit Endorsements for Atlantic Menhaden. Effective Monday, August 17, 2020 all Atlantic menhaden permit endorsement holders participating in the Episodic Event Set Aside Fishery are subject to the permit conditions enumerated below:

1. All commercial fishermen fishing under the authority of a limited entry regulated fishery menhaden permit endorsement may retain, possess, and land up to 25,000 pounds of menhaden during any trip or 24-hour day, whichever period of time is longer, while participating in Massachusetts' EESA fishery. The 120,000 pound limit as set forth at 322 CMR 6.43(4)(c) shall not apply.

Except as explicitly provided herein, this Statement of Permit Conditions does not exempt the permit holder from any marine fishery laws or regulations of the Commonwealth or other existing

permit conditions set forth by DMF. This written authorization and the applicable 2020 Massachusetts' commercial fishing permit and regulated fishery permit endorsement for menhaden shall be onboard the vessel at all times while participating the EESA program.

This Statement of Permit Conditions shall remain in effect until DMF and the ASMFC project 100% of the EESA is taken and the fishery is closed, unless otherwise notified or sooner revoked for cause. The Director may amend this Statement of Permit Conditions at any time. Any amendments shall become effective upon written notice. Violation(s) of any condition or restriction as contained herein shall result in an adjudicatory hearing to suspend or revoke the commercial fisherman permit, as well as any other fines and penalties provided in G.L. c.130.



Daniel J. McKiernan, Director
Division of Marine Fisheries

August 17, 2020
Effective Date



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmf.org

Patrick C. Keliher (ME), Chair

A.G. "Spud" Woodward (GA), Vice-Chair

Robert E. Beal, Executive Director

Sustainable and Cooperative Management of Atlantic Coastal Fisheries

August 13, 2020

Daniel McKiernan
Director, Division of Marine Fisheries
Commonwealth of Massachusetts
251 Causeway Street, Suite 400
Boston, Massachusetts 02114

Dear Mr. McKiernan,

This letter is to inform you that I have approved Massachusetts' participation in the Menhaden Episodic Events Set Aside Program for 2020. Massachusetts has been found to meet the qualifications for participation in the program and can begin to harvest from the Episodic Events Set Aside allocation on August 14. As a reminder, the remaining Episodic Events Set Aside allocation for 2020 is approximately 429,000 pounds. If the set aside is collectively surpassed by states who declare participation in the program, the overage will be paid back the following year. Currently, no other states are actively harvesting under the set aside.

Sincerely,

A handwritten signature in black ink that reads "Toni M Kerns".

Toni M Kerns

cc: Atlantic Menhaden Management Board

L20-097



The Commonwealth of Massachusetts

Division of Marine Fisheries

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Secretary

RONALD S. AMIDON
Commissioner

DANIEL J. MCKIERNAN
Director

August 10, 2020

Robert Beal, Executive Director
Atlantic States Marine Fisheries Commission
1050 N. Highland Street, Suite 200 A-N
Arlington, VA 22201

Re: Request for Inclusion in 2020 Atlantic Menhaden EESA Program

Dear Bob,

Per the Episodic Events Set Aside (EESA) Program of Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden, the Commonwealth of Massachusetts is requesting that it be allowed to harvest from the remaining 2020 EESA quota. Our understanding is that approximately 430,000 pounds of the set aside remains.

The Division of Marine Fisheries (DMF) closed the state's quota managed fishery effective August 7, having projected that full utilization of the state's transfer-adjusted quota would occur August 6¹. As you know, Massachusetts initial annual quota of 6,046,094 pounds was augmented by two quota transfers: 600,000 pounds from North Carolina on July 8 and 900,000 pounds from South Carolina on July 21. Without these transfers, Massachusetts would have experienced one of its earliest menhaden quota closures despite having its highest quota since quota management began. Landings have remained steady at roughly 60,000 pounds per day with consistent effort since we restricted the limited entry fishery to its 25,000-pound limit at 85% (initial) quota use on June 29 (see quota monitoring graph below). Harvester reports indicate state waters as the place of catch for these landings. These facts demonstrate an ongoing unusually high availability of menhaden in Massachusetts waters, hence our application to participate in the 2020 EESA program.

In accordance with 322 CMR 6.43(4)(c)², only those Massachusetts permitted commercial fishermen who have been issued a limited-access regulated fishery permit endorsement for Atlantic menhaden will be authorized to participate in the episodic event set aside fishery; furthermore, participating vessels will be restricted to harvesting menhaden from within the waters under the jurisdiction of the Commonwealth and required to land in Massachusetts ports. Daily catch reporting will be required in accordance with 322 CMR 6.43(5). DMF will submit EESA quota monitoring reports to ASMFC staff on a weekly basis, or more frequently if requested. While 322 CMR 6.43(4)(c) establishes a 120,000-pound possession and landing limit for the episodic event set aside fishery, DMF will issue permit conditions

¹ <https://www.mass.gov/doc/8620-limited-access-commercial-menhaden-fishery-to-close-effective-friday-august-7-2020/download>

² <https://www.mass.gov/doc/322-cmr-6-regulation-of-catches/download>

restricting participants to a 25,000-pound possession and landing limit (per trip or calendar day, whichever duration is longer), consistent with our management of the last 15% of the state-specific quota. This lower possession and landing limit will also facilitate EESA quota monitoring and an accurate projection of full utilization. DMF has the ability to close the fishery within 24 hours.

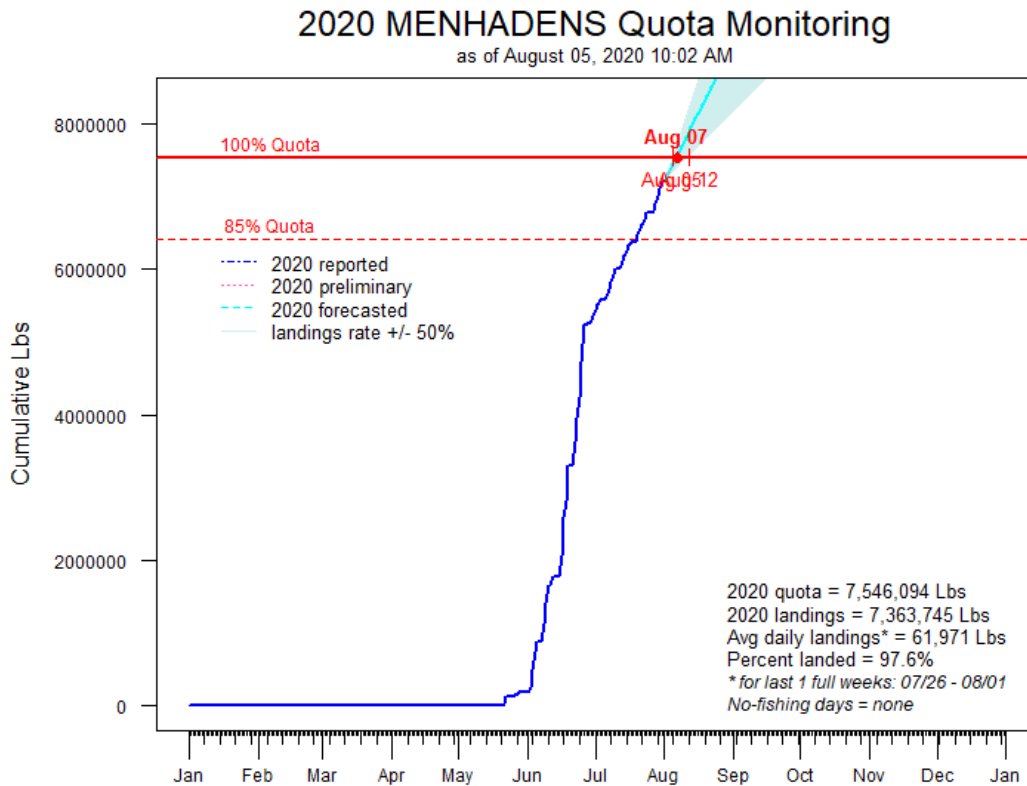
Ideally, DMF would be able to begin participation in the EESA Fishery as soon as Tuesday, August 11. Please let me know of your decision at your earliest convenience.

Regards,



Daniel J. McKiernan, Director

Cc: Toni Kerns, Kirby Rootes-Murdy (ASMFC)
Nichola Meserve, Story Reed, Jared Silva (MA DMF)





The Commonwealth of Massachusetts

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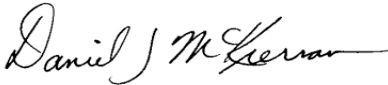
KATHLEEN A. THEOHARIDES
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RONALD S. AMIDON
Commissioner

DANIEL J. MCKIERNAN
Director

MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: August 18, 2020

SUBJECT: **Recommendation to Make In-Season Adjustments to Commercial Summer Flounder Limits**

On August 10, 2020, DMF solicited public comment on a proposal to liberalize the commercial summer flounder limits for the remainder of the 2020 commercial fishing season (see [Advisory](#)). The specific proposal was two-fold. First, it sought to increase the trawl fishery trip limit from 400 pounds to 600 pounds effective August 23. Second, it sought to move up the starting date of the current November 1 – December 31 rule that allows a 1,000-pound trip limit, seven days per week, to October 4. The purpose of this proposal was to provide active commercial fishermen with additional access to the available summer flounder and to allow businesses to fish around worsening seasonal weather, which may limit small boat effort.

Recommendation

I recommend that the MFAC vote in favor of the following in-season adjustments: (1) an increase in the trawl fishery trip limit from 400 pounds to 600 pounds during the period of August 23 – October 3 (at the existing 5 days per week); and (2) beginning October 4, an increase in the trawl fishery trip limit to 1,000 pounds, seven days per week. Those vessels participating in the Period II summer flounder pilot program will be allowed to land up to 1,200 pounds of summer flounder taken in 600-pound increments over a two-consecutive-day trip.

Public Comment

As of August 18, 2020, DMF received numerous public comments in response to the August 10 proposal. In many cases, comments regarding summer flounder were lumped into concerns regarding the striped bass proposal. Those comments that focused exclusively on summer flounder generally supported the proposed adjustments and even advocated for more liberal limits. However, there were some concerns expressed by both recreational and commercial fishermen regarding the status of the inshore summer flounder fishery around Nantucket and Vineyard Sounds.

Rationale

My above recommendation is consistent with the reasoning set forth in the August 10 proposal and is further aided by the public comment received to-date. As with striped bass and black sea bass, I was

hesitant to make sweeping changes to the management of the fishery this year and preferred to rely on in-season adjustments.

Anecdotally, we have seen an interesting geographic shift in the summertime fluke fishery in 2020 with reduced participation in the inshore fishery in the Sounds and more participation coming from the offshore fleet. This is reflected in the conversations DMF has had with fishermen and dealers, participation in the Period II fluke pilot program, and public comment. The contraction of the inshore fishery coupled with low daily summertime limits designed for the inshore fishery and to constrain seasonal participation by offshore vessels have contributed to reduced landings this summer.

When DMF implemented the Period II summer flounder pilot program, it was designed to allow inshore small boat fishermen to layup overnight near the fishing grounds off Nantucket to avoid the additional expenses incurred by having to steam back and forth to port. When the program was renewed for 2020 it was expected that participation would be dominated by the inshore fleet. This turned out to not be the case; of the 26 participants about half are vessels that are known to predominantly fish offshore. This indicates that a shift towards the offshore fishery is occurring. This is also reflected in staff conversations with offshore fishermen who have stated large catches of summer flounder are occurring about 20 to 40 miles south and east of Nantucket in federal waters and these catches include all size grades of fish. These vessels have indicated to DMF staff that in order to profitably target fluke on a multi-day trip they need a landing limit of about 1,000 pounds.

With regards to the inshore fishery, we have seen a decline this year in the number of trawlers who are participating this year. It has been reported to DMF that this is due to a number of factors. First, the abundance of large summer flounder in the Sounds is limited. The fishery is producing mostly medium grade fish¹. While the ex-vessel value for jumbos and large fish remains stable, the value for mediums is reported to be low. Additionally, the Sounds are producing large amounts of seaweed this year that are reportedly clogging up trawl nets making fishing conditions difficult. Some inshore vessels have reported that given the time spent tending their gear and dealing with seaweed they have frequently not been able to take their 400-pound limit². Given these factors and existing overhead (e.g., fuel, dockage), many fishermen have chosen not to participate in the inshore summer flounder trawl fishery.

Many of the boats that have traditionally participated in this fishery are deriving income from other fisheries for which they are permitted (e.g., scallops, lobster) or have turned to other endeavors (e.g., working as a research vessel). Those that remain are primarily the small (30' to 40') state-waters trawlers. While these operators do have LOAs to participate in the pilot program, they have reported to DMF that they are not actively doing so due to their vessel size limiting their ability to fish more distant grounds and retain large quantities of fish. Instead, they have favored making a go of it on day trips in more inshore areas.

Due to the confluence of these factors, landings have been slow in the summertime fishery. As of August 8, the summer fishery has landed about 200,000 pounds of summer flounder. Add this to the landings

¹ This echoes reports from dealers and commercial trawl fishermen at the December 2019 ad hoc industry meeting, as well as comments from commercial and recreational anglers.

² Note that the time when these draggers may fish is limited by state regulations. Mobile gear night closures prevent trawlers from fishing between ½ hour after sunset to ½ hour before sunrise and the landing window requires summer flounder be landed before 8PM.

achieved by the Period I fishery, and the state has taken just under 400,000 pounds of its 786,399-pound quota.

If we are to let things remain status quo, the inshore fishery will likely wane over the next six to eight weeks and the offshore fishery will continue to be constrained by low landings limits. This will likely result in a large quantity of the remaining quota being allocated to the offshore fishery for the November – December period. If the January – March period in 2020 is any indicator of how this fishery will perform in November and December, it is likely that they will land less than 200,000 pounds. This leaves a substantial amount of the quota underutilized.

Rather than doing this, I'd rather increase the trip limits now. This may provide some benefit to those inshore trawlers that remain in the fishery, but primarily it will let the offshore fishery have more access to the quota. This action would effectively increase their trip limit to about 1,000 pounds for the remainder of the year³. Accordingly, they would be able to profitably target this resource and the state would more likely be able to take its available quota.

I recognize the concerns of recreational fishermen regarding how increasing effort in the summertime fishery may adversely impact their fishing conditions. However, I do not expect this action will result in more inshore effort, but instead a reallocation of the remaining 2020 quota to the offshore fishery, where there are fewer interactions with the recreational fleet.

That said, this does not diminish the concerns raised by the recreational fleet regarding the status of the inshore resource. These concerns are also echoed among our inshore commercial anglers and trawlers as well. There is uncertainty regarding the cause of this change and it deserves further investigation. Additionally, it is not my intention to reshape the summertime fishery away from inshore fishermen in favor of offshore fishermen. The inshore fishery is a critical source of revenue for small boat trawlers and rod and reel fishermen and should remain as such. This is instead a deviation in management in reaction to a number of complicated factors to ensure our available quota is taken this year. We will work to address these emerging issues with fishery participants and seafood dealers over the winter.

Attached

August 10, 2020 Advisory

Public Comments through August 18, 2020

³ Those offshore vessels fishing with LOAs to participate in the pilot program could potentially take up to 1,200 pounds on a two-plus day trip if the trip limit is increased to 600 pounds.



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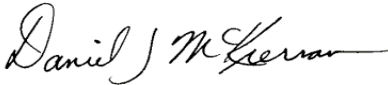
KATHLEEN A. THEOHARIDES
Secretary

RONALD S. AMIDON
Commissioner

DANIEL J. MCKIERNAN
Director

MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: August 18, 2020

SUBJECT: **Recommendation to Make In-Season Adjustments to Commercial Black Sea Bass Limits**

On August 10, 2020, DMF solicited public comment on a proposal to liberalize the commercial black sea bass limits for the remainder of the 2020 commercial fishing season (see [Advisory](#)). The specific proposal was two-fold. First, it sought to increase the number of open fishing days per week by adding Mondays and Wednesdays to achieve a five-day fishing week (Sun-Thur) beginning on August 31 and then adding Friday and Saturdays to achieve a seven-day fishing week beginning on October 2. Second, it looked to increase the trip limit for potters from 400 pounds to 500 pounds effective August 31. The purpose of this proposal was to provide active commercial fishermen with additional access to the available black sea bass quota and to allow businesses to fish around worsening seasonal weather, which may limit small boat effort.

Recommendation

I recommend that the MFAC vote in favor of the following in-season adjustments: (1) adding Mondays and Wednesdays as open fishing days beginning on August 31; (2) adding Fridays and Saturdays as open fishing days beginning October 2; (3) increasing the pot fishery trip limit by 25% from 400 pounds to 500 pounds effective August 31; and (4) increasing the hook and line fishery trip limit by 25% from 200 pounds to 250 pounds effective August 31.

Note that this final recommendation differs slightly from the August 10 proposal. Based on conversations with dealers, DMF did not initially propose increasing the trip limit for commercial hook and line fishermen. This is because dealers reported commercial hook and line anglers were seldomly taking their 200-pound limit. It was thought that this was due to the confluence of a number of factors including the fish being further offshore than normal during the summer; hook and line catch consisting primarily of medium and large market grade fish with few jumbos mixed in; and a depressed ex-vessel value for all market grades, but particularly the smaller grade fish comprising most of the catch. However, the public comment demonstrates an interest among some commercial anglers to increase the hook and line trip limit. Given the available quota, I support making this in-season adjustment to accommodate those instances when a commercial hook and line angler can take more than 200 pounds of black sea bass, particularly as they are travelling further distances and incurring additional overhead to catch them.

Accordingly, I am recommending a proportional (25%) increase to the commercial hook and line trip limit to 250 pounds.

Public Comment

As of August 17, 2020, DMF received numerous public comments in response to the August 10 proposal. In many cases, comments regarding black sea bass were lumped into concerns regarding the striped bass proposal. Those comments that focused exclusively on black sea bass generally supported the proposed adjustments and even advocated for more liberal limits (e.g., seven days per week beginning August 31 and higher trip limits for all gear types).

In advance of developing the proposal, DMF also sought insight from active commercial fishermen and dealers, including many of those who contributed to last December's ad-hoc working groups. The advice provided by these entities helped DMF develop the proposal and subsequent recommendation. Accordingly, we believe that these changes are supported by the commercial fishery.

Rationale

Our commercial black sea bass fishery has undoubtedly been negatively impacted by the pandemic. Dealers inform us that this is a fish that is primarily sold into urban restaurant markets. With the contraction in these markets, the demand and price for black sea bass has decreased. Dealers and commercial fishermen have reported to DMF that prices for medium grade fish have been as low as \$0.75 per pound at times this summer. This is reflected in preliminary SAFIS dealer data, which reported through August 17, show that the 2020 average ex-vessel price per pound is \$2.27 for all market sizes. This is down from \$3.15 average ex-vessel value for all market sizes in 2019. This low ex-vessel value has contributed to reduced profitability, which has also been exacerbated by the fish being further offshore this summer than they have been in past years and a year-class effect resulting in fewer large fish being available. This year class effect is the result of the exceptionally large 2011 year class contributing less to the overall population.

My above recommendation is consistent with the reasoning set forth in the August 10 proposal and is further aided by the public comment received to-date. As with striped bass and summer flounder, I was hesitant to make sweeping changes to the management of the fishery this year and preferred to rely on in-season adjustments, particularly with some of the uncertainty going into the commercial fishing season. As of August 8, the state landed almost 190,000 pounds of its 728,565-pound quota (25%). Compare this with the same time last year, when 232,000 had been landed. As you can see, commercial landings this year are off by about 40,000 pounds. Factor in that the commercial quota increased by about 270,000 pounds from 2019 to 2020 and we are looking at a substantial quota underage this year if no action is taken. Given these current circumstances, and considering the health of this stock, liberalizing the commercial fishing limits for the fall period is a reasonable approach. I suspect that, if adopted, these recommended changes will allow us to harvest most, if not all, of our available quota and provide much needed protein to consumers during this pandemic.

Attached

August 10, 2020 Advisory
Public Comments through August 18, 2020



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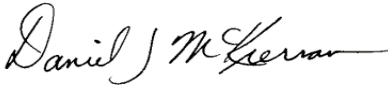
KATHLEEN A. THEOHARIDES
Secretary

RONALD S. AMIDON
Commissioner

DANIEL J. MCKIERNAN
Director

MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: August 19, 2020

SUBJECT: **Recommendation to Make In-Season Adjustments to Commercial Striped Bass Open Fishing Days**

On August 10, 2020, DMF solicited public comment on a proposal to increase the number of open fishing days for the remainder of the 2020 commercial fishing season (see [Advisory](#)). The proposal specifically sought to add Tuesdays and Thursdays as open fishing days effective September 1 and then go to a seven-day commercial fishing week effective October 2. The purpose of this proposal was to provide active commercial fishermen with additional access to the available striped bass quota and to allow businesses to fish around worsening seasonal weather, which may limit small boat effort.

Recommendation

I recommend that the MFAC vote in favor adding two open fishing days – Tuesdays and Thursdays – to the commercial striped bass fishery effective September 1 for the remainder of the 2020 fishing year. This would increase the number of potential fishing days between now and the end of October from 19 to 36.

Note that this final recommendation differs slightly from the August 10 proposal. I am not recommending a seven-day open fishing week at this time. Given the animosity expressed by recreational fishermen in the public comment, I think it is appropriate to continue to prohibit commercial fishing on Fridays – Sundays to ameliorate user group conflict that may arise over weekends when recreational fishermen traditionally access the fishery.

This recommendation is consistent with the reasoning set forth in the August 10 proposal, which was to provide access to the available quota and allow business to fish around worsening weather in the fall. It also reflects the logic set forth in my March 27, 2020 commercial striped bass recommendation memo to the MFAC. At the end of this memo (p4), I indicate my preference for making in-season adjustments to provide more liberal access to available quota at the end of the season to liberalizing limits at the start of the season. I favored this approach because there were numerous questions facing the fishery at the start of the season and I felt it would be better to try to manage the fishery in near-real time to consider quota availability, market conditions, and fishery performance.

Public Comment

At this time, DMF has received about 250 public comments in response to the August 10 proposal. Similar to 2018 and 2019, the comment was dominated by recreational anglers, including an organized write in campaign by a nation-wide organization. These recreational anglers do not support taking any action to enhance access to the commercial quota and many expressed a desire to see the commercial fishery eliminated and striped bass given gamefish status. Commenters also expressed conservation concerns regarding the proposal. There were several common themes among these comments, including that poor fishing conditions around the Cape and Islands were a harbinger of another collapse and that the commercial fishery taking large breeding size fish was exacerbating current stock conditions.

There were also numerous comments in favor of the proposal from commercial fishing interests. These fishermen supported the proposal because they would have more access to the available quota and this would help mitigate against the loss of days to weather and economic conditions in other fisheries that have been depressed due to the pandemic.

Rationale

Our most recent quota monitoring reports (through August 15) demonstrates that the 2020 commercial striped bass fishery has landed just under 31% of its 735,240 pound quota with average daily landings of about 18,000 pounds. This leaves about 500,000 pounds of quota available for the remainder of the fishing year. Commercial fishermen and dealers have reported a strong ex-vessel value of about \$6 per pound, which is reflected in SAFIS dealer data that shows an average price per pound of \$5.50. Adding commercial fishing days would allow fishermen to capitalize on this strong market, which could provide some economic relief to fishermen who may be struggling in other areas of their business operations due to pandemic related impacts. This includes recouping impacted commercial striped bass related income due to a soft market at the start of the season, as prices ranged from \$2.33 to \$4.24 per pound as compared to 2019 when prices ranged between \$4.70 and \$5.67 per pound.

In the public comment, there was a sentiment that this action would lead to a substantial increase in effort and use of the quota. I do not believe this to be true. Recall that in 2019, DMF did not take any action to make in-season adjustments to take the available quota. Accordingly, last year provides a decent barometer for projecting performance this fall if my recommendation is not approved. During the 2019 summer months, the fishery was averaging just over 20,000 pounds of landings per day. In September, landings dropped by about 50% to about 10,000 pounds per day and further dropped to about 3,000 pounds per day in October before tapering off entirely by the end of the month. This matches anecdotal reports from fishermen that landings wane beginning in September and conclude by the end of October due to worsening weather, loss of seasonal participants, and the southern migration of the resource.

If we do not make any in-season adjustments and anticipate similar conditions this year, we can expect to have landed about 300,000 pounds of the quota by the end of the month, and less than 400,000 pounds by mid-October when the fishery usually ends. That is just over 50% of the 2020 commercial quota. However, if my recommendation is approved, I project that we would land about 50,000 to 100,000 more pounds. This would bring our annual landings up to 450,000 to 50,000 pounds, which is still less than last year's harvest of 586,128 pounds. If this occurs, mortality would only be increased by about 2,500 to 5,000 fish (using a 20-pound per fish average), which is a very small contribution to overall fishing mortality and an order of magnitude lower than harvest in our recreational fishery.

Public comment also expressed concern that the reason the fishery is underperforming is that the resource is not as strong as it has been in recent years. The latest stock assessment does indeed demonstrate that the number of large fish in the population is down from a high in the mid 2000's. This is owing to a number of poor year classes from 10-14 years ago, which are now passing through the fishery at a size >35". While this will contribute to lower availability and lower catch rates, this alone cannot explain the greatly diminished catch rates particularly on Cape Cod. Other factors are clearly in play (and are discussed in more detail below). Moreover, the quota is set based on the estimated biomass and the target mortality rate. Thus, while the perception of the recreational public is that taking the quota is a conservation issue, the quota is in fact based on sound scientific underpinnings, as are the new recreational measures; both are crafted to reduce fishing mortality to the target rate.

Part of this story regarding reduced catch rates relates to the management of this fishery. Most significant is the requirement that only hook and line gear be used to take striped bass. This law, [G.L. c. 130, 100B](#), was enacted by the Legislature many decades ago and is widely supported by the public. Since 2013, DMF and the MFAC have enacted numerous regulatory measures that have constrained the fishery's performance. This includes: a February 28 permit renewal deadline (2013); halving the number of open fishing days per week from 4 to 2, including eliminating Sundays (a popular day for part-time commercial fishermen) (2014); reducing daily trip limits from 30-fish on weekdays and 5-fish on Sundays to 15-fish for boat-based permit holders and 2-fish for all other permit holders (2014)¹; restricted the ability for for-hire operators to fish commercially during a for-hire trip (2014); required fin clipping to prevent stockpiling (2015); closed the commercial fishery around summer holidays (2018); increased the minimum size from 34" to 35" (2020); and closed the Cape Cod Canal to commercial fishing (2020). These actions were taken to address unique fishing conditions off Cape Cod that were leading to substantial increases in effort and causing market gluts and enforcement issues. These measures have had a cumulative impact on the fishery and its ability to access the resource and this impact has become much greater in recent years as the stock size has decreased and availability has changed.

The accessibility of the resource has clearly changed in recent years. This is not just because of stock size, but more significantly, changing oceanographic conditions and predator/prey distribution. Warming waters and forage availability influence where and when striped bass aggregate and predators like seals and white sharks also have similar effects. These factors may be driving fish away from the inshore waters along the Cape, which has historically been the epicenter of the striped bass fishery. We have also seen anecdotal evidence of this over the past few years, with increasing reports of striped bass in the federal zone and the commercial fishery becoming more active in Boston Harbor and the North Shore in response to dense schools of menhaden.

Commenters also raised concerns about the size of fish harvested by the commercial fishery. Some recreational anglers expressed frustration that commercial anglers can harvest larger fish that recreational anglers no longer have access to under the current slot limit. Per my March 27 memo, this was done to make it more difficult to retain market-sized fish on non-commercial days, to enhance enforcement, and to simplify management. However, it has created an equity issue for some recreational fishermen. This

¹ The combined impact of the reduction in open fishing days and trip limits reduced the aggregate weekly landing limit from 95-fish to 30-fish for boat-based permit holders and 2-fish for all other permit holders.

cannot be solved through the proposed in-season adjustment but should be discussed in developing future regulations.

Another aspect of this concern is that some anglers view the current recreational slot limit as a means of protecting larger fecund females. While this may have contributed to why some anglers preferred the slot limit, it was not why DMF favored the slot limit and why the slot limit was selected as the coastwide management option. The slot limit was preferred and selected because it was modeled to reduce recreational mortality by the required 18% while still allowing recreational anglers to be able to retain fish in a size class that is commonly caught. This then leads to the concern that the commercial fishery is contributing to the decline of the stock by virtue of removing large fecund females. However, these removals are accounted for in the projections of the size structure of the harvest and in the calculations of quota based on a target fishing mortality rate. Moreover, it should be noted that, while the commercial fishery is still allowed to harvest larger fish, the recreational fishery is no longer harvesting these fish, so the net result will be far fewer large fish harvested even if the entire commercial quota was taken.

I'd also like to add that DMF has historically regulated the commercial fishery in a manner that forces them to harvest larger fish. This was preferred for several reasons. First, it tended to favor the more skilled, and one may argue, professional fishermen. Smaller fish are more available and catchable to anglers of lesser skill, whereas the larger fish tend to require more skill to catch, and often a vessel to venture offshore to deeper waters. In turn, this reduced daily landings and allowed the quota to be consumed over a longer period of time to avoid market gluts and make fish available to local markets throughout the summer tourist season. Quota consumption is a critical point given the fact that the state's quota would be reduced if the commercial fishery targeted smaller fish because the quota is based on the number of fish harvested. Also, there was a sentiment that if the commercial minimum size was similar to the recreational minimum size it would worsen user group conflicts because both sectors would be fishing on the same size of fish.

In summary, there are numerous factors contributing to the current performance of this fishery. This includes a historic management approach that, given current stock conditions and environmental factors, is likely too conservative. While concerns about the status of the stock are legitimate and shared by DMF, the coastwide quota management system takes this into account when setting the commercial quota. My recommendation to increase the number of fishing days per week will result in commercial fishery landings that are well within this quota, and in fact, I do not anticipate these changes will result in the quota being achieved. Additionally, for the reasons stated above, I do not share the concerns stated about the harvest of large fecund females by our commercial fishery. Accordingly, I argue that my recommendation is appropriate and should be approved.

Other Considerations

Recent fishery performance and public comment from both commercial and recreational fishermen on commercial striped bass management issues over the past several years indicate that we need to consider whether our current management approach is appropriate. As stated above, this management system was devised over the course of the last four decades to address the emerging issues of that day and their negative impacts on the economics of the fishery and the summertime supply of striped bass to our markets. We now faced with a new set of challenges and need to reconsider how this quota is managed.

One of my central issues is the excessive level of participants. DMF typically issues over 4,500 permit holders, with just a fraction of them (usually less than 1,000) reporting selling fish. This raises some questions about the accountability of the fishery and the harvest estimates, and I believe this is an area where management can be improved. For instance, while inappropriate, some anglers may obtain the commercial permit as a means to circumvent the recreational restrictions of 1-fish per day in the 7-inch (28-35") slot limit. This concern is furthered because there are no requirements to sell fish taken under the authority of the commercial permit. Additionally, there is the issue of where commercial striped bass tagging occurs. All other states with a commercial fishery require their commercial fishermen tag the fish upon harvest, whereas in Massachusetts the dealers tag the fish upon first sale. DMF opted for the dealer-tagging program because of the overwhelming number of commercial permit holder and the administrative burden of issuing tags and retrieving unused tags at the end of the season. However, commercial harvest would be better accounted for if the tagging was done by the fishermen.

Accordingly, and regardless of the outcome of this recommendation, I have a strong interest in engaging the MFAC on how to manage the striped bass commercial fishery in the future. To this goal, I'd like to assemble a 3 or 4 person sub-committee of the MFAC to review the current striped bass commercial fishery management system and begin to develop recommendations for potential improvements.

Attached

August 10, 2020 Advisory

Public Comments through August 19, 2020



The Commonwealth of Massachusetts

Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114
p: (617) 626-1520 | f: (617) 626-1509
www.mass.gov/marinefisheries



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Governor

KARYN E. POLITO
Lt. Governor

KATHLEEN A. THEOHARIDES
Secretary

RONALD S. AMIDON
Commissioner

DANIEL J. MCKIERNAN
Director

August 10, 2020

Marine Fisheries Advisory

DMF Proposing In-Season Adjustments to the 2020 Commercial Fishing Limits for Certain Quota Managed Species

In response to fishery performance and quota utilization so far in 2020, and with consideration of market impacts resulting from the COVID-19 pandemic, DMF is proposing in-season adjustments to 2020 commercial fishing limits for striped bass, black sea bass, and summer flounder. These proposals are described in the bullets below.

- **Striped Bass**. DMF is proposing to add open fishing days to the 2020 commercial striped bass season. Beginning on September 1, 2020 Tuesdays and Thursdays will be added to the commercial fishery. This will allow commercial fishing four days per week (Mondays – Thursdays). Then, effective October 2, 2020, Fridays, Saturdays, and Sundays will be added to the commercial fishery. This will allow commercial fishing seven days per week.
- **Black Sea Bass**. DMF is proposing to add open fishing days to the 2020 commercial black sea bass season. Beginning on August 31, 2020 Mondays and Wednesdays will be added to the commercial fishery. This will allow commercial fishing five days per week (Sundays – Thursdays). Then, effective October 2, 2020, Fridays and Saturdays will be added to the commercial fishery. This will allow commercial fishing seven days per week. Additionally, DMF is proposing to increase the daily trip limit for pot fishermen from 400 pounds to 500 pounds effective Sunday, August 30.
- **Summer Flounder**. Beginning on August 23, 2020 DMF is proposing to increase the commercial summer flounder trip limit for trawlers from 400 pounds to 600 pounds. Vessels participating the [Period II Summer Flounder Pilot Program](#) will be subsequently allowed to possess and land 1,200 pounds taken over a two-day trip. Then on October 4, 2020 DMF is proposing to increase the commercial summer flounder trip limit to 1,000 pounds and eliminate closed fishing days (Fridays and Saturdays) allowing commercial fishing seven days per week.

In-season adjustments to commercial fishing limits for the late summer and fall period is a routine action by DMF. The purpose of proposed actions is to provide active commercial fishermen with additional access to these quota managed fisheries during the fall. This will let these businesses fish around worsening seasonal weather, which typically has a limiting impact on commercial fishing effort. They will also allow for commercial fishermen to have greater access to remaining quotas. As of August 1, 2020 approximately 25% of the state's 735,240

pound 2020 striped bass quota has been taken, 20% of the state's 728,565 pound 2020 black sea bass quota has been taken, and 48% of the state's 786,399 pound 2020 summer flounder quota has been taken.

The Marine Fisheries Advisory Commission will review and vote on these proposals at the August 20, 2020 business meetings. If approved, in-season adjustments will be announced on August 21, 2020 and will be in effect for the remainder of 2020 or until 100% of the relevant 2020 commercial quotas have been taken.

Instructions for Public Comment

DMF will be accepting public comment on these proposals through 12PM on Monday, August 24, 2020. Please address all written comments to Director Dan McKiernan. All comments are to be submitted to DMF by e-mail (marine.fish@mass.gov) or by post (251 Causeway Street, Suite 400, Boston, MA 02114).

For more information about the management of marine fisheries in Massachusetts, contact DMF at 617-626-1520 or visit our website at www.mass.gov/marinefisheries.

From: wahooslayer89@comcast.net
To: [Fish, Marine \(FWE\)](#)
Subject: **ATTN. Dan McKiernan**Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 9:46:06 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.

Dan,

I am an advocate of balance wit nature. I dont believe in just catch and release. I also don't believe in just catch and kill. There is a delicate balance between the two. If the numbers and Striped bass biomass supported extra commercial fishing days, I would not oppose. However, this is absolutely ludicrous that the option to extend is even THOUGHT about. Lets not add gasoline to a heavy burning fire and allow this fish a chance. The numbers do not lie. If the population was in good shape for commercial fishing, the THOUGHT of needing more days would not exist. Think about that, please?

I want my 5 year old daughter and 1 year old son to have a chance at fishing for and catching this magnificent fish we all love...if they so choose to do so.

Please, PLEASE, listen to your gut and do the right thing!

Sincere Regards,

- Stephen Richter

From: [East Coast Angler](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial Striped Bass Fishing Quota Increase
Date: Tuesday, August 18, 2020 8:01:27 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 Mr Dan McKiernan,

As an angler, conservationist, guide and tackle maker, my main hobby, business and I could say my lifestyle depends on abundant striped bass populations. I'm from New Brunswick, Canada, however, American striped bass can sometimes make up a significant portion of our runs, even the majority when the US population is healthy. My local Saint John River striped bass have also bred with US bass and some of these bass, including those from US rivers may spend years in Canadian waters before returning to the US as recently discovered via tracking/DNA studies performed by the Canadian Rivers Institute. One tagged bass even ended up in a fish market in Massachusetts. Allowing commercial harvest of such a valuable sport fish is truly no longer feasible nor realistic in this day and age when striped bass are worth many times more per pound to the recreational fishery and the many businesses recreational angling supports. Commercial fishing is not a tradition, it is an industry. It is time to phase it out via buyouts of licences of those whose livelihood truly depends on commercial striped bass harvest and also increase retention restrictions on the recreational fishery until the population rebounds to abundance. From what I am told, many of these commercial fishermen are just anglers looking to make a few extra dollars on the side and many often bend the rules for financial gain. If this is true, it is time to stop this practice. If the striped bass population is overfished, all retention needs to cease until the current situation is corrected. A few short years of no retention or tightly controlled retention via issuance of tags, will pay back 10 fold in a few years with a truly abundant striper population.

If you are not already aware, the Miramichi striped bass population went from near extinction (less than 5000 adults) to well over 1 million in only a little over 10 years of protection from angling retention and commercial fishing. The US population could easily rebound in less time if those responsible for managing the most important fishery on the east coast of the US, have the courage to make the right call and stop increasing harvest when the population is clearly overfished!

Sincerely,

Stephen Delaney
www.eastcoastangler.ca

From: [William Hoyerman](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Decrease Commercial Fishing on Striped Bass!
Date: Tuesday, August 18, 2020 8:30:17 PM

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Dear Dan

As an avid, life long, striped bass fisherman, i depend on these fish for sanctitude. I literally beg you to not increase the commercial days for commercial fishermen. I am on the ground floor and That is wrong.

If you'd like more details please call me anytime!??

thank you

Bill Hoyerman 781/799-9506

Sent from my iPhone

From: [david bixby](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Do not increase days for commercial striped bass fishery
Date: Wednesday, August 19, 2020 7:52:30 AM

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Director Dan McKieman,

Expanding the number of commercial fishing days for striped bass is an awful idea. There might be some pockets of large bass somewhere remaining to decimate, but that is not the case in most of our waters around cape cod where I fish. Large breeding-capable fish that used to be common only a few years ago are largely gone. We need greater protections, not less. When I first heard of your proposal I had thought it would be a decision to impose an emergency moratorium on the taking of all striped bass in Massachusetts pending a healthy recovery. Please do not increase the number of days for the “harvesting” of striped bass for commercial sale. If anything, you should stop the practice altogether.

David Bixby
Dbixby48@icloud.com
Chatham, MA

From: kaufmann@nycap.rr.com
To: [Fish, Marine \(FWE\)](#)
Subject: Increase days for commercial fishery
Date: Wednesday, August 19, 2020 8:47:52 AM

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I am normally skeptical about anecdotal observations as the source of analysis.

I have been fishing for striped bass for half a century. The decline of harvestable fish during the last three years has been so precipitous that it is apparent that the stocks have drastically fallen. My experience is echoed by a network of anglers. I expect that if you and your staff are at all honest, you know this to be the case.

The reason the harvest by commercial fisherman of striped bass has only reached 25% of its allocation may have been affected by other factors like the price of dead fish and the limits created by COVID but the real issue is that there are just very few fish measuring more than 30" around let alone 35".

It is shocking to me that as the stewards of our fishery you would put forward a proposal to add fishing days for the commercial industry. It is clear that the real need is to close down the killing of striped bass pending its recovery.

Thank you,
JK

From: [Eric Larsen](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Massachusetts Proposes Adding Commercial Striper Days
Date: Tuesday, August 18, 2020 7:23:08 PM

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Dear Director McKiernan,

As a long time surf fisherman in southern Maine, my friends and I have seen a steady decline in our fishing numbers over the last few years. Please, I urge you not to add open fishing days for the commercial fisherman. If the commercial guys aren't catching enough to meet their quota then there aren't enough fish out there to catch plain and simple. We surf fisherman are experiencing the same situation and for them to use COVID 19 as an excuse proves this is driven by money and greed in my opinion. If anything, the quota should be reduced even more next year given the poor harvest numbers. I realize I'm just a small voice, but I represent the views of many serious surf fisherman up here in Maine and we see first-hand how this fishery is rapidly declining.

Thank you sir in advance for doing the right thing for this fishery.

Best regards,

Eric Larsen
York, Maine

From: [Karen Hluchan](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Increasing Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 6:28:16 PM

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TO: Dan Mckiemman, Director Massachusetts Division of Marine Fisheries

I strongly oppose the proposal to increase adding open fishing days to the commercial striped bass fishing season. According to the Atlantic States Marine Fisheries Commission (ASMFC), the population of wild Atlantic striped bass was "overfished, and overfishing is occurring." And for that reason, commercial and recreational regulations were changed to reduce fishing pressure and begin the process of rebuilding a healthy, sustainable striped bass fishery. Increased fishing pressure on striped bass now will only decrease their numbers and undo conservation efforts.

In past years the entire quota of over a million pounds of striped bass was caught within a few weeks. Furthermore, the minimum commercial size limit of 35" means nearly all striped bass harvested in Massachusetts are mature, breeding female fish—the very fish needed to propagate the species back to abundance. Please do not cave to pressure from commercial fisheries. They are being short sighted to their own industries welfare, harmful to sports fishing/tourism industry and devastating to the bass population.

Sincerely,
Karen Hluchan, JD
President Sparrow Woods Company, LLC (Retired)

From: [Tom](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Extend Commercial Striped Bass Fishing Season
Date: Wednesday, August 19, 2020 11:51:19 AM

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ASFMC states Striped Bass numbers down. I notice that in my own fishing. Recreational fishers can't keep large breeders, why should Commercial Fisherman have the season extended when already they can't catch their quota, likely due to reduced numbers of Striped Bass.

Tom Largy
59 Moore Rd., Wayland, MA

From: [Dennis Beauchene](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Wednesday, August 19, 2020 1:43:20 PM

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To Whom It May Concern:

As an avid striper fisherman in ME & NH for over 60 years, I am totally amazed that commercial striper fishing is even allowed??? Please dissolve this assault on striped bass ASAP. Especially, the taking of female breeders, fish over 35". This practice is not only short sighted but insane. These fish are the future of the species as well as future fish that my grandchildren can enjoy catching. Please stop this practice immediately!

Thank you for your time,

Dennis Beauchene
PO Box 612
Cape Neddick, ME. 03902

From: ndross@comcast.net
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Wednesday, August 19, 2020 1:09:54 PM

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You will never understand reality. Your regulations are not protecting the species. NO MORE DAYS TO COMMERCIAL SEASON PLEASE

Village Restoration
P.O. Box 97
West Falmouth, Ma. 02574
508-274-1673 (cell)
508-495-1036 (Office/Fax) No VM

From: [Justin Cordonnier](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Wednesday, August 19, 2020 12:44:37 PM

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Director McKiernan,

I am writing to oppose the plan to add days to the MA commercial fishing season for striped bass. The reason the quota isn't close to being met and hopefully won't be met is due to the significant decline of the striped bass population, specifically the large, breeding fish.

In the past, when the striped bass population was more abundant, the quota was met in a few weeks.

ASMFC has even acknowledged the striped bass population is overfished.

Allowing commercial fishermen more opportunities to catch large stripers is short sighted and will hurt the fishery in the long run.

Thank you,
Justin Cordonnier
Needham, MA

 Please consider the environment before printing this email.

From: [Andy Dober](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Wednesday, August 19, 2020 9:35:42 AM

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I oppose this change to current limits

Thank you,
AD

Sent from my iPhone

From: [Kyle Schaefer](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Wednesday, August 19, 2020 8:42:56 AM

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Good Morning Director Dan McKiernan,

I am voicing my strong opposition of extending the Massachusetts commercial striped bass fishing season. The inability of the commercial fishery to meet its quota over the past few years is a clear indication that we do not have the viable stocks available to responsibly access the resource.

Striped bass are clearly in trouble and allowing more breeder fish to swim free this season will improve our chances of letting this resource repair itself for the future. I am a full time guide in Maine. We have very few big bass around and we need every chance we can get to help these fish rebound. Thanks a million for the time and consideration.

Best,

Kyle Schaefer
603.969.3050

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[AMFF Ambassador](#) || [Costa Pro](#) || [Hog Island](#)

From: [Barry Woods](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Wednesday, August 19, 2020 7:59:47 AM

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Dear Director McKiernan-

I am strongly opposed to extending the MA Commercial Striped Bass season to allow additional days this Fall. As you know, the ASFMC has determined this fish is currently overfished- something any angler who targets them can confirm. For the MA commercial market to be allowed additional time because of their inability to achieve their quota should, if anything, alert you to the seriousness of this situation. The state of striped bass management continues to be chaotic and reactive, not proactive and sustainable.

Large bass over 35" are not around. That is quite simply why the commercial quota is unfilled. More time will not magically create more large fish if they don't exist. It will only put undue pressure on whatever remnant of large breeding females there are- and hasten the destruction of this species.

Shame on you and your fellow "managers" to consider this proposal with any degree of seriousness. ALL fishermen- whether recreational or commercial- should align themselves with reducing mortality and sacrificing to preserve this great fishery.

What legacy do you want to leave MA anglers as a result of your work? Please step up and support the preservation of this fish.

Sincerely,
Barry Woods

From: [D Carver](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Wednesday, August 19, 2020 7:04:57 AM

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With all due respect....

Are you stupid?!? Basic, basic, basic biological sciences 101. If the fishing pressure on the population has been causing depletion of that same population, resulting in less fish being caught, since when does it make scientific, logic or otherwise sense to do something to decrease the population in an attempt to increase the take? There is no magic wand that, next year, will deposit MORE stripers in the sea. They breed, they grow, the breed again, the grow, and if you disrupt that simple process, you decrease the standing population at any given time and place.

Or do you think there are less people fishing for stripers for some absurd reason? With covid, there are more people out of work, and one of the favorite past times for non work time has always been fishing (and drinking, a great combination!)

What you suggest is how buffalo nearly disappeared. Killed more, faster and over larger areas than the existing population could repopulate based on its gestation and survival rates (other than by hunting). Do you harvest more potatoes and pull the plants up with the intent of increasing the crop? Do you shoot more deer intending to increase the total herd?

The striper population has shrunk. The broader portion of that population has been reduced. The catch has therefore declined. Increasing the opportunity to catch more of the fewer fish that remain is a design to further reduce the net (mathematical net, not fishing net) population.

Why don't you start an open season on Corona virus instead. Do something useful with the money and energy you are spending.

Maybe you should open a Unicorn season as well to help reproduce the population.

Sorry but I would like to see some basic science and brain power drive your decisions in hopes of rebuilding the striper (and cod, and other great populations that continue to be under protected and over fished). If anything REDUCE the quota until you find the population has replenished and sustains itself in spite of the taking by hook for commercial or recreational purposes.

Do you get it? Or do you have some reason to neglect your charge and don't care if the striper (and other) population(s) are further depleted? If I was a conspiracy theorist, I'd say you have some short term financial gain in mind for neglecting to protect the long term sustainability of the fish population.

Why do you think people are eating more and more "junk" fish? That happens in places where the human population has such high demand they keep and find a way to eat whatever they catch and care not what it does to the food chain the next day.

Doug Carver
339-933-1794

From: [Joe Fournier](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Wednesday, August 19, 2020 7:00:32 AM

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To whom it may concern

As an avid recreational fisherman off cape cod, I, along with many others fishing these waters, have seen a decline in sizeable striped bass over the last several years. When the state made the brave choice to slot fish for recreational and limit the commercial days of fishing, I was encouraged that the fishery will rebound in a few years and we can return to an abundant crop of the species that will remain as such for many years to come.

The fact that the commercial quota has fallen short of expectations is not the goal here. The commercial fishing targets are the very fish that are mature females mostly and breeders as we all know. Increasing the commercial days for the sake of a quota is doing the exact opposite of what the new regulations were intended to accomplish.

We, as keepers of the environment, implore you NOT to increase the commercial fishing days so our future striped bass fishery can replenish itself as nature intends.

While it is understood some livelihoods are being harmed by the new regulations. It is better to have a couple of down years than no targets at all....that is the apparent direction we are heading. The fact the quotas are down has nothing to do with the number of days to fish....that should be evident.

Sincerely,

Joe Fournier

Licensed recreational fisherman

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From: [Keith Goodman](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Wednesday, August 19, 2020 6:50:40 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.

Director McKiernan,

Please know that our children's children are hoping you will not increase or extend the commercial striped bass season. This public resource desperately needs replenishing of their brood stock, mature fish are critical to The continuation of the species. Thank you, on behalf of our grandchildren, for managing this incredible resource like a renewable resource, not an opportunity for a few to money.

Best Regards

Capt. Keith Goodman

Sent from my iPhone

From: [william.doane](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Wednesday, August 19, 2020 4:59:15 AM

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Striper populations are declining .Other states are enacting rules to limit fish mortality This is no time to increase the catch. Increasing the commercial catch benefits a few at the expense of many. The striped bass resource is a national resource to be shared.

William Doane

Pittsfield Me.

Sent from [Mail](#) for Windows 10

From: toprod2000@yahoo.com
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Wednesday, August 19, 2020 2:48:54 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.

To the Director, my comment is about the extended Striped Bass season. Both more days and a longer season. Being a charter boat Captain, and have fished Massachusetts waters for Stripers starting in the 1960s and fished commercial even when we were allowed small fish. 18 inch stripers in the late 1970s till the 1980s when we had no stripers hardly left.

These fish need a break as we did in the 1980s. The MVSBD stopped the killing of stripers then and now they are advocating the same.

Some southern states have put a stop to large stripers also.

Do The RiGHT thing.

Give the stripers a rest from not only the slaughter but from other states catching and selling in Massachusetts.

The stopped commercial striped Bass in the CCC make it all over the state.

Thanks for allowing me to send in a comment.

Captain Joseph Fitzback

Cape cod Charters

Chatham, Massachusetts

Sent from my iPad

From: [Pete B](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 11:19:04 PM

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To Dan McKiernan - let's use common sense and not increase the commercial harvest. The fish is too important as a recreational species for present and future generations. Also it doesn't make sense to slot a 35in SB which is considered within the breeding female size ranges - that alone raises the question of the experience/acumen understanding of the people/person suggesting these changes.

From: [Kevin Brown](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 9:54:18 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 do not extend the commercial striped bass season. Let's allow these fish to recover. It's unpopular with the commercial fisherman but recreational fisherman bring a lot of money into the mass economy. Allow the biomass to return to a more healthy level by protecting the fish and not extending the commercial season at this time.

From: [Anderson Family](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 9:48:09 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.

Surely you can't be serious about extending the commercial striped bass season in order to allow for the limits to be reached? The simple fact that there unable to fill their quota has to send a clear and concise picture that the bio mass is in serious danger? You simply cannot read that fact any other way? The answer is not to extend the season..it should be to close it immediately!! And whatever the weight is that has been harvested so far this season, knock off 20 percent and make that next years quota! It's insane to follow any other course of action? The writing is on the wall and unless states take a serious stand to reverse the current trend the future of this fishery is sure to be doomed.

cordially,
Earl D. Anderson III

From: [Greenleaf](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 8:51:14 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.

There is no reason to add more commercial days this year! Same as last year! The fish population has been decimated, that's why commercial harvest is only at 25% when are people going to learn? When we are back in moratorium like in the 80's? Please, as a life long, born and raised Cape native. Do not increase commercial days!

Thank you,
M. Greenleaf Garrison

From: [Raymond Lawrence](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 7:33:58 PM

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Strippers are struggling enough, without any more extensions of commercial fishing. Lets do what's right to bring them back, not reduce the chances to improve the stock. We should shut down any taking till we see a significant improvement. Even if it takes years to do.

--

Ray Lawrence

From: [christopher brown](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 7:04:32 PM

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I am strongly against increasing the commercial striped bass quota. I find it highly disturbing and very telling to the nature of the fishery's management that such a measure is proposed even though the striper is and has been overfished. This is TOTALLY unacceptable

From: [William Mackie](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 5:42:29 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.

Director Dan McKiernan,

I oppose the Massachusetts Division of Marine Fisheries (DMF) proposed addition of open fishing days to the commercial striped bass fishing season.

Extending the days for commercial harvest of striped bass only puts more pressure on a stressed fishery.

Thanks you.



Bill Mackie
617.877.2888



From: [Skip DeBrusk](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Wednesday, August 19, 2020 1:50:39 PM

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As scientists, please follow the logic – the best striped bass breeders are the largest females, please do not allow our best fishermen, the commercial fishermen, target and diminish our most productive breeders.

Thank you, Capt. Skip DeBrusk

From: [botc120352](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass Commercial fishing days
Date: Wednesday, August 19, 2020 12:49:12 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.

Having been fishing for stripers for 23 years I'm against increasing the amount of days of fishing commercially. I bought a commercial license this year for the first time as I'm now retired. My understanding is we were unable to meet the quota the last few years, so I have to ask myself is it a lack of fish or a lack of fishing days. Surely you're concerned enough about the striped bass population to have the new slot regulations and circlehook mandates but yet you are for increasing the amount of breeders to be harvested. I wonder is this change only for Massachusetts or is it to be adopted by other states? We all see how well you people regulated the rest of the fishery! It's obvious that you are run by the commercial lobbyists. So now the race is on to not only catch the last cod but in a few years the last striper. Bob O'NEIL

Sent from my MetroPCS 4G LTE Android Device

From: [Doug Jowett](#)
To: [Fish, Marine \(FWE\)](#)
Subject: 2020 striped bass season extension
Date: Tuesday, August 11, 2020 11:08:11 AM

Dear Mr. McKiernan,

Mr. Dan McKiernan, I am totally against opening more commercial fishing days for striped bass. It's no secret that striped bass are in trouble. Killing more 35 inch plus bass doesn't help the problem. My suggestion is to totally shut down both recreational and commercial striped bass fishing effective September 1st 2020 and give these fish a chance to recover.

Captain Doug Jowett
61 Four Wheel Drive
Runswick, Maine 04011

From: [JAMES F O'LEARY](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Adding Commercial Striper Days
Date: Friday, August 14, 2020 5:07:54 PM

Director Dan McKiernan -

I will keep this short and to the point.

NO

Thank You for the opportunity to comment on this non-sensical idea.

Sincerely,

JIM

From: [MAL BAKER](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Adding commercial striper days
Date: Friday, August 14, 2020 9:26:29 PM

You say the bass are in trouble, you let the commercial fisherman take any fish 35" and over (breeders) put in a slot limit that most consider ridiculous and now you want to increase the number of days the commercial fisherman can fish so they can reach the quota? It would seem to me that maybe the quota might not be reached because the bass are in trouble. This is the worst year I have ever had striper fishing and I have done well even in bad years for more than 4 decades. This proposal doesn't make sense at all and that is the opinion of everyone that I have heard speak on the issue and I have heard quite a few. I am opposed to this change and if the quota is not reached so be it.

Thank you

Mal Baker

From: [Daniel Wells](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Additional Commercial Days for Striped Bass in 2020
Date: Wednesday, August 12, 2020 10:49:18 AM

Director Dan McKiernan,

The striped bass population is in severe decline. I have seen the documented evidence presented by ASMFC as well from groups like Stripers Forever and the American Saltwater Guides Association.

Additionally, I have seen a continuous decline in fish caught by myself and my group of fishing friends over the 28" size range year to year since 2016. In 2020 its very difficult to find any fish in the slot size or larger from shore. I believe opening up the remaining population of large breeding fish over 34 inches to additional commercial harvest will lead to such damage to the remaining fish that soon we will end up in another "moratorium" situation.

We probably should be considering a moratorium right now based on the data and to think the plan is now to increase harvest goes counter to all sustainable fisheries management I have seen in other states I have reside. I hope that the commonwealth will do the right thing and instead of adding more days completely close the commercial fishing for striped bass in 2020.

Sincerely,
Daniel Wells

From: [Dave Eldridge](#)
To: [Fish, Marine \(FWE\)](#)
Subject: additional days for seabass and striped bass.
Date: Monday, August 10, 2020 2:29:53 PM

Mr. Director.

This is Dave Eldridge. Permit# 161399. I am a rod and reel fisherman from Centerville, Cape Cod. In my opinion, just adding fishing days will help fill the quotas, but there are a few other reasons for the hook guys are not catching fish. Firstly, the unchecked grey seal population has decimated the inshore stocks. Also, it seems fish don't seem to like areas with abundant predators. Go try to catch a striper on the outer cape beaches, or Pleasant bay for that matter. You won't, because they are gone. Something to think about...

Now about Seabass. Currently the Seabass season is open in July. The fish have mostly left our traditional fishing grounds and are worth far less than they would be in May. Now we have to travel to find fish. Not a few miles, but 30 to 40 miles. In July the Biomass has moved to the backside of the Vineyard and beyond...It is nearly impossible to find Seabass in harvestable concentrations in either Nantucket or Vineyard sound. These long distances are not an option for many inshore guys that are not set up for long distances and or open water fishing. Boat size does matter.

The common consensus between myself and peers is to reopen the spring seabass fishery...The stock has always been healthy and is currently exploding. Stop the Potters if you are worried about the breeding population, the hook fishery is completely sustainable... It's going to be tough to fill the quota this year, any way you look at it...the fish have very little value (this year) and it takes a lot of effort just to get to the stocks.

The extra days will help with the quotas but most of us can't fish if we can't make money.

Thank you for your time.

Sincerely,

Dave Eldridge
405 Ames Way
Centerville, Ma.

From: [CINDY FRIESWYK](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Additional days to fill quota - striped bass
Date: Wednesday, August 12, 2020 9:43:09 AM

• Striped Bass. DMF is proposing to add open fishing days to the 2020 commercial striped bass season. Beginning on September 1, 2020 Tuesdays and Thursdays will be added to the commercial fishery. This will allow commercial fishing four days per week (Mondays – Thursdays). Then, effective October 2, 2020, Fridays, Saturdays, and Sundays will be added to the commercial fishery. This will allow commercial fishing seven days per week.

This is not a good proposal for the following reason(s):

1. The quota was not filled in 2019 and is not close to being filled as of Aug. 12 2020. To me this is evidence that the striped bass population is in trouble.
2. Striped bass population is collapsing (numbers of big breeders way down) . This is my opinion based on 30 years of fishing for stripers in (MA, RI, NJ)
3. Added pressure from the huge unmanaged gray seal population is not helpful (witnessed seals catching stripers, bluefish, flounder, skate, and sand dabs on many of my fishing trips)

Thanks for the opportunity to comment

Tom Frieswyk

Sent from [Mail](#) for Windows 10

From: [Ben Scott](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Against Proposed In-Season Adjustments
Date: Wednesday, August 12, 2020 6:08:57 PM

Director Dan McKiernan,

Do not add open fishing days to the 2020 season. The commercial sector is a major reason the breeding size striped bass are not available. The population is already in trouble and this would be an additional wound that eventually these fish which are far more valuable alive than dead will not be able to recover from. Do the right thing and consider eliminating all commercial harvest of striped bass in future seasons and don't let the interests of a few dictate the course of history for a fish that provides far more than a meal

I also oppose the extension of commercial seasons for Black Sea Bass and Summer Flounder. Do you not think there is a reason these quotas are not being met? Use common sense and please support these fish.

Thank you,
Ben Scott

From: [Matthew Boyer](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Atten Dan McKiernan
Date: Monday, August 10, 2020 9:01:49 PM

Extending the commercial season is ridiculous. The fish are on a obvious decline . If your not part of the solution your part of the problem. I want these fish to be around for our children and there children. I was just asked by my kids to bring a striped bass home for the table I explained that I would only do it if the fish could not be revived or swallowed the hook and would die. They understood why can't the rest of us. GREED

Sent from my iPhone

From: [Fletch1951](#)
To: [Fish, Marine \(FWE\)](#)
Subject: attention Dan McKiernan
Date: Tuesday, August 18, 2020 10:06:34 AM

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Extending the commercial striped bass season is a very bad idea. Removing even more of the best breeding fish from an already badly depleted stock will not help anyone in the long term. Please do not do this.

From: [Shane Nicholls](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Attention Director Dan McKiernan RE: Proposed In-Season Adjustments - Striped Bass
Date: Wednesday, August 12, 2020 10:17:31 AM

Dan,

I wholeheartedly object to extending Commercial Bass fishing days ! I live on Nantucket and have for 51 years . In that time I have watched the as I first arrived in 1969 the amazing amount of huge Striped Bass being caught and brought to market. Of course none of us had the foresight to see we were shooting ourselves in the foot by taking all those large breeder cows at the time. That practice by the fisherman and a lack of oversight by the state has led to the serious decline of the Striped Bass and brought about the moratorium . The moratorium ,although not thought of kindly by many fishermen , did the trick and Stripers rebounded amazingly!

I think the slot size 28-35” is an excellent way to let those breeders do their thing. Would also be nice if Jersey got on board and dropped their 38” to 35”.

I fish from a 23’ center console based in Madaket. From there I fish as far West as The Vineyard , North to the Cape and East into Nantucket Shoals. I not only fish for Stripers but also Black Sea Bass , Fluke, Bonito, False Albacore & Blues. I am a catch , handle gently & release guy as I want to preserve our amazing fisheries for generations to come. This year I would guesstimate I have caught at least 80

Stripers and probably more. In all those fish I had 1 Keeper and he was 29.9”. The majority of those fish were 24-26”and if I have done the math correctly should be the 2015 year class. NO BIG STRIPERS...nor many smaller fish. We have to PROTECT those larger fish to allow for as much procreation as possible. I feel the Striped Bass should have game fish status and not be harvested at let alone letting the commercial fishery take the breeding stock. It is bad enough that they are allowed 2 days a week to decimate the breeding stock. Please DO NOT ALLOW additional days for this travesty to take place! Has anyone considered that landings are down because the over 35” Stripers are in short supply ?

I have no bone to pick with commercial fisherman as I was myself in the ‘70’s and I understand you are trying to help them out in year like no other which is admirable but PLEASE THINK THIS THROUGH!

Black Sea Bass stocks in good shape as well as Summer Flounder so go ahead and increase those fishing days but let the Stripers alone. I am very concerned when that 2015 year class of Stripers reaches 28” ,which should be next year , what is to follow...

Thank you for your time.

Regards,
Shane Nicholls
21a Evergreen Way
Nantucket, MA 02554

860sdn@gmail.com

From: [Chris Wechsler](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Attn Dan mckiernan
Date: Monday, August 10, 2020 8:43:00 PM

Please do the right thing and do not extend the commercial fishing dead line. We have a well documented decline of the striped bass population and all that you will be doing is help speed the decline up even more. Please we all beg you to not allow this to happen so that we can have a future for our fishery.

Sent from myMail for iOS

From: [Jeff Boswell](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Attn. Director Dan McKiernan - Commercial Striped Bass Quota
Date: Saturday, August 15, 2020 2:11:24 PM

Director McKiernan,

I am writing in regard to the proposal to add additional open fishing days to the 2020 commercial striped bass season. In short I believe this is a poor idea. As an avid recreational fisherman I (along with every other rec fisherman I know) have watched the striped bass population decline sharply in recent years. The inability of the commercial fleet to meet the quota last year (and surely again this year) help to illustrate what all of us has seen in our own experience. Adding additional days to maximize the harvest of this declining population is counterintuitive. I grew up fishing in the early 80s and recall the scarcity of striped bass at that time. These fish need us to protect them and not facilitate a greater harvest if we hope to avoid the dire situation of my youth.

Regards,
Jeffrey A. Boswell

From: BrewsterOyster@comcast.net
To: [Fish, Marine \(FWE\)](#)
Subject: change to comm striped bass fishery
Date: Friday, August 14, 2020 8:03:31 AM

To whom it may concern,

I am in favor of the proposed regulation change to allow the fishery to be open Mon – Thur. for the month of Sept. and then 7 days / week in October if needed to try and fill the quota. This action should have been taken last year and quite possibly the year before as well.

Thank you for your consideration.

Alex Carlson

From: [Steve Petruska](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Changes to 2020 Commercial Striped Bass Regulations
Date: Wednesday, August 12, 2020 8:40:38 AM

Mr. McKiernan,

I urge you to reconsider the changes being proposed to the Commercial Striped Bass Regulations. I'll be honest with you that I'm an opponent of commercial striped bass fishing. The regulations target breeding fish and threaten the overall health of the striper stock. In addition, I feel that most "commercial" striper fishermen are not commercial in the true sense. They don't earn their living fishing every day. Many are individuals who use the commercial license to right off the cost of boats and equipment.

All that being said, I think the proposed changes are a big mistake. The fact that only commercial fishermen have only managed to catch 25% of the quota thus far is an indication that the larger fish aren't there. The stock of larger fish is smaller than it's been. Many of my fishing friends are reporting 26" as the largest fish they're catching. These are individuals who spend a great deal of time on the water.

Increasing the number of days and extending the commercial season to reach the quota is the wrong approach. It's likely to target migrating fish. Fish that would normally move South and be free to breed in the Spring. That would have a very negative impact on the stock. Why not let the season proceed in its current form and let the stock survive to breed again? This approach would provide a significant benefit to both fisheries in the future.

Thank you for your consideration,

Steve Petruska

From: borab2@aol.com
To: [Fish, Marine \(FWE\)](#)
Subject: Changes to Commercial Striper Bass Regulations
Date: Saturday, August 15, 2020 6:37:12 AM

Dear Director McKiernan,

I am opposed to changing the number of days for Commercial Striper Bass fishing in Massachusetts.

I would support changes to increase the penalties for any and all people (recreational or commercial) who possess illegal Striper bass.

Best regards,

Richard

Richard Banks
27 Out of Bounds Drive
South Yarmouth MA 02664

From: [Donald Nardi](#)
To: [Fish, Marine \(FWE\)](#)
Cc: [pdrenzek](#); [Tony Drenzek](#); [Craig Pehlert](#); [George Stolgatis](#)
Subject: Changing Regs
Date: Monday, August 10, 2020 1:26:52 PM

Increase the quota on everything!

Then we wonder why there are no fish.

Why not give the fish a break this year.

They said after WWII the fishing was great.

Perhaps that's what will take to save our fish stocks.

Sincerely, Don Nardi

From: [Mark Mattson](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Comment on Adjustments to commercial fishing
Date: Monday, August 10, 2020 4:53:28 PM

Dear Mr. McKiernan,

I can't believe you are proposing more commercial fishing. Where is the data to support such an idea?. I have fished on Martha's Vineyard for over 30 years and the fishing used to be great back in the day. The past few years however I have spent the summer recreationally fishing about 3 times a week and all I have caught are undersized stripers (no slot fish at all), 2 legal fluke, and a modest amount of mid-sized black sea bass. There are hardly any bluefish anymore either. Give the fish stock a break for God's sake. Do you job or resign.

sincerely

Mark Mattson

From: jackbrosi@aol.com
To: [Fish, Marine \(FWE\)](#)
Subject: Comment on change to commercial fishing days.
Date: Tuesday, August 11, 2020 4:04:14 PM

Did it ever occur to anyone that the reason that the striped bass quota is so far behind is because there are not that many commercial size bass to catch. So by going to 4 then 7 days a week you are going to kill even more of the breedstock so in a year or two it will necessary to shut it down completely. We all know that the majority of commercial bass fisherman do it as a hobby to support their boats and equipment.

BAD IDEA

Fluke? Once again I can't catch a keeper 17 INCH Fluke in Vineyard Sound.

So let the commercial guys and draggers continue to take even more 14 Inch fish so there will never be a chance for a recreational fisherman to put dinner on the table!

Please pay attention to the real problem, a decline in the biomass and the ability of commercial fluke fisherman to take 14 inch fish so less of them will ever reach the 17 inch recreational size!

Respectfully

Jack

From: [Baymen Charters](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Comment on Commercial Striped Bass Days
Date: Thursday, August 13, 2020 2:42:38 PM

Director Dan McKiernan, DMF:

Please do not add additional days to commercial striped bass. The population is already stressed too much by the commercial quota. Make striped bass a game fish only status and a catch and release fishery, with only 1 fish 36" - 40" allowed to be kept per day.

Thank you.

Sincerely,

Capt. David Bitters
Baymen Guide Service, Inc.
62 Teakettle Lane, P.O. Box 366
Duxbury, MA 02331
(781) 934-2838

From: [Conor MacWilliams](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Comment on DMF Proposing In-Season Adjustments to the 2020 Commercial Fishing Limits for Certain Quota Managed Species
Date: Friday, August 14, 2020 9:36:05 AM

This comment is addressed to Director Dan McKiernan:

I think the addition of days to the striped bass commercial fishery is a mistake. The entire fishery is already weak due to overfishing and demand for striped bass for commercial use is much lower than previous years due to COVID-19. Please reconsider the expansion of fishing days as it will unnecessarily increase pressure on the fishery to no benefit of the people who fish it. Striped bass are a vital resource for Massachusetts and must be managed with care. Please feel free to contact me for further comment.

Best,

--

Conor MacWilliams - (914) 582-7230

From: [ROBERT TARTAGLIA](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Comment on proposal to further open commercial bass
Date: Friday, August 14, 2020 5:39:50 AM

I am writing in opposition to the plan to open commercial Bashi's and further

How is it that we are making recreational fishermen release big fish (which I certainly support) so stock will go up but then say commercial guys haven't killed enough big fish so lets give them more days.

Please, this measure cannot be passed it absolutely makes no sense.

The focus should be on continued conservation not how to figure out further measures to deplete the stock

Thank you

Rob Tartaglia

Sent from my iPhone

From: [Ken Howland](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Comment on Striped Bass Commercial Season Proposal
Date: Tuesday, August 11, 2020 1:57:59 PM

Director Dan McKiernan.

I firmly believe the season should open June 1 and be open Mon - Thursday to start the season. Adding days in September is fruitless due to less anglers on the water, a percentage of anglers pull their boats at or around Labor Day. The amount of striped bass is diminished by Sept 1, school size bass will be more prevalent during Sept and October. School bass will be injured or killed during commercial days. Several people I know purchased commercial licenses only to be able to harvest fish above 35". These fish are never sold and are not compiled into the catch quota. Marine fisheries can look at the reporting and determine the majority of the harvest is between season open and mid August.
Sept 1 is too late.

Best regards

Ken Howland

From: [Jeff Clabault](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Comment re extending commercial striped bass season
Date: Monday, August 10, 2020 7:28:24 PM

Dear Director Mckiernan,

The reason the Striped Bass quota was not filled last season and has only seen 25% of the available stock taken so far this year is due to a severe depletion of the species as a whole. This shortage is especially problematic in the population of 35"+ bass, most of which are the breeding sized females needed so desperately to, hopefully, repopulate the species. Continuing the season into October, when most of those large Bass will be migrating and thus easier to target, will enable the commercial fishermen to fill more of the quota but it is bad science to fail to respond to the reason for their current lack of success. The season should instead be cut short with the goal being to protect the few fish we have left. To merely give them more opportunity to damage this already decimated fishery would be folly.

From: [Brett Stone](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Comments for in season adjustments
Date: Tuesday, August 11, 2020 10:45:22 AM

Hello DMF,

Would you kindly submit the following comments in to official record in regards to your email dated 8/10/2020; DMF Accepting Public Comment on Proposed In-Season Adjustments through August 24.

As a commercial fisherman, I applaud the DMF for considering to open the commercial season of Striped Bass for additional days; however I find the days of which are proposed to be wholly inadequate based upon a paltry commercial catch of 26% quota as I am writing this email. While opening up the commercial fishing days to 4 days per week for Striped Bass effective September 1 can help some fisherman, opening this up to 7 days per week on September 1 would help a much larger population of fisherman get back on the water. Waiting to October 1 to go 7 days per week will do absolutely nothing to help fisherman as the majority of the Bass will have migrated out of our waters by then and the return of bad weather will limit the days which fisherman can go on the water. Right now many of our local fisherman are out of work entirely in their day jobs and are relying on commercial fishing to make ends meet during this COVID-19 pandemic and any additional help the DMF can do in order to get our fisherman back on the water will greatly help. In summary, please do not wait until October 1 to make commercial fishing 7 days per week as our fisherman need help now and can't wait 2 months for more relief which would be limited by fall weather.

Thank you for accepting my comments.

Sincerely,
Brett Stone

From: [Robert Gartside](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Comments on Quota adjustments
Date: Monday, August 10, 2020 11:14:20 AM

To whom it may concern:

Doesn't the fact that the commercial catch is so poor this year register that the fishery is in trouble ? As a recreational fisherman, I am not going out as much since the fishery is so poor. Increasing the catch of breeding fish will do nothing but hurt the stock further. Don't add any days to the season - let the fish have a chance !!

Rob Gartside
Brewster , MA
Cape Cod Flyrodders

From: [Rick Schwartz](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial Bass Extension
Date: Tuesday, August 11, 2020 10:50:00 AM

I am totally opposed to extending the allowable fishing days. As you should be aware, the stocks of legal size striped bass have plummeted in recent years, your own data supports this fact. There is no reason you should support any activity to further decrease the stocks. On the contrary, you should be doing everything in your power to increase the stocks, a total moratorium on keeping any fish would be a reasonable action. Do the right thing. Richard Schwartz Brewster MA.

From: [Mike Alesse](#)
To: [Fish, Marine \(FWE\)](#)
Subject: commercial fishing
Date: Tuesday, August 11, 2020 10:28:51 AM

dear dan,

mike alesse here 31 Years old work full time and part time fisherman. I would love to see you open some more days. fish are here right now if i had more time on the water we could fill this quota. my suggestions would be lowering the limit back to 34. opening more days. prices are great market is strong. We cant let them take away more quota because we all know you never get them back. I did attend the meeting this winter.
thank you for your time

Sent from my iPhone

From: [Adam Schneller](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial fishing adjustments
Date: Monday, August 10, 2020 10:44:55 AM

The striped bass are finally starting to grow their population and now you want to let commercial fisherman catch and kill more?

This is a terrible idea. Let the population grow!

Please don't make this huge mistake now at the end of the season.

Sincerely,
Adam Schneller.
Sent from my iPhone

From: [Comcast](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial fishing for stripers
Date: Wednesday, August 12, 2020 10:14:01 AM

To whom it may concern' I do not agree that you should extend the commercial season ,as a matter fact I think commercial striper fishing should be stopped completely. It would be fine with me personally to make stripers catch and release only. Thank you Nick Korniotos 508-274-4502

Sent from my iPhone

From: [Sam Mullin](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial fishing open 7 days a week as of Oct 2nd
Date: Wednesday, August 12, 2020 7:16:52 AM

Dear Daniel McKiernan

The opening of the commercial striped bass fishery to 7 days on October 2nd is completely obtuse. Why would this ever be done if the fish can never reach the quatoa. There's a reason that its not being reached..the bass are being depleted! The numbers are horrible past 3 years. The commercial needs to be given up. This fish is worth way more recreationally than it is commercially. As a resident and 13th generation of Cape Cod, there is no local benefit of harvesting striped bass in this way. And it's awful being a surfcaster in CC bay catchin nice fish and releasing them. Then once commercial season starts the bay from shore goes dead for nice fish. No one has been making a living off of it for years. The best local revenue is charters big time. And its great with the new slot size and no gaff and the use of circle hooks thats how to save this sacred fish. I attended the meeting at MMA this fall and showed my support. In that meeting a lot was talked about EPOs and there's not enough of them. This exstention of days would put a huge stress on law enforcement, and people would take advantage of it. Such as fishermen catchin bass in Rhode Island and bringing them back to mass to sell like late last season. By extending the days all the good new recreational rules would be thrown out because the amount of damage the commercial would do. Especially if it was October 2nd such a time of very large breeding fish heading home that would be killed, should be saved for the future. Moratorium is upon us been there before and we don't want to be there again. Thank you for your time and I hope you take this in consideration with many other fishermen sayin the same...the truth.

Thank you,
Sam Mullin

From: [Glenn](#)
To: [Fish, Marine \(FWE\)](#)
Cc: [DonaldJTrump.com](#)
Subject: Commercial Fishing regulations
Date: Wednesday, August 12, 2020 12:06:54 PM

I request you to re-consider your allowance for commercial fishing guys to have even more season. There are very few "keepers in the ocean, and the recreational fisherman make up a huge population. The benefits of a few, should not override the opportunity for many. Recreational fisherman not only support boat dealers, they support taxes, vacation homes, bait suppliers, rod and reel suppliers, local tackle shops, local restaurants, local hotels, and so on. What do commercial fisherman support? I believe it is a travesty putting commercial fisherman above recreational fisherman. They are destroying the fisheries in coastal waters. I urge you to not proceed with this course of action, and rather should be rather reducing commercial quotas and showing the recreational fisherman you are hearing the voices of the masses.

From: [James Harr](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial fishing
Date: Monday, August 10, 2020 9:48:43 AM

And it's only right that us anglers from the shore line can only get 1 striper
5 flounders
And 5 black sea bass

You guys cater to the commercial fishermen more the us

It's not fair
Commercial fishermen are the ones who are over fishing the fish populations
And us on shore anglers are the ones who get all the restrictions placed upon us
Fishing has been scarce for us fishing recreational
Thanks to all the over fishing from commercial fishing
Make more rules to cater commercial fishing
And restrict the anglers

I guess money talks
Commercial fishermen have fleets of boats
Many companies with commercial licenses
Over fish the population
Money talks
And the government is greedy and corrupt
Money talks

From: [Jill Fitzgerald](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial flounder fishing
Date: Monday, August 10, 2020 10:05:22 AM

Are you people insane why are you guys letting commercial fishermen drag for flounder are you guys trying to kill the population of them? I find it appalling that you people are letting them have extra days. There will no fish left if this continues and then our kids and grandchildren will have nothing left. This is disgusting.
Sent from my iPhone

From: [James Joyce](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial season striped bass
Date: Tuesday, August 11, 2020 8:17:50 AM

Dan I just read the article in the Vineyard Gazette about the possibility of extending the striped bass season. That is the craziest thing I've heard of striped bass should be made a game fish and we should end the commercial season on striped bass all together. What are you thinking to extend the season?

The VINEYARD has taken striped bass out of the worlds most famous fishing derby this fall and we didn't do that so commercial fisherman could harvest them and make more money. Wake up.

Thanks

Jim Joyce

James E Joyce
Broker CSB
Carroll & Vincent Real Estate
PO Box 65
9 Green Ave
Edgartown MA 02539
Work: 508.627.4080
Cell: 508.627.0286

From: [Rob Moss](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial striped bass
Date: Tuesday, August 11, 2020 10:50:30 AM

Please open more days sooner than later the recreational guys are hammering the fish on off days most aren't playing buy the rules and taking over 35 in fish as they are now fishing the same fish we are charter captains seem to be playing by the rules but unfortunately some commercial guys are fishing on off days we have contacted you about this on Ryder's Cove gaffing fish on off days makes it obvious so if you could move forward with new openings before September that would be great and EPO just showing themselves at some of the landings may help thanks so much Robert Moss Chatham Ma (508-237-0710)

Sent from my iPhone

From: [Ross Lyon](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial Striped Bass feedback
Date: Friday, August 14, 2020 2:38:40 PM

Hi,

This is the first time I have ever commented on anything like this, so I'm not even sure if I'm doing it correctly. I am a recreational fisherman and I harvest an average of 3 fish per season. My feedback is short and simple. The correct commercial landings of striped bass vs. the reduced quota tells you everything: the fishery is under duress and/or the demand for harvested striped bass is low. As a result, leaving the schedule of remaining commercial fishing days unchanged is acceptable and should have a positive impact on the long term health of the fishery.

Regards and thanks for your consideration.

Ross Lyon
Byfield, MA
rlyon@toddttool.com

From: [Art Howe](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial Striped Bass Fisheries
Date: Sunday, August 16, 2020 6:15:57 PM

Dear Sir or Madam,

I know you re considering a relaxation of rules, days of fishing, for the commercial harvest of striped bass. I understand there is under harvesting of striped bass presently. In order to reach some level of compromise for both the recreational and commercial sectors, I would suggest you add Tuesday and Thursday as commercial days, but strongly oppose commercial fishing 7 days/week. Personally, my part-time guiding business on Martha's Vineyard has dropped off considerably over the last 10+ years due to the stresses on the striped bass population and changes in the forage base. Let's all work towards sustainability of the species we love and that is an economic driver commercially, but even more so recreationally. Thank you for your thoughtful consideration.

Respectfully,

Art

Arthur Howe III
860-324-0422
Member, American Saltwater Guides Association
Member, Coastal Conservation Association

From: [Peter Willett](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial Striped Bass Fishery
Date: Monday, August 10, 2020 6:23:01 PM

Dear Director McKiernan,

I am opposed to the commercial striped bass fishery in general and therefore opposed to any expansion of the commercial striped bass fishery in 2020 or at any other time for any reason.

My conclusion through my own study of the issue and substantial time on the water as a successful sport fisherman is that the taking of large fish targeted by Massachusetts commercial striped bass fishermen damages the resource, and the main reason why quotas aren't being met is because there aren't enough large fish to meet the quota.

Does the data around current fish stocks and future replacement unequivocally support an expanded commercial fishery that targets breed stock? I tend to trust science when it exists in a scientific vacuum. When data exits the vacuum and is used alongside "market impacts" as justification, I become much more suspect of the entire analysis. Is the state considering expanding limits for sport fishermen this fall?

Thank you for your time and consideration.

Peter Willett

Sent from [Mail](#) for Windows 10

From: [Aaron Perlmutter](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial Striped Bass Fishing Day
Date: Tuesday, August 18, 2020 4:59:39 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.

Director Dan McKiernan:

I am a MA resident and fisherman living on Cape Cod. I strongly oppose any increase in the number of commercial Striped Bass fishing days.

The reason that quota is slow to fill is because there are so few large bass remaining. I have been out and seen fleets for 50+ boats, so it is not for a lack of trying. PLEASE do not increase the fishing pressure on the few large breeders that are left. Let them live and spawn.

The quota is just too high given the low numbers of fish.

Thank you very much for your consideration.

Aaron Perlmutter
111 Allyn Lane
Barnstable MA 02630

From: [Fred Olander](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial Striped Bass Fishing Days
Date: Monday, August 10, 2020 11:08:44 AM

TO: Director Dan McKiernan

NO MORE FISHING DAYS!!!!

Does it no occur to you that the striped bass stock is in TROUBLE?

Frederick Olander

From: [Michael Brangwynne](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial Striped Bass Fishing
Date: Tuesday, August 11, 2020 11:11:35 AM

Dear Mr. McKiernan,

As a Mass. resident and a recreational angler I am strongly against increasing the number of commercial fishing days to harvest striped bass. Thank you.

Mike Brangwynne

Sent from my iPhone

From: [Germain Cloutier](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial Striped Bass Fishing
Date: Wednesday, August 12, 2020 7:41:49 PM

To Director Dan McKiernan,

I would like to weigh in on the proposal to Add fishing days to the Massachusetts commercial striped Bass season. This is NOT in the best interest for the fish and for the fishermen. As we know the quota has Not been met in years and the numbers don't lie. With COVID-19 around some people blamed that for the Low numbers, but that does not seem to be the case at all. It is lack of fish. Even after talking with A lot of Commercial fishermen, they are worried adding more days will flood the market and drop their prices significantly. As we All know the Striped Bass fishery is driven by the recreational sector and as a sport fish the Striped Bass is worth more Alive to the State of Massachusetts then it is dead. As we also know the decline of Striped Bass at this time is a fact, and the idea of adding more days to kill the big breeder sized As they head South to their Wintering/Spawning grounds is not a good idea in the best interest of future fish stocks. The idea that the fish that are Suppose to be Protected to breed and spawn with the New Slot limit is kind of moot if there's Commercial harvest for them. Hopefully someday the Commercial Striped Bass fishery will be a thing of the Past, as many know there aren't any people that Hold a Commercial Striped Bass tag that actually depend on it for a living, this just pays people's gas and stuff for the weekend trips. So in conclusion I Would urge you to consider NOT allowing for more Commercial Days. Please make the right decision for the State of Massachusetts and the Striped Bass future. Thank you for your Time and Considering Public Input for this matter.

Thank you,
Germain Cloutier

[Sent from Yahoo Mail for iPhone](#)

From: cahodg@aol.com
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial Striped Bass fishing
Date: Monday, August 10, 2020 10:38:40 AM

Why are you extending this season to every day rather than reducing or eliminating this species from commercial fishing and classifying it a game fish as done in our neighboring states?

From: pajr777@aol.com
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial striped bass proposed fish day increases
Date: Tuesday, August 18, 2020 7:24:01 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.

Attn: Director Dan McKiernan

I am opposed to the increased proposed fish days for commercial bass fishing for the year 2020.

I recreational fish as well as commercial fish for stripers.

Although it appears this year's landings will fall short of the designated quota I feel that during a year of the pandemic and the new regulations imposed on recreational fishermen to try and bolster the fish stock we should leave the existing fish days as they are. By adding those days we would be flooding a market with fish with little or no demand. The prices will plummet and we'll be killing the breeder stock that we are trying to protect for the simple reason of reaching a quota.

We need only to look at the tuna fishery as recent as last year when supply overwhelmed the market. And also the restricted fish days this year to prevent that from happening again during the pandemic.

Please do not adjust the fish days and chalk it up to an anomaly year

Respectfully, Phil Lenzi

From: [david christie](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial striped bass quota
Date: Wednesday, August 12, 2020 8:51:20 PM

I would like to ask you not to extend the number of commercial fishing days for striped bass this year. If the quota is not filled I think that is a good thing give the weak state of the fishery. Thank you for taking public comment on this issue. I think preserving the fishery needs to be a priority for both recreational and commercial fishermen.

From: [Stephen J Dempsey Jr](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial striped bass quota
Date: Thursday, August 13, 2020 6:38:08 AM

I am writing to oppose the proposed opening of additional commercial days for striped bass.

Striped bass are overfished and need less fishing pressure not more. Increased commercial harvest is a bad idea.

Stephen Dempsey, East Falmouth

From: [John Hollenberg](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial Striped Bass Season Expansion
Date: Monday, August 10, 2020 11:07:22 AM

Dear Dan McKiernan:

I am against increasing the number of commercial days for striped bass fishing.

I would like to see more restrictions on both recreational and commercial fishing for striped bass.

Thank u

John Hollenberg

Sent from my iPhone

From: bonitobob@aol.com
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial Striped bass season
Date: Monday, August 10, 2020 10:39:48 AM

Question

Why do we need a commercial bass season - it's killing all the big spawning fish for no reason
Striped Bass are being farmed raised - the bass are in big trouble just like the 1980's - stop this
killing now for the future of fishing

From: [MPerry6220](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial striped bass
Date: Tuesday, August 11, 2020 9:51:05 AM

PLEASE Do NOT extend the commercial days. I fish out of lynn harbor on Wednesday boats clog the channel fishing for strippers its crazy. I have seen boats passing fish off to there commercial friends the commercial fishing on striped bass NEEDS TO BE STOPED.pass on to the recreational fisherman some of there quota if u think there are too many fish WITCH there are not.

Sent from my iPad

From: [Ryan Brule](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial Striped Bass
Date: Monday, August 10, 2020 9:18:38 AM

I am writing this email to voice my opinion on the Massachusetts commercial striped bass season. My name is Ryan Brule and I live on Cape Cod. I have been an avid fisherman for most of my life and have seen good years and bad years.

I believe it is IMPERATIVE that we address the “commercial” striped bass fishery. We are one of the last states to still allow this practice. No one is making a living as a commercial striped bass fisherman. People DO make a living by using this fishery as a game species. The charter captains, the bait shops, and the lodging owners make their living on people who come to our state to fish for stripers.

Our state is progressive for so many other things... why are we holding on to this antiquated practice? The striped bass fishery has been declining in recent years, this has been proven scientifically. Having a commercial season is a bad idea as is, extending it is even worse. Please rethink this practice, your decision effects not only the fish, but the people who depend on them.

Thank you,

Ryan Brule

--

Sent from Gmail Mobile

From: hhdecoys@aol.com
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial Striper Fishing
Date: Friday, August 14, 2020 4:16:59 PM

I am opposed to any increase or expansion in the Commercial Striper season or limits. They're killing off the breeders in what we know is a declining biomass.

Thank you

Bob Mosher
16 WTER ST.
Hingham, MA
02043

From: [Thomas Rosatto](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial striper fishing
Date: Wednesday, August 12, 2020 5:29:56 AM

To whom it may concern, I'm a recreational striper fisherman and was wondering why commercial fishing is getting extended ? It seems there are a lot less stripers , (especially big ones) around the last couple of years. Shouldn't we be restricting the commercial catch so the striper population can thrive again? Thank you for listening and I look forward to a response.

Sent from my iPhone

From: [oswoodworks978](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial stripped bass
Date: Monday, August 10, 2020 12:03:56 PM

Director McKeirnan,

I am writing with concern to that proposed changes to striped bass commercial fishing.

With the added slot limitations added this year to prevent overfishing, and population degradation it concerns me that the department is even considering the addition of more commercial fishing days.

Even prior to covid there has been a noted decrease in sizable fish on NE shorelines. It saddens me that industry may be given a break when it's the fish that actually need it.

I would urge you and all considering to decline the proposed changes to commercial fishing regulations along our coasts.

Respectfully,
Todd Alden

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

From: [Will DiMento](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commerical striped bass season
Date: Wednesday, August 12, 2020 2:33:30 PM

Dan-

Adding additional days to the commercial bass season to fill quota did not work in the past, why would it work now? The state of the fishery is in severe decline. There are very clearly two biomasses of large fish right now, one off Block Island and one between Boston and Revere. Similar to the Chatham and Elizabeth Island stocks that got wiped out in years past, these are soon to be gone too. These fish are way too valuable to all be killed off. Luckily the Block Island fish are somewhat protected by the slot limit, but some were still harvested in RI's season. Please run the course of this season at two open days and reassess.

Will DiMento
9785003511

From: [Frankie Gonzalez](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Dan Mckiernan, get it together....
Date: Monday, August 10, 2020 9:55:43 PM

Adding days to the harvest week is a stupid move. It benefits noone in the long term. So quit with your poor decision making and find something else to do to occupy your time.

Sincerely,
A pissed off angler

[Sent from Yahoo Mail on Android](#)

From: [robert](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Dan Mckiernan/commercial striper changes
Date: Tuesday, August 18, 2020 12:38:17 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 would like to express that I am against the proposed changes to the commercial striper season adding more fishing days.

I have been fishing for stripers since the mid'90s and this year I have yet to meet anyone who has had a good season. Everyone I talk with says this is the worst season they can remember in many many years. The large breeding females of the species must be protected. They have been severely overfished in the last few years and I can see a collapse of this fishery in the future if we continue on the course we have taken.

Thanks,
Robert Boland
Centerville, Ma.

Sent from Xfinity Connect Application

From: [Colin Stokes](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Director Dan McKiernan Stripped Bass Regulation Change
Date: Monday, August 10, 2020 11:28:16 AM

Dear Director,

I would like to submit my support for the changes proposed to the Commercial Stripped Bass season.

I would also suggest moving those dates sooner if possible.

Thank you for your time.

Colin Stokes

From: [Adam Schneller](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Director Dan McKiernan.
Date: Monday, August 10, 2020 10:51:11 AM

The striped bass are finally starting to grow their population and now you want to let commercial fisherman catch and kill more?

This is a terrible idea. Let the population grow!

Please don't make this huge mistake now at the end of the season.

Sincerely,
Adam Schneller.
Sent from my iPhone

From: [Adam Schneller](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Director Dan Mckiernan
Date: Friday, August 14, 2020 12:09:53 PM

I see you extended the commercial striped bass fishing. Thanks for nothing. Why don't you do something about the seal population???

You're useless.

Sent from my iPhone

From: [Matthew B. Stetson](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Director Dan McKiernan: Comment on proposal to extend commercial Striped Bass Season
Date: Friday, August 14, 2020 4:33:07 PM

Mr. McKiernan,

I am a recreational striped bass enthusiast and a full time resident of Sandwich Ma, Also, I might add, not a marine biologist. I find the proposal to extend the commercial bass season ludicrous. The obvious reason that they have only achieved 24.4% of the quota this year is that there are less fish to catch. I have witnessed the decline in the passed 10 years myself. The solution is not to extend the season so they can sell more of a quota of a declining fishery. 735, 240 should be the **LIMIT, not the goal**. Additionally, It should be lowered next year, and the year after that, until the magic number can be found to create a sustainable fishery for striped bass commercially.

Thank you for taking the time to read this.

Respectfully,

Matthew Stetson

From: [Jim Brennan](#)
To: [Fish, Marine \(FWE\)](#)
Cc: [James Brennan](#)
Subject: Director Dan McKiernan/comm striped bass season adjustments
Date: Tuesday, August 18, 2020 2:32:20 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.

Sir

As a commercial license holder with striped bass endorsement and charter boat permit holder I just wanted to voice my approval for proposal to adjust season on 9/1 to Mon-Thurs for all the reasons mentioned i.e. weather issues/quota fulfillment etc. Only makes sense to increase odds of license holders to take advantage of already established quotas which in all honesty will probably not be reached once again, primarily because of limits placed by number of days allowed to fish in prime part of season in my opinion. Going forward perhaps consideration may be given next year to opening the season Mon-Thurs right from the beginning in June, I guess results from this year will bear that out should the quota not be reached even with the increase in open days. I feel I can speak to this issue with some experience having held both commercial/charter permits for over 30 years. Feel free to reach out to me for any input/comments which you may feel helpful in making future decisions.

Respectfully, Jim Brennan, Strike Sportfishing Charters

Sent from my iPhone

From: [James Jewkes](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Director McKiernan
Date: Tuesday, August 11, 2020 9:09:42 PM

Hi Mr McKiernan,

After seeing how the striper season is going and seeing this email. Not sure how adding days to the commercial side of the striped bass fishery would help the them recover after over fishing has occurred. Back during one of the DMF meetings it was brought to your attention about not meeting the commercial quota and here we are again. When you became director I thought to myself, hey this guy knows what's going on, Now the fish might have a chance. It looks like same as it ever was.

Please no extra commercial days our fish need a chance to go back and spawn.

Less killing of our breeder fish is the only way to rebuild the stocks

Thank you for reading

James Jewkes

Sent from my iPad

From: [James Richmond](#)
To: [Fish, Marine \(FWE\)](#)
Subject: DMF Accepting Public Comment on Proposed In-Season Adjustments through August 24
Date: Tuesday, August 11, 2020 11:13:10 AM

I am for all of these Proposals. With these hard times it is a way to make a living.
Thank you

From: [Charles Devens](#)
To: [Fish, Marine \(FWE\)](#)
Subject: DMF Accepting Public Comment on Proposed In-Season Adjustments through August 24
Date: Wednesday, August 12, 2020 4:59:23 PM

Dear Fisheries Managers,

Please give the species you are considering increasing the commercial days for a break. The reason the quotas are low is because the demand is low due to the pandemic. This would allow the stocks to replenish so that when there is sufficient demand again there will be sufficient stocks to meet that demand. I have caught exactly one legal recreational sized striped bass this summer while targeting them practically every weekend off of Monomoy Island. Their size and volume has been decreasing for years from my experience. This is your one chance to protect some of the best breeding fish for a year so please give them that break. The same goes for the Black Sea Bass and the Fluke/Summer Flounder. Give them a break from over-harvesting when there isn't demand to meet the oversupply you will be creating.

Thank you

Charles Devens
45 Deerpath Rd
Dedham, MA 02026
617-901-4485

Daniel McKiernan, Director
Massachusetts Division of Marine Fisheries
Causeway Street, Suite 400
Boston, MA 02114

August 11, 2020

Dear Dan,

I respectfully submit the following comments regarding recent proposals to increase allowable days of commercial fishing for striped bass, summer flounder and black sea bass, ostensibly to allow for quota attainment.

Given the current localized abundance of legal commercial and recreational size striped bass and summer flounder, particularly around the Cape and Islands, it is very difficult to rationalize that the taking more of a scarce resource makes sense for the long term outlook of the stock or the fisheries.

Personally, I have caught hundreds of the 2015 year class of stripers this year, but with only a handful over 28". The same holds true for most of my friends. There are just not many of the older fish left in the local populations and those should be carefully conserved for their contribution to the spawning stock until such time as the abundant 2015 year class recruits to the local fisheries.

Local summer flounder fishing, unfortunately for both sectors, seems to be a lost cause due to population contraction, and a reduction in the length frequency distribution. Out of 10 recreational fishing trips this summer I have caught only a handful of recreational size limit fluke and a limit of 5 fish only once. That from a trip a 35 mile run from the dock east of Nantucket. Like striped bass given the local availability of fish to keep, it makes little sense to increase effort.

One could make the case that the fish we don't kill will only be utilized by other fishermen in other states, however tagging results for both species and strong correlations between local recruitment and future stock size reveal the localized nature of the stock components we fish on. I.E. our fisheries rely heavily on fish imprinted to our waters returning to our waters and most of those localized stock components have been fished down to the point they are no longer support viable local fisheries. Many recreational anglers as well as small boat commercial fishermen are having to go further and further from port forcing them to make decisions regarding giving up fishing, pushing the range limits of their vessels or having to move up to larger vessels, greatly increasing costs and safety concerns.

Most of the above comments could be applied to black sea bass as well but in this species case elevated water temperatures in the Sounds appear to be more of a factor in declining catch rates than population size. Our commercial quota and recreational harvest limits appear commensurate with localized availability, at least for the last several years. A decline in water temperatures this fall should result in an increased commercial harvest, with or without the addition of allowable harvest days.

Lastly, I feel the Division and Commission need to look long and hard at what they wish the two fisheries sectors to look like down the road. The two sectors are in direct conflict regarding fishing grounds, supporting infrastructure, and available resources. As an example, anglers with a hook and line in small vessels cannot compete directly with commercial net operations in the same places, times and on the

same species unless resources are abundant. Having disparate size limits only places anglers at a greater disadvantage.

Setting a long term policy regarding balancing the two user groups needs would go a long way to reducing the constant tug of war between the two sectors by establishing ground rules that both can sectors can live with vs arguing about rules on an annual basis.

Sincerely,

Paul G. Caruso

42 Matthew Way

Marstons Mills, MA 02648

From: [John Curry](#)
To: [Fish, Marine \(FWE\)](#)
Subject: DMF -Proposed in season adjustments
Date: Monday, August 10, 2020 7:55:59 PM

Dear Mass-DMF,

In response to the proposed changes to the commercial Striped Bass season open days , I have to say I'm very disappointed!

As a for-hire charter captain who for the last 10 years averages roughly 100 charters a season I am worried, very worried.

I have seen the catch rates and average size of the fish my clients catch consistently decline over the past 5 seasons.

The commercial take of striped bass in our state waters is 100% responsible for this major decline.

How can you have sound management of such an important species as our Striped Bass by allowing the taking of the large breeding sized fish year after year? It makes no sense at all to anyone from out-of-state when I discuss our commercial season to them.

I even had a fisheries biologist from Montana last year and he was very confused as to why this is. In his words " that type of management is for the good of one or two entities and most likely it's about a short to term gain in dollars ". Needless to say he hasn't been back to fish and spend his tourism dollars on The Cape since.

I'm an onshore guide who caters to many foreign travelers who spend considerable amounts of money in our state while they fish for Stripers.

Hotels, restaurants, rental vehicles etc and not to mention they love the charm of our small specialty shops here on Cape Cod. Oh and we hardly ever keep a fish. Like most of the guides I know, we may kill roughly 10 fish a season for clients to take home and enjoy.

Our striped bass no longer hold in large schools where they once did . Why you may ask? Because once the commercial fleet finds them it's game over for that school of breeders. I often see the same boats out for 2-3 trips a day instead of the legal one trip per day for the commercial limit. They have 3 licenses and use a different one each time they sell their catch to the buyer. It's widely known and is virtually un-enforced.

Yes I'm bitter on this new proposal so let me ask you this. If my clients can't catch a keeper size fish each trip why aren't you allowing the recreational anglers to keep smaller sized fish? Hmm?

I'm 56 yrs old and have lived through the time period when we had no stripers due to over fishing commercially. Let's not let that happen again please!

Stop the commercial take of striped bass all together and see how much more revenue the state will make versus the alternative.

Best,

Capt John Curry

508-209-7741

Sent from my iPhone

From: [Joseph Modry](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Do not increase commercial striped bass harvest
Date: Saturday, August 15, 2020 9:17:23 AM

These fish are worth much more harvested recreationally than commercially. If there comes a time when the stock has been restored to good health, it might make sense to allow the harvest of excess by commercial anglers. This is not that time. Focus on restoring the stocks so that my son can enjoy the excellent fishing I had in the 90's and 2000's

Best, Jay Modry
647 Lake shore rd
Greensboro, VT

---This message was sent by a Hazen Teacher---

OSSU - Cultivating Learner Agency through Reflective Practice

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From: [Jeremiah Treanor](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Expanding Commercial Fishing Days
Date: Tuesday, August 11, 2020 9:56:55 AM

Dear Dan,

I am writing in protest of the expansion of the commercial season for striped bass in light of the quota not being met. The quota hasn't been in years now which no extensions will solve.

There is a well documented decline in the striper biomass, how are they expected to repopulate if such added pressure becomes the norm. Do right by both the people and the bass, use some common sense. Don't extend the commercial season.

Jeremiah Treanor

Sent from my iPhone

From: [01/27/2017 Cannistraro](#)
To: [Fish, Marine \(FWE\)](#)
Subject: extended fishing
Date: Monday, August 10, 2020 5:33:02 PM

No wonder that the fisheries are suffering .Let the commercial people take more striped bass and a longer season for Bass and black sea bass. Punish the recreational fishermen and reward the commercial fishing. With the bad mismanagement these species will never come back. Example River Herring allow netting of Sea Herring as the River Herring are mixed in. That's why the River Herring have not come back even with a no take mortarium in place. Recreational fisherman put ten times more into the economy than any Commercial fisherman .
David Cannistraro

Sent from [Mail](#) for Windows 10



Virus-free. www.avg.com

From: [rht1898](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Extending Commercial Fishing Days
Date: Monday, August 10, 2020 9:48:17 AM

To Whom It May Concern,

I do not support extending the striped bass commercial fishing days.

The weather this summer has been as near to perfect for fishing and commercial striped bass fishing is at an all time low. What does that tell you? The large breeder stock is in terrible shape. DMF response? Kill more and further stress an already depleted stock so that next year there will be even less. Makes absolutely zero sense.

Give the stock a few years to rebuild itself and you can pat yourself on the back in 2025. Otherwise, there will be no commercial striped bass fishery to manage. In three short years, the stock has gone from easily reaching quota to never reaching quota. For a state that prides itself on data, DMF still can't get it.

Never mind that the market for selling these fish, i.e. restaurants, is pretty much closed. There could never be a better year for DMF to shorten the commercial season than this one.

Best regards,
Richard

From: [Jerry Williamson](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Extending commercial fishing striped bass
Date: Friday, August 14, 2020 2:06:17 PM

DAN McKiernn

There is no need to add more days to commercial fishing, the over fishing has caused enough damage already. Lets save something for future generations

Jerry Williamson

jerry@tresent.comwww.tresent.com

From: [Joe Cummings](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Extending commercial striped bass fishing days
Date: Monday, August 10, 2020 9:38:16 AM

Director Dan McKiernan; I am opposed to an extension of commercial fishing days for striped bass. If the catch rate to this date is low a logical reason is that there may well be fewer fish to catch. Let the bass live for a few seasons to reproduce. Extending the commercial days for striped bass would be like hunting buffalo in the Wild West almost to extinction . It makes no sense. Thanks for your consideration.-Joseph Cummings

Sent from my iPad

From: [dan feeney](#)
To: [Fish, Marine \(FWE\)](#); [Mafia Maark](#); [Tom Berg](#); [Blair & Dianne Emin](#); [Mike O'Rourke](#)
Subject: Extending the seasons and limits on commercial Striped Bass and Black Sea Bass
Date: Monday, August 10, 2020 2:25:30 PM

I am amazed that you folks are still stuck on helping the commercial guys when you have allowed them to destroy our recreational fishery. Maybe you didn't get the memo that there are now more (paying) recreational fishermen than commercial and we are sick of your one sided control of our fishery. We not only ask but will now demand a sustainable fishery management team where the fishery comes first, the Recreational fishermen come second, and the commercial guys can have any fish that are left. At the rate you are going - there won't be any.

I want those of you who even propose such stupidity as your recent striped bass regulations to be fired and their pensions taken away. As a wildlife biology major back in the seventies, I am completely amazed at your politics and frankly - incompetence. I would rather stop ALL fishing than to let you continue down this path and I intend to formulate a plan to end your positions.

Sincerely and with no respect deserved
Daniel Feeney

From: [Dennis Minnich](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Extension of commercial fishing days
Date: Monday, August 10, 2020 9:42:28 AM

Director Dan McKiernan,

I am against extending striped bass commercial fishing days. There are fewer and fewer striped bass every year. This year is worse than last year and last year was worse than the year before. Please don't give in to the lobby. Thank you, Dennis Minnich

Dennis Minnich
54 South St
Berlin Ma. 01503

From: [Thomas Shallow](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Extension of commercial fishing
Date: Wednesday, August 12, 2020 11:13:38 AM

Hello i just wanted to let you know the commercial fishing should be limited if anything. 1000lbs a week for flounder? Seriously? That's about 500 fish PER license. What you're proposing is wrong and should not take place.

From: [GERALD WHEELER](#)
To: [Fish, Marine \(FWE\)](#)
Subject: extension of commercial season for striped bass.
Date: Thursday, August 13, 2020 2:43:43 PM

attn: Mr. Daniel Mc Kiernan

The obvious explanation for the low yield for commercial striped bass fishery is the obvious lack of larger fish in our waters. Adding more days or ours to the allowed fishing time will only exacerbate the depletion of larger fish. The original time allotted to commercial fishing I would assume was thought to be realistic to arrive at the allotted catch ,and since weather has not played an unusual part in available days, this season,One could conclude that allowing more time will only lead to the further depletion of available fish.

I hope the commission would consider lowering to reflect the real and apparent lack of fish.

Thank you

From: [Will Pinkus](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Extension of commercial striped bass season
Date: Monday, August 10, 2020 12:16:09 PM

I am writing in response to the proposal to extend the commercial striped bass season. The striped bass fishery is in need of repair. We should be reducing the harvest and increasing studies on how we can responsibly harvest these fish if at all. I have more than 30 years of experience fishing Massachusetts for striped bass and recently have noticed a severe decline in commercial sized bass. We need stricter enforcement for everyone, recreational, for hire and commercial. Please help protect this resource that provides much more recreationally than commercially.

Tight lines,
Will Pinkus

From: [WILLIAM GRAHN](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Extra commercial fishing days.
Date: Monday, August 10, 2020 11:29:41 PM

I think adding more commercial fishing days is a slap in the face to recreational fishermen and women. Striped bass numbers are severely restricted for recreational fishers. 7 day open season will eliminate boat access for recreational fisherpeople using boat ramps because all parking spaces will be taken by commercials. With no boat access why would recreationalists even bother 1: buying a recreational license? 2: register a boat, pay the ramp fee? 3: buy bait and tackle putting tackle stores OUT OF BUSINESS!!! 4: Provide info to fisheries personal. 5: buy extra gasoline for towing vehicle and boat, NO GAS TAX. Your proposal is terrible... William Grahn.

From: [Richard Deschamps Jr](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Fishing regulation changes
Date: Saturday, August 15, 2020 8:36:15 AM

I do not support your proposed in-season commercial fishing quota changes. Your primary duty is to manage a healthy fishery for the long term. Instead, your department is often focused on the short term profit of private business at the long-term expense of depleted fishing stocks. In your proposed changes, there is no mention of any scientific evidence to support them. You anecdotally cite COVID and weather as the reasons for low catch levels to date. Where is the evidence that this is the case, and that the lower catch levels are not due to depleted fisheries? Furthermore, fisherman and environmentalists alike know that in part the burgeoning seal population in recent years has had a harmful impact on the local fish populations. And yet this is never addressed by your department, and instead only fishing gear and fishing practices are blamed. Sure, that is a part of the truth, but your department should give the full truth. That is your duty, and what is needed to maintain public trust for your department. Please do your job and prioritize long-term healthy fish populations, and get out of the business world, which is not the designated priority of your department. Thank you.

Richard F. Deschamps Jr.

From: [Mike Walsh](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Fluke
Date: Tuesday, August 18, 2020 4:50:11 AM

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Hi I think the state is heading in the right direction on the commercial landing lining up with other states and maybe landing ours state's Allocation
Mike Walsh

From: [Dave Anderson](#)
To: [Fish, Marine \(FWE\)](#)
Subject: For Dan McKiernan
Date: Monday, August 10, 2020 7:55:33 PM

Dan,

You can't be serious. In the face of a documented decline, an obviously failing fishery, a commercial quota that used to be met long before September and now is flat out NOT MET year after year, you're going to try and INCREASE the number of commercial fishing days so that a greater percentage of the remaining fish can be harvested? When something is easy to get and then becomes hard to get, the obvious conclusion is that you're taking too many! C'mon Dan do the RIGHT thing, the responsible thing, and start moving toward a lower, attainable quota. This will ensure that the commercial striped bass fishery actually has a chance to remain viable for many years to come. Making it easier to kill more of the biomass we have left in the pipeline is irresponsible for all fishermen and only puts this failing fishery in greater jeopardy.

Do the right thing, your mom would approve,
-Dave Anderson
Outdoor writer, avid striped bass fisherman and concerned citizen

Sent from my iPhone

From: [John Foye](#)
To: [Fish, Marine \(FWE\)](#)
Subject: I am Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 1:21:49 PM

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Failure to catch its full commercial quota is an indication of the decline, please think of everyone that fishes for Striped Bass and i have **for 50 years !** thank you - John

From: [Tom](#)
To: [Fish, Marine \(FWE\)](#)
Subject: I Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 3:08:39 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.

Director Dan McKiernan

Sir,

I am writing as a resident of Massachusetts and an active recreational fisherman.

It very clear to me and my fellow recreational fisherman that the Striped Bass population is in a sever crisis. The last 5 year (and especially last season vs. this) have seen dramatic decrease in catching of ANY stripped bass.

Regularly fishing multiple days a week this summer I have only caught 5 (only one of which was a keeper!). That is crazy! That is something like a 10x decrease vs 5 years ago. I would say there has been a 2x decrease just since last season.

It is time for extreme measures to protect and repopulate the striped base population. A move to extend the commercial season is a mistake and would be yet another commercial biased decision that further hurts the diminished Striped Bass population and in the extreme, further deprives them of the breeder size fish that we need most.

Thanks.

Thomas Wisniewski
917-885-2616

From: [KENNETH ELDREDGE](#)
To: [Fish, Marine \(FWE\)](#)
Subject: in season adjustment to striped bass regs
Date: Sunday, August 16, 2020 11:31:38 AM

Last year the quota wasn't filled with the 2 days a week regulation. Now this year is heading the same way even with a reduced quota. Obviously the striped bass population is in trouble. You are most certainly not going to help the situation by adding fish days. More breeding sized fish will be killed. The ex vessel price will drop as well. Let's face the fact that something bad is happening. Increasing fishing effort on the bass stock will harm it, not help it. Keep the Monday and Wednesday days in effect. Don't risk overfishing the striped bass.

Kenneth Eldredge

Captain

Chatham

From: [Paul Unangst](#)
To: [Fish, Marine \(FWE\)](#)
Cc: [Silva, Jared \(FWE\)](#)
Subject: in season adjustment
Date: Tuesday, August 11, 2020 8:01:23 AM

ATT Dan Mckiernan

This is Paul Unangst from marshfield Mass fishing on my boat Destiny for summer flounder in Nantucket sound. I have been fishing this area before there were any start dates and any quota amounts so i have a good knowledge of the trend of this fishery. This year has been another year with lots of grass around which has really hurt the catch rate of fish. I have only been able to fish on average of 2-3 days out of the 5 that are allowed because the weather has been windy on the open days and the nice days have been on the days off. Every single Saturday for the month of July has been no wind at all. I fish alone and its hard to fish when the wind is 25 mph On a 36 foot boat with all the dragging gear. I wish you would eliminate the closed days right now not wait till October 4. If you wait till October every one i know is all done fishing for fluke by that time and it will do no good to anyone. I have said for many years i wish i could pick my 5 days out of each week to fish and was told it would be an enforcement problem but you could maybe use a call in system like we had for ground fish years ago. As far as going to 600 lbs from 400 lbs not going to make a big difference in the catch rate because most boats having tough time to catch 400 lbs. I wrote a letter at the beginning of this year asking not to reduce the horseshoe crab to 75 crabs from 300 for me because of last year the crabs were caught for the first time ever and now we are looking at that quote at 50% caught with boats leaving the fishery every week because we can't make enough money to get by. I would like to ask to go back to 300 crabs for the rest of the season even at that it would most likely not reach the quota by the end of the season . There has been a drastic reduction in the boats fishing for fluke in just the last 3 years in the Nantucket sound i used to look around and see roughly 20 boats in sight of me and at the most now maybe see 4 boats. In my opinion this fishery the way it is set up right now is not going to profitable in the future. Myself and at least 4 other fisherman i know have doubts about fishing for fluke next year.

Thank you Paul Unangst

From: [Ketch, Chad](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Increased Quota
Date: Monday, August 10, 2020 8:21:07 PM

Hello Dan,

I think the choice to increase the days per week available for commercial striped bass fisherman to meet their quota is the exact opposite of what should be happening. The striped bass stocks have reached a dismal state, and will have no hope of retaining a chance for positive upturn if nothing is done. I hope this changes your perspective.

-Chad Ketch

From: [WILLIAM R TODD](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Increased quotas for Striped Bass
Date: Tuesday, August 18, 2020 11:39:59 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.

Gentlemen, Please realize that the striped bass is declining in numbers and the amount of money that we recreational fisherman spend to fish for this species is much larger than the sales of this fish at the markets. It should be a gamefish like bonefish are in the Bahamas. Government should be reducing the quotas if they are really interested in serving the public. Sincerely, William Todd 781 Stony Brook Rd Brewster, Ma 02631

From: [Dave Pickering](#)
To: [Fish, Marine \(FWE\)](#)
Subject: increasing commercial striped bass days
Date: Monday, August 10, 2020 2:45:33 PM

Dear Director Mc Kiernan,

I fish live in RI but fish MA waters a lot for striped bass. I am a recreational fisherman. From my observation of fishing just about every night, I can see there is a serious problem with large striped bass or the lack of.

I'm guessing the quota is not going well because there are so few big fish around to catch. So, why increase the pressure by increasing the number of days commercial guys can fish? I **am opposed** to any increase in commercial fishing days for striped bass given the current situation.

In addition, these larger keepers are the breeders of future generations of striped bass. They should be protected for the health of the future of the fishery.

I hope you will consider my comments,

Dave Pickering
4 Sayles Ave.,
Lincoln, RI 02865

From: [Timothy Donnelly](#)
To: [Fish, Marine \(FWE\)](#)
Subject: In-season adjustments to 2020 commercial fishing limits for striped bass
Date: Friday, August 14, 2020 9:35:19 AM

Dear Director Dan McKiernan:

I am writing to provide public comment to the proposed in-season adjustments to 2020 commercial fishing limits for striped bass.

As background, I am an active recreational fisherman, both shore and boat. I fish primarily Cape Cod, but also the northern shores around Boston.

You are the experts and I assume are in regular contact with the commercial fisherman. I presume you are also familiar with the market conditions for striped bass. Two things are affecting the harvest: a soft market because of C19 and/or lack of properly sized fish.

Increasing the number of days available to commercial fisherman will have no positive impact on either factor. It may slightly increase the harvest and provide some flexibility to commercial license holders to fish other days, but it will only serve to soften the market demand. If there is a shortage of properly sized fish, then we have significant problems that this proposal exacerbates. I will also add there has been a tremendous uptick in recreational fishing, perhaps unprecedented. Anecdotal, but I have seen a lot of undersized dead fish floating in the areas I fish. Even the best C&R practices result in some mortality.

I see this proposed change as inconsistent with preserving and fostering the striped bass fishery. The striped bass could use a season off.

Thank you for your time and I appreciate all you and your staff do.

Tim Donnelly
timothy.e.donnelly@gmail.com
Melrose, MA

From: [Edward Austras](#)
To: [Fish, Marine \(FWE\)](#)
Subject: keep commerial striped bass fishing at 2 days per week for 2020
Date: Tuesday, August 11, 2020 10:37:01 AM

Hello Sir,

Please keep the current rules in place for both commercial and recreation fishing.

Do not add additional days to the commercial fishing season. Do not increase catch limits.

if the total catch is down, it's because the overall striper population is down. Let's give the fish a year to restock. We may need another year or two to help make things right.

Thank you

Ed Austras

Recreational Striper fisherman for 10 plus years.

From: [Jeffrey MacDonald](#)
To: [Fish, Marine \(FWE\)](#)
Date: Thursday, August 13, 2020 3:03:05 PM

I would personally think that given the fact that the commercial fishing guys are having difficulty filling the quota, then maybe the quotas are too high and the fish stocks could use some time to rebuild, similar to what is going on with the GOM cod stocks, figure it out, give the fish a break!

From: [Andy Boynton](#)
To: [Fish, Marine \(FWE\)](#)
Date: Tuesday, August 11, 2020 6:02:10 PM

Dear Officials,

I'm stunned and saddened by the proposal to expand commercial fishing quotas because they failed to catch their quota. Is the quota now not a quota, but a "targeted number"? The quota numbers are already too high and Mass already overly favors commercial fishing, given their damage to the fishery and hindrance of effective sports fishing. **NO HIGHER QUOTA's** please. The logic of raising the quota can only point to support from a few well heeled interest groups who are pursuing objectives against the greater good.

Thank you, Andy Boynton

--

Andy Boynton
John and Linda Powers Family Dean
Carroll School of Management
Boston College
140 Commonwealth Avenue
Chestnut Hill, MA 02467

boyntona@bc.edu
617-552-8420 (p)
617-552-8738 (f)

From: [Joseph Gomes](#)
To: [Fish, Marine \(FWE\)](#)
Date: Tuesday, August 11, 2020 7:50:45 AM

My response to extending the commercial striped season;
I strongly disagree with the extension plans. I strongly disagree with the whole idea that commercial fishermen are allowed to take the bigger fish for market. I feel that ALL the stripers taken ought to be in a slot limit and allow the larger, older more prolific breeding stock to escape death and rebuild the stocks now being over harvested at one end and deprived of their food sources at the other end.

I am pleased that Fisheries has FINALLY taken moves to restrict the over harvest of Menhaden by the rendering industry but I fear that it may be a case of too little, too late; so often the case with our precious resources.

I am not pleased at the whole idea of fluke/flounder fishing with towed nets. Who thinks it's a good idea to totally tear up the sea floor to catch the fish? The bycatch must be incredible. Such waste is unsustainable and WE ALL know that.

Would it be so terrible if we DID NOT fill a quota for a reason other than there weren't enough fish to catch? Must we always operate on the credo of MORE, MORE, MORE?

Use some common sense, employ your ethics rather than be swayed by money.
Thanks for your time. J. Gomes

From: [chris blakie](#)
To: [Fish, Marine \(FWE\)](#)
Date: Monday, August 10, 2020 11:41:03 AM

I for one am against the change for the commercial fisherman. As a recreational fisherman would like to see the striper fishing get better for the future of the sport. I understand businesses need to survive but at what cost loosing the fish all together?

[Sent from Yahoo Mail for iPhone](#)

From: [Robbie Willis](#)
To: [Fish, Marine \(FWE\)](#)
Date: Monday, August 10, 2020 9:12:51 AM

Sure after you screw the canal Fisherman

[Sent from Yahoo Mail for iPhone](#)

From: [romanaround5246](#)
To: [Fish, Marine \(FWE\)](#)
Date: Sunday, August 16, 2020 4:11:06 PM

Dear Director McKiernan,

I am writing to you about the absurdity of opening up more days to commercial Striper bass fishing. There is a reason why the commercial sector has low numbers. Just like the recreational sector, the population of striped bass is overfished. And I guess you don't understand what that means. We don't have the same number of fish that we used to. If the recreational sector isn't able to catch and keep their one fish a day, are you going to allow us to keep more fish at the end of the year to make up for it? I don't think so. Why should you allow the commercial sector changes in regulations? If you do, then you are considered a hypocrite!! Save the Striped Bass!!!

Sent via the Samsung Galaxy, an AT&T 4G LTE smartphone

From: vinnyf18@verizon.net
To: [Fish, Marine \(FWE\)](#)
Cc: vinnyf18@verizon.net; michaelgerrity@me.com; ron.reif.jr@gmail.com; salar02@aol.com; chellafoods@gmail.com; rickjwils@hotmail.com; capeflyfish35@gmail.com; harry.graff3@gmail.com; tinylynch@comcast.net; outcastcharters5@aol.com; Flyfisher2012@live.com; Wfb99@comcast.net; godinfam@comcast.net; ccunsworth@comcast.net
Subject: New proposed commercial regs.
Date: Monday, August 10, 2020 12:10:04 PM

Dear Mr. McKiernan,

In a year when we've seen our world turned upside down with a pandemic and social unrest, you and the members of Mass Fisheries are in the unique position to do something to restore our faith in the powers that be. Please do not extend the number of commercial fishing days. As a matter of fact, as a board member of the Cape Cod Flyrodders, I can unequivocally state our membership would vote tomorrow for a limited moratorium on striped bass fishing all together ASAP. This would give these fish a chance to recuperate their breeding stock numbers, and increase their chance to survive for future generations. It is not often a few people have the power to do something that is genuinely good, rather than unquestionably for the financial gain of a few. Believe me when I say, so many people are waiting a watching what happens on this vote. Thank you for your consideration.

Vincent Foti
21 Hinkley Pond Drive, South Dennis MA 02660

Sent from AOL Mobile Mail

From: [Bill Ewing](#)
To: [Fish, Marine \(FWE\)](#)
Subject: New rules for commercial fishing Striped Bass
Date: Sunday, August 16, 2020 11:53:25 AM

I'm a long time recreational salt water fisherman from Cape Cod to Salisbury. Over the last 40 years I've seen the Striped Bass fishery have it's ups and downs in size, quantity and locations. Not to mention but not excluding Cod and many other restricted fish on your list.

Let's be serious here people, it doesn't take a rocket scientist to know the Striped Bass population is in a decline, and has been for a number of years. I have fished with friends commercially and it's frankly a slaughter house for money and greed with no respect for the fishery! I now refuse to participate in this mad house, especially on Cape Cod!

I realize that people need to make money and feel the fish provide that income but it's time for a change before it's too late. Increasing the number of fish or day's being able to fish commercially will NOT solve the population problem. The quota is NOT a goal! if it's not met by a certain date it may help Striped bass recover for years to come. Allowing commercial fishermen to maximize the quota year after year just for the sake of making money will in the future severely limit or stop the recreational angler from enjoying this beautiful fishery.

Please make the smart changes now before it's too late, it's time the fisherman that fish for money look at alternatives in there income instead of depleting our fish stock to the point of no return.

Thank You,
Bill Ewing

From: [Stephen Gallant](#)
To: [Fish, Marine \(FWE\)](#)
Subject: NO ADDITIONAL COMMERCIAL STRIPER DAYS
Date: Tuesday, August 11, 2020 6:36:32 PM

I mean, c'mon Dan . Are you guys serious with this again? The fishery is in decline, has been for years. Only a quarter of the quota has been hit (which should be a giant warning sign right there) and your solution is to open additional days so they can destroy what's left of the breeding biomass? I'm honestly ashamed my taxes help pay your salaries with leadership like this and a clear disregard for what's right for a species. Shame on you for even suggesting this. Shut the entire commercial striped bass fishery down.

LACES OUT DAN!!!

- Steve Gallant

From: [Jonathan Tierney \(USPRO\)](#)
To: [Fish, Marine \(FWE\)](#)
Subject: NO MORE Striped Bass Days in Mass
Date: Tuesday, August 11, 2020 9:20:35 AM

Attention: Dan McKiernan

I wanted to reach out and STRONGLY discourage the possibility of more Commercial Striped days in Massachusetts. I have been Striped Bass fishing in Rye NH for the past 22 years or so. Year by year the numbers in NH drastically have gone down, especially when it comes to catching big striped bass in NH. I feel that the Commercial Striper fishing in MASS has drastically lowered the amount of fish who are able to get to both NH and Maine waters. It also seems insane that NH and MA border each other and have drastically different rules / regulations when it comes to harvesting Striped bass. NH is going above and beyond to help keep the population of Striped bass strong by only allowing slot limit fish to be taken as well as a limit while Mass allows commercial fishing.

PLEASE HELP KEEP THE STRIPED BASS POPULATION STRONG SO PEOPLE IN NH AND MAINE CAN ENJOY THESE FISH FOR YEARS TO COME AND NOT LET MASS FISH THEM TO POTENTIAL EXTINCTION LEVELS.

Thanks,

Disclaimer

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From: [David Moore](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Open Fishing Days
Date: Monday, August 10, 2020 10:18:37 PM

Dear Director McKiernan,

I am writing to you to register my opposition to add open fishing days to allow more commercial harvesting of striped bass. Only last year striped bass were declared overfished. They are too important a resource to the Massachusetts recreational industry to take a chance on further reducing their population.

Sincerely,

David Moore
448 Wilson St.
Clinton, MA 01510

From: [Henry Godin](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Opening more commercial striped bass fishing days
Date: Monday, August 10, 2020 11:13:28 AM

Mr. Dan McKiernan, I am totally against opening more commercial fishing days for striped bass. It's no secret that striped bass are in trouble. Killing more 35 inch plus bass doesn't help the problem. My suggestion is to totally shut down both recreational and commercial striped bass fishing effective September 1st 2020 and give these fish a chance to recover.

Henry Godin
379 Braggs Lane
Barnstable, Ma 02630

From: capsing2@comcast.net
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose extension of commercial striped bass fishing season
Date: Tuesday, August 18, 2020 11:48:36 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: Dan McKieman:

I strongly oppose, as a recreational striped bass fisherman, the proposal to increase the commercial striped bass season.

In October of 2019, in response to years of diminishing numbers, the Atlantic States Marine Fisheries Commission (ASMFC), declared that the population of wild Atlantic striped bass was “overfished, and overfishing is occurring.” Commercial and recreational regulations were changed to reduce fishing pressure and begin the process of rebuilding a healthy, sustainable striped bass fishery.

Massachusetts' failure to catch its full commercial quota is an indication of the declining quality of the fishery. In past years the entire quota of over a million pounds of striped bass was caught within a few weeks. Furthermore, the minimum commercial size limit of 35" means nearly all striped bass harvested in Massachusetts are mature, breeding female fish—the very fish needed to propagate the species back to abundance.

Sincerely,
Larry Singmaster

From: macminkman@aol.com
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 4:58:20 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 Director Dan McKiernan,

Please do not add any additional commercial fishing days to the stripper season this year or any year until the fisher recovers from **over-fishing**. The shortfall in the commercial harvest of stripped bass is a sure indication that this vital fishery is still being over-fished. As a regularly licensed fresh and saltwater Massachusetts sports fisherman, please do what you can to allow for the full recovery of this species of fish.

Sincerely yours,

Harry A. Mink
4 Cricket Way
Acton, MA 01720
E-mail: hmink@alphabizgp.com
FAX: 978-263-9420
Home Phone: 978-263-2341

From: [Richards](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 4:53:28 PM

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Pls let the stripers rebound for a change.
Then we can think about catch quota adjustments.

Thanks,
Paul Richards

Sent from [Mail](#) for Windows 10

From: [Al](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 4:05:45 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.

Sent from my iPhone

From: [capt.tom02](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass because you idiots have no clue.Striped Bass have no commercial value. Instead of trying increasing commercial fishing quotes, lets try and save this great game fish. But a 5 year ...
Date: Tuesday, August 18, 2020 3:38:50 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.

Sent from Samsung Galaxy smartphone.

From: [Gary Mickus](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 3:36:03 PM

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Don't increase the commercial quota for strippers. With the fishery in very significant decline, this action would worsen the situation.

Gary A. Mickus/Striped Bass fisherman

Sent from my iPad

From: [Rick Drew](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 3:31:27 PM
Attachments: [StripedBass_Youngofyear.docx](#)
[fisheriesofnarthatlantic_historical.pdf](#)

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<!--[if lte mso 15 || CheckWebRef]-->

Rick Drew has shared a OneDrive file with you. To view it, click the link below.

 [HistoricStripedBassReport 4.pdf](#)

<!--[endif]-->

Dear Mr. Dan McKiernan,

As a lifetime Striped Bass fisherman for over 50 years I am troubled by the proposal to increase the season on commercially harvested Striped Bass in Massachusetts for the 2020 season.

How does adding days to the season support a sustainable fishery? Clearly, we are way off past performance when we had a healthy SB fishery. Extending the season will only serve to beat down an already diminished resource. We have over fished the SB fishery, particularly breeder size fish that the commercial fisherman are targeting.

Please consider the overall health of the fishery and the HUGE economic impact a healthy fishery has on our region. Please call me if you have any questions. I have a very large library of documentation on Striped Bass.

Thank you and best regards,

Rick Drew
631.903.0751

From: drtarditi@verizon.net
To: [Fish, Marine \(FWE\); rmshre@yaho.com](mailto:Fish, Marine (FWE); rmshre@yaho.com)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 3:26:54 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 Bob-
I agree!

This year the stripers are so scarce along the East Coast through New England that the Martha's Vineyard annual fall fishing contest-started in **1946**, and continuous through at least this year (9.15 to 10.15.20), **has eliminated Striped Bass.**

So the contest will be for only three species: Bluefish, False Albacore, and Bonita. Two categories for each: from the shore and from a boat. They have over 3,000 contestants each year, and it covers the whole Vineyard Sound which includes Nantucket and Martha's Vineyard and the various islands trailing from the Vineyard to the shore just west of Falmouth, Mass.

Dave
David R Tarditi
64 Linden Avenue,
Haddonfield, NJ 08033

-----Original Message-----

From: Bob Shreve <rmshre@yaho.com>
To: marine.fish@mass.gov <marine.fish@mass.gov>
Sent: Tue, Aug 18, 2020 3:08 pm
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass

Please do not increase the commercial harvest of striped bass. Also, drop the length of 35" to a size shorter than a sexually mature female. We cannot keep harvesting all the breeders and expect to have a healthy fishery.
thank you,

Robert Shreve
Haddonfield, N. J. 08033

From: [Edward Horowitz](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 3:23:29 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 oppose more days of Commercial fishing. All that is being done is killing more fish. We need the additional fish to increase the population which has been waning for years

Thank you

Sent from my iPhone

From: [Bob Shreve](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 3:09:01 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.

Please do not increase the commercial harvest of striped bass. Also, drop the length of 35" to a size shorter than a sexually mature female. We cannot keep harvesting all the breeders and expect to have a healthy fishery.

thank you,

Robert Shreve
Haddonfield, N. J. 08033

From: [Boston Fish](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 3:04:05 PM

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Please increase the a commercial bass days Immediately. Monday wasn't fishable again tried to and almost died in 6 ft waves . Please do not wait for september

Thanks Jeremy Furtado commercial bass permit holder

From: [Jack O'Mara](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 2:53:00 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.

Take a look at the destruction of the striper fishery by the commercial fishing fleet. Stripers are going the way of cod and shrimp in the Gulf of Maine and all New England waters. This must stop.

I have fished for stripers for sixty (yes sixty years). It continues to decline. I want my grandchildren (al ten of them) to be able to enjoy a quality fishery.

Please reconsider expanding the amount of stripers that can be harvested. Every year the number of stripers here continues to decline

please help us.

SINCERELY,

DR. OMARA

Author of "Whitewater Opera - Death Comes to the Allagash"

To learn more, visit my webpage at:

https://urldefense.proofpoint.com/v2/url?u=http-3A__whitewater-2Dopera.com&d=DwIFaQ&c=IDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=Y1CBtQZE17Rj2MeXjOmTypaU2t5pniKda51CF151Qyg&m=_h7orCIHbDqWWhxj-NalT7PGQeqMXJ5e9mlAr5gqXhA&s=fODEiY47QyVErcPbFWG1iEuD8U4uy9f3q8mtorAjWZg&e=

Purchase an autographed copy for \$15 and \$5 will go to Dana Farber for breast cancer research.

Just send me an email with your address. If you don't love this novel, I'll refund your money but still send the \$5 to Dana Farber. I believe in my novel . . . and I really believe in Dana Farber.

From: [Bob Reilly](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 2:52:47 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 wish to register my opposition to the current consideration to open more days to the commercial striped bass harvest season.

I believe that the current regulations were developed and implemented based on the best available scientific research coupled with input from and in consideration of, all interested parties.

I further believe that it is much too early to consider increasing the number of commercial fishing days simply because the the state commercial harvest appears to be falling behind target quotas for the third year in a row.

In my opinion there are a number of significant possible reasons for not reaching the target quota, with at least one of which could exacerbate the current situation.

Size limits, an extremely complicated, and sensitive issue which I do not feel qualified to debate, being one.

Despite my lack of knowledge I can understand how it alone could be a major contributor towards not achieving the quota.

I strongly urge you to resist the current pressure and let "time" and "more data" inform us as to what is the safest way to preserve the Striped Bass resource.

Yours truly,
Bob Reilly

Sent from my iPhone

From: [Tom Kelly](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 2:51:21 PM

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Let me get this straight , you're considering to let the commercial guys have more days to fish because they can't meet their quota . The fishery is over fished that's why they can't meet their quota . I have an idea , let's manage the striper fishery for everyone not just the commercial fishermen . I strongly oppose the plan for more days .

Sent from my iPhone

From: [Michael Sullivan](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 2:30:30 PM

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Dan,

I oppose the plans to increase commercial fishing pressure on Striped Bass.

Massachusetts' failure to catch its full commercial quota is an indication of the declining quality of the fishery. In past years the entire quota of over a million pounds of striped bass was caught within a few weeks. Furthermore, the minimum commercial size limit of 35" means nearly all striped bass harvested in Massachusetts are mature, breeding female fish—the very fish needed to propagate the species back to abundance.

Please do not allow the extension on the Striped Bass commercial season or quota.

Thanks,
Michael Sullivan

Sent from my iPhone

From: [Gary Mirando](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 2:15:23 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 concern,

At this time there is a decline in the number of striped bass on the East Coast. The decline is most evident in the group of larger mature bass. Large fish taken via commercial striper harvest are often breeders important to restore the fishery to a sustainable level.

With current commercial fishing days unable to fill the poundage quota it is obvious there is a shortage of striped bass numbers. This is due to overfishing.

I am asking Mass DMF to stop the commercial overfishing of striped bass and to not increase the days for commercial harvest of the species.

Thank you for your consideration.

Gary Mirando
PO Box 666
West Tisbury MA 02575
508 693-8380
g.mirando@verizon.net

From: [Wendelin Giebel](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 2:07:49 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.

Are you all nuts or just almost all of you ?
The striped bass stock is collapsing . Close the season , clowns .

Sent from my iPhone

From: [Tom Doyle](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 2:00:18 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 do not allow the commercial season on Striped Bass to be extended to more days. The fact that they have only reached such a low portion of the quota is a direct indication that the fishery is experiencing diminishing numbers.

As an angler of 30 years, I continue to witness less and less Striped Bass in our waters.

thank you for your consideration.

-Tom Doyle
Longtime Bass Fisherman

From: [David Barrell](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 1:46:11 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'll be brief. I live in Vermont and fish the waters of Maine and Mass. Striper fishing SUCKS!

Please help by limiting the commercial take.

Thanks,

David Barrell
POB72
Quechee, VT 05059

From: [Robert Antonucci](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 1:44:19 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 any extension of the commercial fishing season. The quota should be decreased to reflect the decrease in fish harvested during the season.

--

Bob Antonucci
978-808-4616

From: [Bill Schiek](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 1:38:42 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.

Failure to fulfill the commercial quota is an indication of a declining fishery. Please Oppose the plan to increase the quota.

Sent from my iPad

From: [M&J Leavitt](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 1:24:44 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 in opposition to increase the commercial season for striped bass. In fact, all commercial fishing for stripers should be banned. For the fish to survive, they must be classified as a gamefish. Thank you. Regards, Michael Leavitt, Saco, Maine

Sent from my iPhone

From: [John Hufnagel](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 1:19:37 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 do not extend the time for commercial strip bass fishing. We are just getting back to rebuilding the population which will help us to get to a more sustainable level.

John Hufnagel

Sent from my iPhone

From: [capt.tom02](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 1:13:40 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.

When will you idiots learn. We need no increases in commercial fishing for Striped Bass in any State on the eastern seaboard. IF any thing we need a moratorium placed on striped bass for commercial and recreational fisherman for the next 5 years. Stop killing these magnificent fish now.

Sent from Samsung Galaxy smartphone.

From: [Andre Alguero](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 1:02:54 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 Mr. McKiernan,

I am writing today to express my dismay and outrage with the DMF proposal to extend the commercial striped bass fishing season. The very fact that the fishery has not been able to adequately fill the annual "quota" is a strong indication that it is overfished. Historically, the fishery has produced far more fish and we must take this evidence seriously or lose the fishery altogether.

As a politically active Massachusetts resident, I am disappointed that we must fight again for the appropriate and effective conservation of this critical species. But fight is what we must do and we implore you to drop this proposal for the sake of our Commonwealth.

Sincerely,
-André Alguero
Roslindale, MA

From: [Steve Stathis](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 12:59:00 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 Come to your senses by extending commercial days. You are embarking on a catastrophic decline of the Striper population! Common sense Please!

Sent from my iPhone

From: [Matthew](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 12:57:05 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 do not increase commercial fishing in MA for striped bass. There are so few bass to catch as is, we don't need more of them being caught commercially. thank you

From: [Sean Tracey](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 12:54:14 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.

Dear ASMFC and DMF,

Please do NOT increase the Commercial Striped Bass fishing season or quota.

As a 35+ year fisherman in New England (Massachusetts and NH mostly) I've seen a decline in the striped bass population that must be stopped.

These valuable fish / resource should not be commercially harvested until the population is far exceeding the need.

Thanks

Sean Tracey

--

Sean Tracey
email: sean@seantracey.com

p 603/427-2800
visit us: seantracey.com
like us: [facebook](#)
follow us: [twitter](#)
videos: [youtube](#)

address:
401 State Street, Suite 3
Portsmouth, NH 03801

From: [William Schott](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 12:53:58 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 proposal to add a few days to the striped bass commercial “season” so the commercial sector can meet their quota is, quite frankly, a boneheaded idea. While a super majority of those who fish for striped bass are willingly trying to help rebuild the stock, MA regulators are once again pursuing a corrupt path that favors special interests. How about joining the rebuild effort and be on the right side of change.

William P. Schott

Sent from [Mail](#) for Windows 10

t

From: [ROBT TEEDEN](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 12:35:02 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 Sirs I AM deeply opposed to the opening of commercial fishing again.I travel to cape cod to fish. Four to five times a year. I invest money at hotels , restaurant's , and fishing equipment this money goes directly to Massachusetts economy.

I do not understand why the sport fishermen are ignored while we contribute millions of dollars to the economy while helping to preserve the Striped Bass population.

Please reconsider your actions in opening the comercial Fishing again.

Robert D. Teeden

[Sent from Yahoo Mail on Android](#)

From: [Robert Gilvey](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 12:07:33 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.

Dan McKiernan-

On August 10, and with the commercial striped bass quota at almost 25%, the Massachusetts Division of Marine Fisheries (DMF) proposed adding open fishing days to the commercial striped bass fishing season. By opening more days to commercial harvest of striped bass, DMF says it will provide more opportunities for participants in the fishery to fill the annual quota of 735,240 pounds. It is likely that the state will fall short of meeting its quota for a third consecutive year.

I adamantly oppose this proposal.
Bob Gilvey

From: [Mike](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 12:06:01 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.

Brilliant! Commercial quota is not being filled (Because there's fewer striped bass) so let's increase the commercial fishing pressure by adding more days. Stop fooling around and designate the stripers a game fish.

Respectfully, a salt water fly fisherman

Sent from my iPhone

From: [Bill Balaschi](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 12:03:46 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 Dan,

I am writing in opposition to the increased commercial fishing days proposal.

It is really hard to understand why anyone, including the comm guys, would think this proposal is a good thing.

It appears to have no common sense or science behind it.

Only money!!

That is the only way anyone can view this.

I know that is not how you operate Dan but that is how people will see you if this is voted in.

Yes I selfishly want great fishing. Who doesn't. But we need to sacrifice for a short time to get there. You can be remembered as the guy that stepped up to save this fishery or the guy that allowed it to disappear.

Perhaps I am being dramatic but that might be what it takes.

I hope you have been fishing. You must know what's happening. Please put your weight behind conservation and long term success.

Thank you Dan

Bill Balaschi

Sent from my iPhone

From: [Mitchell Bamberger](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 12:00:05 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.

Director Dan McKiernan

I am writing this letter to oppose the increase and/or relaxing the limits for commercial striped bass fishing. As you are well aware, the species is in crisis. If the commercial fishing industry has not met it's limit thus far, that alone tells us how small the striped bass population is at present. Increasing the amount and time only further depletes the remaining population. The young and healthy breeders must be allowed to survive if we are to maintain this sport fish. It appears your intent is to just wipe out the species. I adamantly oppose any increases in commercial fishing limits as a sportfisherman and resident of Massachusetts.

Mitchell Bamberger
zembamberger@gmail.com

From: [Paul Z](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 11:52:26 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.

The fisheries is in trouble why take more fish these guy are fishing for boat payments and beer money

Sent from my iPad

N.

Paul Zack

Oakham Ma

From: [Scott Mackie](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 11:51:44 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.

The commercial season for striped bass should NOT be extended. The quota wasn't met because the fishery is declining and in a perilous state. Most of the fish being commercially kept are breeding females (females grow larger in the Striped Bass world than males statistically speaking) which will have a dramatic impact on the future. If the fishery continues to decline, we'll end up back where we were in the 1980's with the moratorium. Please don't extend the season, the bass need your help.

Regards,
Scott Mackie
South Boston, MA

Sent from my iPhone

From: [Jerry Williamson](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 11:50:27 AM

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Please stop the over fishing!! You have done enough damage already. Save something for future generations

Sent from my iPhone

From: capsing2@comcast.net
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 11:48:42 AM

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To: Dan McKieman:

I strongly oppose, as a recreational striped bass fisherman, the proposal to increase the commercial striped bass season.

In October of 2019, in response to years of diminishing numbers, the Atlantic States Marine Fisheries Commission (ASMFC), declared that the population of wild Atlantic striped bass was “overfished, and overfishing is occurring.” Commercial and recreational regulations were changed to reduce fishing pressure and begin the process of rebuilding a healthy, sustainable striped bass fishery.

Massachusetts’ failure to catch its full commercial quota is an indication of the declining quality of the fishery. In past years the entire quota of over a million pounds of striped bass was caught within a few weeks. Furthermore, the minimum commercial size limit of 35” means nearly all striped bass harvested in Massachusetts are mature, breeding female fish—the very fish needed to propagate the species back to abundance.

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In October of 2019, in response to years of diminishing numbers, the Atlantic States Marine Fisheries Commission (ASMFC), declared that the population of wild Atlantic striped bass was “overfished, and overfishing is occurring.” Commercial and recreational regulations were changed to reduce fishing pressure and begin the process of rebuilding a healthy, sustainable striped bass fishery.

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minimum commercial size limit of 35" means nearly all striped bass harvested in Massachusetts are mature, breeding female fish—the very fish needed to propagate the species back to abundance.

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From: [Vito Foderaro](#)
To: [Fish, Marine \(FWE\)](#)
Cc: vitof@comcast.net
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 11:48:39 AM

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Director Dan McKiernan

Sir, while I understand the challenges inherent with managing a fishery during these times, I would hope to see some balance with the condition of the stock. I am not a Commercial fishing expert and I am only a sometime recreational fishier man.

I can say without hesitation that the fishery is in depleted condition and there appears no justifiable reason to up the quotas. As I was fishing off the shore in northeastern Massachusetts, I was struck by limited size of the stock and the existence of bait in the water. Porgy's as far as the eye could see, until on about the 6th of August, a trawler scooped up everything. No Bait, never any bass of size and really limited fishing opportunities.

I realize we need to share and that recreational needs are only a portion of the story, but I believe we all need to give back . I do not take fish, period. I practice safe handling and avoid by kill as a practice. That is not possible for these commercial teams.

They are not villains, but they are also not helping the situation by skirting the game plans for the fishery, by continually asking for quota expansion.

Please consider rejecting this expansion. It is unwarranted, unhealthy for the fishery and ultimately destruction. Let's close the season according to plan. Some of us got our limit, some did not, that is the name of the game.

Regards

Vito V Foderaro

603-560-2610

Licensed for SW via NH License

From: [Kayak Fish New England](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 11:48:35 AM

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Please do not extend the commercial season for bass . They need a break and you control that . Do the right thing for the future . Mike baker

Sent from my iPhone

From: [Matthew Risser](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 11:42:48 AM

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To whom it may concern,

I am opposed to any increase in commercial (or recreational) increase in harvest pressure for Striped Bass. Specifically, I wish to encourage you not to allot additional days to the commercial season.

I am not a MA resident, but for the last 15 years I have visited MA every season to pursue Striped Bass from your beautiful coasts. I have spent money on license, accommodations, food, tackle, and clothing (among other things) in your state, and I very much wish to in the future. A healthy and abundant Striped Bass fishery is key to my visits.

I wish to tell you that during the last 3 seasons, although allowed and having the opportunity to, I have not harvested a single Striped Bass in MA. I have also encouraged those with me to do the same, and they have.

Please do everything in your power to rebuild this fishery in MA and along the east coast. Your waters are the summer resting place for the breeders of this population, please give them every opportunity to return. They are much more valuable alive than harvested.

Thank you,
Matt Risser

Sent from [Outlook](#)

From: [Dennis Plaster](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 11:41:33 AM

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Attention: Director Dan Mckieman

Dear Mr Mckieman;

I have been around the Striper fishery in Massachusettes for 50 years I have seen it go from abundant to non-existent back to recovered. From my own observation it is on a downward trend again. Given significant increased fishing pressure over the last 50 years it seems absurd that we have a commercial fishery for Stripers even more absurd that it is going to be increased. The Striper fishery is by far the best fishery in the state and truly a treasure to put more pressure on it than it already has is very short sighted and not necessary. Stripers are truly a valued game fish and should be treated as such. On the short term do not increase the commercial fishing for Stripers; better yet take a long term view and eliminate it completely,

Sincerely,
Dennis Plaster

From: [Andy Boynton](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 11:28:47 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: Director Dan McKiernan

I oppose extending the commercial striped bass fishing time duration.

Massachusetts' failure to catch its full commercial quota is an indication of the declining quality of the fishery.

The quota is a limitation on catching -- it should not become a shifting target where days are expanded to meet said target number.

In past years the entire quota of over a million pounds of striped bass was caught within a few weeks. Furthermore, the minimum commercial size limit of 35" means nearly all striped bass harvested in Massachusetts are mature, breeding female fish—the very fish needed to propagate the species back to abundance.

Why did this occur? Why was the quota not reached this year? It is evidence of a shortage of fish! Why up the time to reach the quota. It is only beneficial to the commercial interests, and goes against all the intent of a quota and bass conservation.

Please oppose the proposal to expand the days to reach the quota.

Thank you for your consideration.

Andy Boynton

--

Andy Boynton
John and Linda Powers Family Dean

Carroll School of Management
Boston College
140 Commonwealth Avenue
Chestnut Hill, MA 02467

boyntona@bc.edu

617-552-8420 (p)

617-552-8738 (f)

From: [Peter Maher](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 5:12:10 PM

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I oppose these plans and will vote against any administration that permits them.
Peter S. Maher
Falmouth, MA

From: [John Moy](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Opposed to adding days to the commercial striped bass season
Date: Tuesday, August 11, 2020 3:11:47 PM

Dear Director Dan McKiernan:

I am opposed to adding days to the commercial striped bass season. As you know, the striped bass population is overfished. That is why we went to stricter size limits this year, for both recreational and commercial fishermen. And when a species is overfished, you fish less, not more.

I participate in SADCT for the DMF. This year there are again fewer large striped bass, at least on Nantucket where I fish. The most likely reason that I can think of for the commercials not meeting their quota is that there just aren't enough 36-inch fish to catch. Give the stripers a chance to come back, and leave those remaining 36-inch fish in the water.

John Moy
25 Eel Point Road
Nantucket, MA 02554
jmoy@ospf.org
617-784-1872

From: [Tim Higgins](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Opposed to Massachusetts Proposal for Adding Commercial Striper Days
Date: Tuesday, August 11, 2020 11:10:19 AM

It's already hard enough to catch slot keepers this year as a recreational fisherman. Please give the big breeders a chance to repopulate the species and disallow the commercial fishermen added days this year.

Thanks,

Tim Higgins
284 Water St
Newburyport MA 01983

From: [Capt. Brian Coombs](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Opposition to commercial striped bass extensions.
Date: Wednesday, August 12, 2020 7:30:31 PM

Hello Director Mckiernan.

I'm writing this to oppose the extension of the commercial striped bass season in MA. As a full time for-hire operator, I have seen our local stocks slide into major decline. With the commercial striped bass fleet coming well shy of their quota yet again this year. It has become very clear that the current state of the fisherie cannot sustain the current striped bass quota. There just isn't enough fish! I believe extending the commercial striped bass operations in any way would be detrimental to our fisherie. This year I have seen more commercial pressure than ever before, On The Water. You should now this because permit sales. Please advise the commercial striped bass fishing in Massachusetts is destroying the stock! We need to reduce commercial striped bass fishing, not expand it.

Sincerely.

Captain Brian Coombs

Get Tight Sport Fishing

www.gettightsportfishing.com

7818663367

From: [WILLIAM SAVAGE](#)
To: [Fish, Marine \(FWE\)](#)
Cc: [Stanley Moszka](#); sailsavage@comcast.net
Subject: Opposition to Plan to Increase Additional Commercial Stripped Bass Harvest
Date: Tuesday, August 18, 2020 12:23:56 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 Director McKiernan

I write this email to oppose additional commercial fishing days for Stripped Bass! There are many reasons for this, but the most important is that the minimum commercial size limit of 35" means nearly all Stripped Bass harvested in Massachusetts by commercial fishermen will be mature breeding female fish- the very fish needed to propagate the species back to abundance.

Please stop this heedless assault on one of the most important species in Massachusetts!

Bill Savage
6 Apple Mews
Sandwich, MA 02563

From: [Frederic B. Jennings, Jr., Ph.D.](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Opposition to the recent DMF proposal to extend the commercial 2020 season for the harvest of wild striped bass
Date: Monday, August 10, 2020 3:03:23 PM
Attachments: [CEEEE Letter to Director of MA DMF McKiernan on additional days for commercial WSB season 10 August 2020.pdf](#)

Center for Ecological Economic and Ethical Education

*Post Office Box 946
2188 (w) or 617-605-3150 (c)*

Phone: (978) 356-

*Ipswich, MA 01938
ecologicaleconomics@yahoo.com*

email:

10 August 2020

RE: The recent DMF proposal to extend the commercial season for wild striped bass with additional days

Director Dan McKiernan
Mass. Division of Marine Fisheries
251 Causeway Street, Suite 400
Boston, MA 02114
By email to marine.fish@mass.gov

Dear Director McKeirnan:

I am adamantly opposed to any extension of the commercial season for wild striped bass. This fishery is already in some jeopardy, and the recent reductions in the quota for recreational and commercial fishing for wild striped bass has been in response to the finding that this fishery is being overfished. The whole idea behind these recent quota reductions is to curb the mortality of these valuable fish. What is being proposed will not contribute to this important effort to protect and restore this fishery.

Indeed, in your announcement of and call for public comment on this proposal, you indicate that as of the first of August only 25 percent of the quota for wild striped bass has been met. This is an obvious indication that this fishery is in a state of drastic decline, where there are very few fish and those remaining are very hard to catch.

And yet, your reaction to this shortage of fish is simply to offer commercial fishermen additional opportunities to catch even more of them? With all due respect, this is arrant foolishness. The message is that these fish are very scarce because of the recent decline in the number of fish, and your reaction is to make it easier to harvest more of these fish rather than what you should be doing, which is to tighten the restrictions even more to limit their harvest sufficiently to further reduce their mortality!

Furthermore, the whole concept of only allowing the commercial fishery (and the recreational fishery, for that matter) to take what are almost exclusively the largest female breeders – thereby effectively culling the brood stock of this species – is also extremely foolhardy. These are the most important members of the spawning stock biomass, so we should be taking extra precautions through measures designed to protect these females rather than selectively harvesting them! These large fish are also loaded with PCBs and methyl mercury, and we shouldn't be eating them anyway, at least without any warnings to the MA consuming public about them!!!

Please do not adopt these measures to extend the commercial fishery for wild striped bass.

Most sincerely and respectfully,

Dr. Fred Jennings

Frederic B. Jennings Jr., Ph.D.
President, CEEEE

From: [Michael Formichella](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Overfished Striped Bass 2020
Date: Monday, August 10, 2020 11:47:46 AM

Mr. Dan McKiernan, I am totally against opening more commercial fishing days for striped bass. It's no secret that striped bass are in trouble. Killing more 35 inch plus bass doesn't help the problem. My suggestion is to totally shut down both recreational and commercial striped bass fishing effective [September 1st 2020](#) and give these fish a chance to recover. Or continue down this path and wipe out the species, and no one will benefit neither recreational or commercial.

Michael J. Formichella
539 Bakers Pond Road
Orleans, MA 02653

Sent from my iPhone

From: [Michael Formichella](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Overfished striped bass.
Date: Monday, August 10, 2020 11:58:29 AM

Super Job! Keep killing more fish, and soon they all will be gone. Great choice to open up more commercial days. Another well-informed decision. Do you see the numbers?

Michael Formichella
539 Bakers Pond Rd
Orleans, MA 02653
Sent from my iPhone

From: [Brian Corville](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Please do not add days to commercial stripped bass as they compete for the same location as recreational stripped bass as a license charter captain I see this first hand.there is fewer places to fish strippers in the warmer weather. Also untill summer ...
Date: Monday, August 10, 2020 12:36:04 PM

From: [DAVID REVILLE](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Please do NOT allow additional pressure on striped bass from Commercial fishers
Date: Thursday, August 13, 2020 6:46:01 PM

Director McKiernan,

As a long-time fisher of the Massachusetts coast, I have witnessed first-hand the decline in our striped bass population. I have not harvested a fish in years, although I have landed many - and I discourage everyone I know from taking stripers.

The meager year-to-date commercial catch compared to the generous quota is simply more evidence of this suffering fish population.

Adding more commercial fishing days is an absurd response to the problem - we need to harvest less of the remaining population, not more of it.

I strongly urge you to reconsider the reckless policy of increasing fishing days for Mass commercial fishing.

Respectfully yours,
David Reville

David M. Reville
646-256-1388

From: [Russ Delaney](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Please do NOT allow for extended commercial fishing days for Striped Bass, Fluke or Black Sea Bass
Date: Monday, August 10, 2020 11:19:49 AM

To whom it may concern:

Please do not increase the commercial fishing days for Striped bass, Fluke or Sea Bass.

The reason commercial fisherman are not catching their quotas is because the populations are down.

Your department knows this, yet you still allow for quotas that are way too generous.

Your department does not account for the impact of poaching / illegal catch, and underestimates by-catch. Your department knows this, but does not make appropriate changes to your models.

Sports fishing for the above species provides MUCH more economic benefit vs. commercial fishing. Your department knows this, but habitually & grossly favors commercial fishing.

In short, your department has a long history of allowing fisheries to be overfished. At some point your department needs to understand that doing the same thing over & over again is not going to get a different result.

From: [Surdel, Dave](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Please do not expand commercial striped bass season
Date: Monday, August 10, 2020 3:17:38 PM

Dan McKiernan,

I saw a notice online that Mass is considering expanding the commercial striped bass fishing days. PLEASE DO NOT DO THAT! The reason the commercial sector is unable to make quota is because the striped bass have been fished to the brink of extinction (once again). The idea that Mass would pander to a very small special interest group (many of whom are out of state) at the expense of the general public is crazy. The commercial lobbyists tried to pull the wool over our eyes last fall when they tried to extend the season. Mass DMF did the right thing by shutting that down, and they should shut down this proposal as well. The 'recremercial' commercial fishery for striped bass in Mass is a joke and everybody knows it. It's a huge problem that leads to overcrowding at the boat ramps and on the water. These are state-funded resources that should not be ruined by the greedy few, many of whom do not pay mass taxes. It also encourages poaching, which is rampant due to zero enforcement at the boat ramps and on the water. Multiple charter captains were stacking coolers full of commercial sized-fish yesterday (Sunday) right off the beach in Chatham. Everyone saw what was happening but ZERO ENFORCEMENT.

Mismanagement of the striper stocks by Mass and the ASMFC are the reason we have seen a decline in the striped bass population. Extending the bounty season on the few breeder-size striped bass that remain could be the last nail in the coffin. Mass needs to take a leadership position of conservation and back up the claims they make on the license plates for sale. Continuing to slaughter the dwindling population of adult fish sends the wrong message. The majority of fish on the cape are sub-35" so there will be an increase in release mortality to boot. It's clear at that point that Mass and the ASMFC have not learned their lessons from the last time they drove the bass population to the brink.

The resource-grab attitude by the individual states is sickening. Every year I see tourism decline on cape cod, recreational charters go under and tackle stores go out of business. There is no enforcement on the water or at the ramps. If Massachusetts really wants to 'conserve striped bass', they will implement a moratorium and create strict-no kill rules for all sectors (including the charter fleet). Mass needs to institute heavy penalties for poachers and increase enforcement on the water and at the boat ramps.

Extending the slaughter season is not the answer. The fishery needs to be managed for abundance so everyone can enjoy it, not so charter captains can double-dip and make some gas money. Please do the right thing and stop this madness before it's too late.

Dave Surdel
6 Bayberry Road
Acton, MA

From: [Bob Campbell](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Please do not extend commercial fishing days for Striped Bass
Date: Tuesday, August 18, 2020 12:16:55 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.

Director Dan McKiernan:

I'm writing to ask you to please not grant the commercial fishing industry additional days in which to increase their harvesting of our most important game fish, striped bass.

I no longer go on vacation or make weekend trips to Cape Cod as I used to, when I was a long-time Massachusetts resident and now that I'm not, because the striper fishing is no longer anywhere near what it was. They have been and continue to be overfished, not by recreational fishermen/fisherwomen like me, but by commercial and "recommercial" interests and individuals who seek monetary/business gains from this natural treasure.

But stripers are more than a natural treasure, they're an economic engine of recreational dollars and tax revenues for Massachusetts and all the East Coast states the ASMFC represents. There's overwhelming data that tells us clearly that these dollars, from hotel/motel lodging, restaurant receipts, gear purchases, guiding, spouse/family member purchases, etc., far outstrip the monies and state revenues realized by commercial fishing.

It's hard to let a business suffer or close. I've been there. We had a family farm that low milk prices made untenable, and we had to find another better way. If that's the fate of commercial striper fishing, that's hard but that's in their families' long-term interests and security. That's real.

Prolonging the destruction of, or at best the continual tenuous struggle of, our Striped Bass fishery is not a sensible alternative economically, scientifically, morally, or practically.

Thank you for considering my thoughts on this very important issue, Director McKiernan,
Bob Campbell
Holmdel, New Jersey (past resident of Wellesley Hills and Newton, Massachusetts)

From: [Matt Cleary](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Please do not open more days for commercial striped bass fishing
Date: Tuesday, August 18, 2020 3:18:38 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.

Attention: Director Dan McKiernan

I fish for Striped Bass from southern Maine to the north shore of Massachusetts. I'm licensed in both ME and MA. Fishing this year has taken a dramatic downturn from last year. I caught 50 fish over 40" last season in Maine. I've caught zero this year and have put in more time. Please do not open more days for commercial Striped Bass fishing.

Thank you,
Matt Cleary

From: [Rich Littauer](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Please reconsider extending the season and times for killing the breeders ..
Date: Saturday, August 15, 2020 2:36:27 PM

https://www.dailypress.com/news/environment/dp-nw-stripped-bass-trophy-plan-killed-20200814-c343fpgrpfae7dsp2mvrfxgt2m-story.html?outputType=amp#referrer=https%3A%2F%2Fwww.google.com&_tf=From%20%251%24s

I am a shore fisherman who lives on Social Security....the current regulation make it all but impossible to catch something to eat in salt water.. ..i do catch clams on New and Full Moon tides. We need to get the fish population restored so that we can get to the point as in Maryland where a person from shore can harvest one fish he can eat out of reasonable slot limit.

Florida has a reasonable slot limit for individual species. I can catch a whiting or a pompano for dinner most days.

I live alone, and out of my car, a 28" fish is much too big for me to eat..

Maybe something could be allowable for people such as me who get food stamps.

Obviously I can not afford a boat or even to buy striped bass or most fresh fish ..

A few weeks ago a woman who fishes regularly, virtually every day, told me she had caught 315 stripers this year. I asked her how many keepers?."NONE" (0).

Such is the State of the shore fishery with all the seals around.

Thank you.

Rich Littauer

From: [Timothy Armstrong](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Possible extension of striped bass commercial season
Date: Sunday, August 16, 2020 10:21:20 AM

To whom it may concern:

I have become aware of the possibility of extending the commercial striped bass season.

This doesn't appear to make much sense when a fishery is admittedly under stress and provisions (slot limits) have been enacted previously to help reduce this stress.

I understand that there are many factors that have contributed to the reduction in striper population. Some of the factors, i.e. ocean temperature, seal population increase, etc...require long-term fixes with worldwide cooperation. The actions that commercial AND recreational anglers practice at state and regional levels can assist in restoration of a species for generations to come.

I have never harvested a striped bass that I've caught but I do miss the days when landing "keeper size" stripers off the beaches in Dennis were not such a rare event.

Please reconsider any action(s) that would extend the commercial striped bass season in Massachusetts.

Thank you for your consideration,

Tim Armstrong
Dennis, MA.

[Sent from Yahoo Mail on Android](#)

From: [Hunter Thayer](#)
To: [Fish, Marine \(FWE\)](#)
Subject: proposal for adding commercial striped bass days
Date: Monday, August 10, 2020 3:16:49 PM

Director Dan McKiernan,

My name is Hunter Thayer and I am a long time volunteer of your department's Sportfish Angler Data Collection Team for over 6 years. I graduated from Unity College in 2019 with a Bachelor of Science in Conservation Law Enforcement and have 13 years of experience in striped bass surfcasting. It is my understanding that your department is currently considering adding days to the commercial striped bass season which come October, would allow for all 7 days of the week to be commercial days.

I find this news completely disturbing! When I think of the department, I think of an organization that first and foremost stands for the conservation and sustainability of our marine resources. After all, your department's mission statement reads as follows:

Manage the Commonwealth's living marine resources in balance with the environment resulting in sustainable fisheries and contributions to our economy, stable availability of diverse, healthy seafood and enriched opportunities that support our coastal culture.

By even considering this action, you are contradicting your entire mission statement. Last year, the quota was reduced by 18% due to OVERFISHING. In 2015, it was reduced by 25% due to OVERFISHING. This is all data that is obtained and found by your department. There seems to be a common trend going on here.

Striped bass are being overfished and have been for several years. Massachusetts remains the only state to have a commercial season for our beloved striped friends. Why? I still wonder to this day...

I urge you to not allow this to pass and **to completely shut down the commercial fishery for the remainder of the 2020 season**. The reason the quota is not being fulfilled is that the fish are experiencing a decline. If you allow for the continuation of a commercial fishery, your department is going to be responsible for wiping out the remainder of our 35+ inch size class fish, resulting in a decline in successful breeding. This will completely ruin this fishery for the long term.

I am disappointed of this consideration and if passed, I will withdraw from being a volunteer for the SADCT, as I can not support your department's actions. I hope you understand my frustration and please respond to this email so we can speak further.

Respectfully,

--

Hunter Thayer
Unity College Class of 2019

B.S in Conservation Law Enforcement

From: [Chuck Atkinson](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed changes to commercial fishing season
Date: Monday, August 10, 2020 4:06:33 PM

After all the years trying to protect certain fish species you want to create a larger opportunity to kill off more fish, I regard that as a typical pretty stupid move. If quotas have been obtained, stay with them. Extending and adding to the season will just mean fewer fish for the next several seasons. Lets have some common sense here for a change.

From: [Jeff M](#)
To: [Fish, Marine \(FWE\)](#)
Subject: proposed changes to striped bass regulations.
Date: Thursday, August 13, 2020 6:46:06 PM

attn. Dan Mckiernan,

I am a recreational striper fisherman, but I have several friends who fish for bass commercially. One of them, who is one of the "best" has stopped fishing for stripers because of the difficulty finding enough to make the effort worthwhile. That would indicate to me that the numbers of stripers is or has diminished, and the remaining population should be protected. Why would you open more days for the harvest of a diminishing population. The quota is behind, because the fish aren't there to be caught. Another factor to consider is the lack of demand for stripers by the restaurant industry due to the effects of the coronavirus, which will not change in the fall. If you open more days to fishing, the demand for stripers will be even less due to greater numbers flooding the markets. I appeal to you to leave the striper regulations as they are. This fishery has been on a steady decline for years - both recreational and commercial fishermen will attest to that fact. Thanks for the chance to voice my opinion, Jeff Mendall, Middleboro, Ma.

From: [ALAN GONSALVES](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed changes tp commercial regs
Date: Monday, August 10, 2020 11:28:33 AM

Director Dan McKiernan,

Given the stated goal of protecting the large striped bass breeders, this makes no sense at all. The DMF lost credibility with the new size limits. While most recreational fishermen accepted the new slot, the larger slot for commercial fish goes against the idea of protecting larger fish. Expanding the days defeats that argument entirely .

Alan Gonsalves
Melrose, MA

From: [Michael Kowaleski](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed Commercial Striped Bass In-season Adjustment
Date: Sunday, August 16, 2020 11:40:44 AM

Daniel J. McKiernan
Director
Massachusetts Division of Marine Fisheries

Dear Director McKiernan,

I have been a commercial striped bass fisherman for over 25 years. As such, I feel I can speak to the historical and current state of the fishery as well as the economics of the fishery. I would like you to carefully consider my comments regarding the proposed in-season adjustments to the commercial striped bass fishery.

I am vehemently against the proposed in-season adjustment for the following reasons:

- The Division of Marine Fisheries reduced the weekly limit from 95 fish (30 each day for three days and 5 on Sunday) to 30 per week (15 each day for two days) in order to better manage the striped bass fishery. This led to better prices for fishermen due to lower weekly supply, and extended the commercial season into the late summer. This was a very economically sound decision.
- In order to manage the declining striped bass stock the commercial quota was reduced twice with reductions of 25% in 2015 and 18% for 2020. This was done to reduce overfishing of the resource, because striped bass were declared overfished.
- Recently, changes to the recreational fishery were also made to reduce overfishing of the resource.
- The Division of Marine Fisheries increased the minimum size for commercial striped bass from 34" to 35" in order to separate the recreational and commercial fisheries, better manage the resource and facilitate enforcement of the regulations.
- The scarcity of fish, which are greater than 35", is contributing to the poor fishery performance. This is direct and incontrovertible evidence that the striped bass stock is overfished.

- The fish that are greater than 35” are the breeding stock, and in the face of overfishing, as many of these fish as possible should be saved.
- According to my commercial fish buyer there is currently a low demand for striped bass due to the COVID19 pandemic, since restaurants are closed or open with stringent guidelines and reduced capacity, as well as fewer tourists traveling to seaside destinations. Many people are avoiding public gatherings altogether. After Labor Day the vacation season winds down and demand for fresh, local, line caught striped bass declines as well.
- The proposed in-season adjustment will increase striped bass supply in the face of decreasing demand. This will lead to low prices for commercially caught fish, minimizing the economic benefit for commercial fishermen.
- The large, greater than 35” fish are much more economically valuable as breeding fish in the overfished striped bass biomass. Preserving as many of these fish as possible will improve the viability of the fishery for future recreational, charter and commercial fishing activities. This future economic benefit far outweighs any short term economic benefit derived from the proposed in-season adjustment.

Considering the above, please do not make any adjustments to the commercial striped bass open fishing days, because an adjustment would contribute to overfishing of the striped bass resource, and would not be economically beneficial to commercial fishermen.

Please prioritize the management the striped bass resource, not the commercial quota.

Sincerely,

Michael P. Kowaleski
Harwich, MA

From: [Michael Kelleher](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed expansion of striped bass commercial days
Date: Tuesday, August 11, 2020 10:29:41 AM

To DMF Director Dan McKiernan:

DMF has noted that the commercial striper harvest is currently only 24.5% of quota, and has proposed increasing commercial fishing days in two steps to 7 days/week. I have been fishing as a non-commercial angler out of Duxbury for over 50 years and can attest to the remarkable decline in the most efficient breeders over 35 inches...matched only by the steep declines we saw in the 1980s. The more logical remedy for the weak current commercial catch would be to end the commercial season, or limit it to slot size fish. These measures saved the fisheries for snook and redfish in Florida and should be implemented in Mass waters. With striped bass now selling at \$22 -\$25/lb the average person can't afford to buy it, and those high prices will push the breeder population to the brink. We don't want to duplicate the cod disaster.

Michael Kelleher MD
425 Bay Rd, Duxbury, Ma. 02332
cell 508-667-5034

Sent from my iPad

From: [Nat Bottigheimer](#)
To: [Fish, Marine \(FWE\)](#)
Cc: [Nat Bottigheimer](#)
Subject: Proposed extension of commercial striped bass fishing season
Date: Tuesday, August 18, 2020 11:35:38 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 Sir or Madam:

I am writing to oppose the Massachusetts Division of Marine Fisheries (DMF) recent proposal to add open fishing days to the commercial striped bass fishing season.

The failure of fishery participants to fill the annual quota of 735,240 pounds by the original date is clear evidence of the insufficiency of the striped bass biomass to support the proposed harvest level.

If anything, even greater protections of the striped bass population are called for, including protections for breeding size bass whose presence in the population is critically needed to sustain and grow the population.

For your background, I am a New Jersey resident who travels annually to Massachusetts to fish for striped bass. I have an annual license, and my visits to the state contribute to the Massachusetts tourism and recreational economies. A reduced ability to catch striped bass in Massachusetts waters, as your proposal to extend the commercial season would do, would threaten these aspects of the Massachusetts economy.

Yours sincerely,

John Bottigheimer
26 White Pine Lane
Princeton, NJ 08540

From: [Ryan Dwelly](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed in Season Adjustments to Commercial Striped Bass
Date: Wednesday, August 12, 2020 5:27:25 PM

Hello,

Adding open fishing days to the 2020 commercial striped bass fishing season is absurd. The market may have been affected by the outbreak of COVID 19 but it's time to recognize that the population is in decline and adding more commercial fishing days year after year will only compound this issue and lead to more unmet quotas. The 2019 Quota was not met, the 2020 quota will not be met, the 2021 quota, and beyond will also likely not be met. It's time to accept that and stop treating the quota as a population control target. These resources do not need to be harvested. Let's give this one to the resource and give them some relief from commercial pressure in a year when they are facing increased recreational pressure.

The addition of so many commercial days will almost definitely lead to additional instances of poaching, wasn't this part of the reason commercial fishing was banned at the Cape Cod Canal? Do the DMF and MEP really have enough resources to police hundreds of additional commercial trips? It seems that they are struggling and spread thin as it is. Unless significant policing resources are also added, I don't see how it is appropriate to add so many additional fishing days.

Let's be realistic about the current situation. Lets not compound a problem with a resource that is so valuable to both recreational and commercial fishermen. Temporarily unmet quotas may be a painful hardship, or bruise ego's, but they are not nearly as painful or costly as a moratorium. Let's not repeat the past. Give the Striped bass a relief package in 2020.

Make the hard choice, the right choice, do not add open fishing days to the 2020 commercial striped bass fishing season.

Best,
Ryan Dwelly

From: johnhauck101@aol.com
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed increase to commercial striped bass harvest days
Date: Wednesday, August 12, 2020 2:47:48 PM

Dear Marine Fishery

I would like to voice my opposition to the proposal to increase the commercial bass harvest days. As a recreational bass fisherman for over 40 years, I have seen the availability of the species vary greatly from year to year. This year I have witnessed an amazing change. There are more large bass (36" and up) than ever before in and around the Boston Harbor islands.

This is undoubtedly due to the amount of forage fish (poggies/macks) that are available this year. I do see less fish in the 28-34" slot for reasons unknown. I can only think that increasing the commercial fishing will reduce the breeding coveys that are now abundant and upon which the species depends.

Please record my objection to any changes in the commercial season days or harvest quota.

Sincerely,

John Hauck
12 Hillside St
Boston, Ma 02120

From: rakennedy16@comcast.net
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed Increases in Commercial Days
Date: Monday, August 10, 2020 9:26:26 AM

Director McKiernan,

I am in favor of DMF's proposed increases in commercial striped bass fishing days in 2020.

Thank you,

Rick Kennedy
17 Bay View Ave
Nahant, MA 01908

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Sent from Outlook Email App for Android

From: [Frank Torbey](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed In-Season adjustment feedback
Date: Saturday, August 15, 2020 3:20:10 PM

Director Dan McKierman,

As an avid fisherman I directly witness the impact to the striped bass stock. I believe that increasing the commercial days is going to damage the breeding stock of female striped bass. The reason the commercial fishermen are not hitting the quota is because of the reduced number of striped bass over 30 inches.

I would recommend cancelling the rest of the striped bass commercial season to allow the stocks to improve.

Frank Torbey
Osterville Anglers Club Tournament Co-Chair

From: [Katie Almeida](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed In-Season Adjustments
Date: Friday, August 14, 2020 11:04:23 AM

Dear Dir. McKiernan,

Several of our vessels hold MA state permits for summer flounder and black sea bass and are in support of the DMF's proposed in-season adjustments for both of those species. This would be a positive change for the industry.

Thank you,
Katie

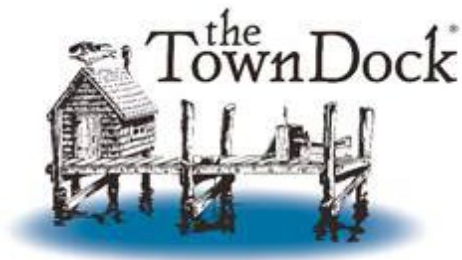
Katie Almeida

Fishery Policy Analyst

45 State Street | Narragansett, RI 02882 USA

O: 401-789-2200 x143 | C: 508-930-2633

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From: [Jack Creighton](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed In-Season Adjustments to Commercial Fishing Limits for Certain Quota Managed Species
Date: Monday, August 17, 2020 4:39:04 PM

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August 17, 2020

Dear Director McKiernan,

I strongly disagree with the recommendations proposed regarding extending the commercial days of fishing for striped bass and increasing the poundage limits for black sea bass and summer flounder for the 2020 season. Regarding striped bass, the fact that the commercial fishermen cannot meet their quotas is, in my opinion, a strong indication that the striped bass are in decline again. Yes, there are many 24" bass in MA waters. However, I would love to see any 35" and over striped bass presently in MA waters have the opportunity to spawn in the spring. It is my understanding that 35" and over fish are the best breeders. Yet we target them as the fish to take, commercially.

Number 2 – the black sea bass. Black sea bass appear to be very prevalent in MA waters; however, larger fish have moved to deeper waters and are thus harder for the commercial people to catch. My biggest fear is that for all fishermen, recreational and commercial, sea bass will be slaughtered because of their numbers. I am led to believe that because of the coronavirus, there are more people fishing recreationally than ever. Thus, I worry that the numbers being kept around the state will be much higher and not reflect the danger the fish might be in until it is too late. An example would be the bluefish that scientists claim are a cyclical fish. When the striped bass catch was limited, bluefish were targeted commercially, and their numbers are down considerably, in my opinion.

Thirdly, the summer flounder. Because I am on the waters on a regular basis, I see the summer flounder numbers are down considerably and it is my understanding that within the last three weeks, commercial draggers have rounded approximately 12,000 pounds off of Nantucket (The bycatch must have been phenomenal.) Commercial fishing obviously took a beating this year because of the virus and restaurants not being open, thus a much lower demand. We hope that is a one-year situation. My real fears are that with the additional recreational fishing done this year and extending commercial fishing to the end of the year, the consequences for those fisheries will probably be immense.

On the Water Magazine, Fisherman Magazine, the MV Derby, and the Cape Cod Salties Sportfishing Club, to name a few, all encouraged taking photos and releasing instead of killing

striped bass this year. I think the residents of the Northeast would be better served by a one-year reduction in the number of striped bass they eat for the preservation of the species. Something I would like to see you do in your tenure as director is to get agreement from all Atlantic seaboard states to all follow the rules.

Although this is not one of your proposals, I urge you to encourage Gov. Baker to appoint two so-called fish judges, one in the Gloucester area and one in the New Bedford area, to have all fishing and related crimes come in front of a fish judge who would deal just with like cases and thus better understand them.

Sincerely,

Jack Creighton, South Yarmouth, MA 02664

Cape Cod Salties Sportfishing Club President

From: [F.Kudarauskas](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed In-Season Adjustments to the Striped Bass
Date: Friday, August 14, 2020 7:00:33 AM

Director Dan McKiernan Massachusetts Division of Marine Fisheries

Dear Mr. McKiernan,

I am a commercial fisherman fishing for striped bass for over 30 years and would like you to consider my comments regarding the proposed in-season adjustments to the commercial striped bass open days.

I am vehemently against this proposal for the following reasons:

- The DMF cut the weekly take from 95 fish (30 each day for three days and 5 on Sunday) to 30 per week (15 each day for two days) in order to manage the stripers.
- In order to manage the stripers the quota was reduced twice with reductions of 25% in 2015 and 18% for this year because striped bass were declared overfished.
- The DMF increased the minimum size from 34" to 35" in order to separate the recreation and commercial entities to manage the resource and help enforcement of the regulations.
- The scarcity of plus 35" fish is contributing to the fishery performance.
- The plus 35" fish are the breeders and should be saved.
- According to my commercial fish buyer there is a low demand for the bass most likely due to Covid19 implications with restaurants being closed or open only with stringent guidelines. Many people are avoiding public gatherings altogether. After Labor Day the vacation season winds down and demand for the stripers typically follows.

With the above factors considered, please do not make any adjustments to the commercial striped bass open fishing days.

Manage the striped bass resource, not the quota.

Thank you,
Frank J. Kudarauskas
East Dennis, MA

From: [Michael Lacey](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed in-season adjustments
Date: Monday, August 10, 2020 10:47:36 AM

I find this unacceptable, for all of the recreational fishermen the increase in commercial take rates and days makes it worse for us. This has been one of the best fishing years I have experienced in recent years and I contribute much of that to the fact that the draggers could not fish for the first few months. The fisheries seem better this year than they have been in years past. Give the fisheries a chance to bounce back a bit. Please don't allow the draggers to increase takes at the end of the season.

Thank you,
Mike

From: [CAROL SCHMALTZ](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Proposed regulation changes for Commercial Striper Fishing
Date: Monday, August 10, 2020 3:28:16 PM

Attn: Dave McKiernan

I read the proposed regulation changes with interest, as I am a Cape Cod resident who deals daily with a distinct shortage of Striped Bass whether recreational or commercial. The lack of time to catch fish is not the problem at all, and allowing more time to access the resource is just going to make the shortage worse. None of us are catching fish because they are so limited in numbers, for all the species listed in this plan, and many of my friends who do fish commercially have given up because it is just not worth their time. And yes, I do understand and I have a biology degree ... lets not be stupid.

Robert M. Rifchin
19 Carriage Lane
Barnstable, MA. 02630

From: [Russell V. Iuliano](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment adjustments to commercial fishing limits
Date: Monday, August 10, 2020 10:04:25 AM

Dear Dan,

I fish in Buzzards Bay, Vineyard Sound, and Nantucket Sound where I fish Friday afternoon, Saturday, and Sunday. Since so little of the quota could be due to reduced time at sea, but also reduced available fish to catch. I oppose opening the fisheries to commercial fishing Friday, Saturday, Sunday. All three fishing stocks show signs of improving. I'd like to give them another year to mature and increase their numbers. It will help both of us in the future.

My experience:

- Striped bass: While the schoolies have been plentiful, finding "slot-sized" fish has been much harder (I've not caught any to date.. Continue to limit fishing to four days a week to ensure the fishery recovers
- Black Sea Bass – Last year was not a great year for black sea bass. This year has been better. However, for every seven black bass I catch, only one is above the legal limit. Continue to operate unchanged to give the fish a chance to mature.
- Summer Flounder: The fluke season for the last two years has been slow. Last year I didn't catch anything. This year I've caught plenty of shorts (in the 8 to 10 inches), but only two above the legal limit. As with above, continue to limit the days on the water and catch size.

Thanks

Russ Iuliano
27 Rockland St, So Dartmouth, MA 02748
781 820 3677

From: [Mike Jones](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment Expanded Striped Bass days
Date: Friday, August 14, 2020 3:16:12 PM

Dan McKiernan

As an avid angler and former commercial permit holder, I fully support expanding the number of commercial days for Striped Bass. The current plan for the rod and reel season was a good switch when we had good numbers of accessible fish. Unfortunately, those stock numbers are dwindling and in order to aid those that rely on commercial fishing to make a living we should do everything possible to keep them gainfully employed.

Moving forward the state should enact the control date for a limited entry and open the season on January 1st and close it when 90% of the quota is reported. Reducing the number of permits and increasing the access should maintain a steady supply of fresh Bass without having a glut which will drive the price down.

As I alluded to before I am a former commercial permit holder that maintained the permit and endorsement just in case I needed some additional money. This is no longer the case and I didn't renew.

I was raised in the commercial fishing community even though I currently advocate conservation measures on both sides of the aisle when it comes to recreational and commercial interest I truly believe we need to help a struggling commercial fishing industry. I do not consider the For Hire Fleet as a part of the commercial fishing industry, The money generated by them is in the same category as a marina or bait n tackle shop. Purely recreational.

Thank you and DMF for the hard work!

Regards,

Mike Jones
Carver, MA

- Past President, Massachusetts Striped Bass Association
- Carver Sportsmen's Club, Board of Directors

From: [Stephen Madden](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public comment in-season adjustments to 2020 commercial fishing limits for striped bass.
Date: Monday, August 10, 2020 2:24:43 PM

To: Director Dan McKiernan

Subject: Public comment in-season adjustments to 2020 commercial fishing limits for striped bass.

Sir;

I am against the proposing of an in-season adjustments to 2020 commercial fishing limits for striped bass.

I believe adding open fishing days to allow for commercial fishermen to have greater access to the remaining quota.

Beginning on September 1, 2020 Tuesdays and Thursdays being added to the commercial fishery. This will allow commercial fishing four days per week (Mondays – Thursdays). Then, effective October 2, 2020, Fridays, Saturdays, and Sundays will be added to the commercial fishery. This will allow commercial fishing seven days per week.

If the Commercial anglers cannot meet the required allotments required by laws established in the beginning of this year then that is unfortunate but this is what was set forth and established. Leave the remaining stock quotas unmet and unmolested. The Striped Bass need a break and way to much pressure from Recreational Anglers and Commercial fisherman alike.

Thank you

Stephen Madden
7 Susan Cir, Carver, MA 02330
Recreational Angler
Fishing Enthusiasts

From: [Gerald Audet](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public comment on increasing number of commercial Striped Bass harvest days
Date: Tuesday, August 11, 2020 9:48:00 PM

Hello Daniel McKiernan

I want to voice my very, very strong opposition to extending the number of commercial days a fisherman can harvest striped bass. This seems like even a worse idea than re-opening the canal to commercial harvest. The fishery is literally overfished, new regulations are in place we haven't even seen the impact of, and the state wants to ADD MORE DAYS to harvest? This flies directly in the face of logic, data, and scientific analysis. Yes, they have not reached their "available quota" for years now. But doesn't that just mean we should be REDUCING the number of days, because there aren't even fish to be caught? The commercial fleet may be small in comparison to the number of recreational anglers, and as such potentially have less of an impact, but the impact they do have is unfairly done by a tiny group. That is, there is an unjust and inequitable allotment of a public resource to a small group- the commercial fisherman get far more bass per person than the public. This is a species, an animal of inherent worth, not a product to be sold and bought with impunity.

Don't extend the number of days this season. It is wrong, and makes absolutely no sense.

Thank you
Dr. Gerald Audet
Douglas, MA

From: [Pat Sadr](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public comment on In-Season Adjustments to Black Sea Bass, Striped Bass, and Fluke
Date: Tuesday, August 11, 2020 8:39:56 AM

I would like to thank DMF and commission members for taking action on managing the commercial quota's so that fishermen are able to maximize the available set quota.

Regarding Striped Bass I agree with increasing the open days per week. However I think adding 2 days should take as soon as possible in order to have the best chance at filling as much of the quota that we can. Then, after labor day weekend go to 5 days a week.

I think going to 5 days for Commercial Striped Bass before Labor Day Wknd could pose too much for LEO (law enforcement officers) to handle, and possibly more conflict between user groups because more recreational boaters/fisherman are on the water.....

This is not an easy decision however more days certainly need to be added in order to maximise taking of the quota. One thing to consider is Tautog will open Sept 1st and with the added Sea Bass days also it will most certainly detract from fisherman's effort to fishing for striped bass because of the other options. So maximized availability may be the way to go early on.

Regarding Black Sea Bass I also agree to adding more days to the current commercial fishery to maximise quota.

However I disagree and don't see it right, or fair that the Pot Fisherman get a daily increase in possession and Rod and Reel gets NO increase in daily possession.

The fact that they (potters) got a 100 lb. increase and Rod and reel only got 50 lbs. this season makes no sense to me.

I would like to know why this was decided and I see no basis.

If the rod and reel fishermen were allotted 100 lb. Increase as the potters were, we may not be in the situation of having to add days and possession limits.

I propose 300 lbs. For rod and reel if potters get 500 lbs.

Thank you and All the Best

From: mhstarsiak@gmail.com
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Proposal to Extend Commercial Striped Bass Fishing Days
Date: Saturday, August 15, 2020 8:32:09 AM

Please register this email as being opposed to the proposal to extend the “commercial” Striped Bass fishing days and season!

From all reports—especially from both Federal and State Agencies—Striped Bass are OVERFISHED! Additionally, for the past two years the “commercial” guys have not met their quota (surprise, surprise...!) in the time allotted. Yet, you folks at DMF—who are supposed to be protecting the Striped Bass stock are proposing that the “commercial” fishing days be extended—so that the “commercial” folks can take more fish from an OVERFISHED stock of Striped Bass. What type of insanity has possessed you?

An appropriate analogy would be: A winemaker had a barrel with some valuable wine and the barrel had a leak due to some wood-boring insects—the barrel was leaking a few cups of wine a day. So, to stop the small leak the winemaker takes his portable drill and a 3-inch hole cutting bit and bores another hole in the barrel to get rid of the small leak! Obviously you can see the absurdity of what the winemaker did—and also of your proposal to decimate the Striped Bass population—further and faster!

If anything, any way to REDUCE the taking of fish from an OVERFISHED should be the goal of your TAXPAYER financed agency!!! (“commercial” Striped Bass fishing should be banned—not only in MA, but also nationwide!)

From: [Captain Joe LeClair](#)
To: [Fish, Marine \(FWE\)](#); [Kessler, Ross \(FWE\)](#)
Subject: Public Comment on Proposed In-Season Adjustments through August 24
Date: Monday, August 10, 2020 9:36:17 AM

The lack of large Striped Bass in the region i am currently fishing is not do to the market price or Covid 19. in the last 8 weeks there has been more fisherman and boaters on the water than usual. The number of recreational fishermen and the amount of fishing pressure on Striped Bass has been increasing over the last 20 years and i have seen it increase again. i have been fishing the waters from Westport ma. to Falmouth Ma including Buzzards Bay and Vineyard Sound since 1995 for striped bass on my own vessel. i have very few places left where i can target large Striped Bass (over 35"). I have an amazing amount of small striped bass (under 28"). If we extend or increase the number of days we will be taking the last remaining stocks of large female Striped Bass that are our resident fish population. This would be a mistake! These groups of fish are easy to target and everyone knows where they are.

Thanks
Captain Joe LeClair
North Eastern Anglers
www.flyfishsalt.com

From: bdoheny@aol.com
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Proposed In-Season Adjustments
Date: Thursday, August 13, 2020 10:23:10 AM

Dear Mass Marine Fisheries,

This letter represents 5 Massachusetts residents and recreational saltwater license holders (Brian Doheny, Paul Doheny Sr., Eamon Doheny, Abaigeal Doheny, Tara Doheny) so please count this as 5 votes and opinions against extending the commercial striped bass season in any manner. I am 55 years old and have witnessed the striped bass fishery from not being allowed to possess them to opening up a commercial fishery for them. My father has logs when catching more than 1,k striped bass from the shores of cape cod to catching less than 200 in a season in resent years. In the past several years since commercial striped bass fishing has been allowed we rarely see keeper sized striped bass. We think it's ironic that recreation fisherman can not keep striped bass over 35 inches to protect the fishery but you are allowing the commercial fishery to keep those same fish and now disappointingly you want to extend that season. Our thoughts are the reason that they are not catching the commercial quota is because the larger fish are not as abundant as they once were and not because they didn't have enough time to fish for them. I used to catch cod fish at the herring run in the cape cod canal when I was younger but unfortunately my children have not been able to experience that or the live lining of herring to keeper sized striped bass off of the beach. Those are some of my fondest memories so please do not extend the commercial fishery for striped bass so that maybe the thrill of catching a keeper striped bass will be there for the next generation. Please contact me if you would like to discuss this further.

Sincerely,
Brian Doheny

From: [Michael Pavlov](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment Striped Bass Commercial Harvest Extended Days
Date: Saturday, August 15, 2020 1:11:58 AM

To: Director Dan McKiernan

Please do not add additional commercial days for the harvest of Striped Bass.

The precipitous decline of Striped Bass in the last two years, especially of fish over 30 inches, has been absolutely astonishing and depressing. And it is mind boggling to me and everyone I've talked with, that the guardian of this resource is considering action to increase harvesting measures. If anything, there should be more protective actions taken across the board, commercial and recreational alike.

Thank you,
Mike Pavlov
Brewster, MA

From: [Jim Kelly](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public comment Striped Bass
Date: Tuesday, August 11, 2020 2:27:50 PM

Hi Dan,

This is in regards to the proposed increase to commercial fishing for striped bass. I thought that the elimination of commercial taking of fish at the canal, along with implementation of slot limits was to protect the species. If we were under the quota allowed, that would be good for the fish population and would have accomplished what you set out to do. Why change for this year?

--

Thank you.

Jim Kelly
15 Holly Lane
Centerville MA 02632

508-328-1839

From: [Edward Lee](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment
Date: Monday, August 10, 2020 7:23:14 PM

I disagree with the increased opening of striped bass fishery for commercial purposes. Rules were change to help with the overall stock, so increasing pressure on the largest fish does not make sense. If the efforts of recreational fishermen are undone by commercial fishermen, then conservation efforts will be for nil. i do not think striped bass should be fished commercially at all if we are serious about preserving the stock, eliminate commercial striped bass fishing and as well as the netting of menhaden.

Edward Lee
31 Forest St
Hanover, MA 02339

From: [Mike Spinney](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment/Proposal to Add Days to Commercial Striped Bass Season
Date: Tuesday, August 18, 2020 4:41:34 PM

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Director McKiernan

I am writing in response to the DMF's announcement on August 10 seeking public comment on the proposed in-season adjustment to the 2020 commercial striped bass fishing season.

I oppose this measure.

While I recognize that Massachusetts is on pace to fail to meet its quota for the third year in a row, and that the measure is intended to help commercial striped bass fishermen to catch more during a time of hardship, doing so runs counter to the goals of the recent changes to the striped bass management plan. If striped bass are "overfished, and overfishing is occurring," it makes no sense to add days to the 2020 season.

Thank you for the opportunity to speak out on this issue.

Mike Spinney
Townsend, Mass.
978 660 4053

From: sjselden@seldenservices.com
To: [Fish, Marine \(FWE\)](#)
Subject: Public Commentary Period
Date: Tuesday, August 11, 2020 9:54:42 AM

Dan,

As a 50 year direct observer of the of populations of marine fishes along the nearshore coastline of Nauset Beach (points north & south), Monomoy Island and Nantucket Sound, out 12 miles. It has my direct observation that populations of near shore species may be impacted by adult and juvenile grey seal populations. It is known that adult Grey Seals can consume between 35 and 55 pounds of fish per day. So i.e. 100 adult Grey seals could consume 4,500 lbs of fish per day or 31,500 lbs per week. We know that the Grey Seal population is in excess of 100 adults. I am concerned that the Grey Seals are not part of the conversation regarding recreational fishing (dead loss ~ 9-10%) and the extension of commercial harvesting days at sea for Striped Bass, Black SeaBass and Summer Flounder. I am concerned with the downward commercial harvest trends of these species, Specifically, the Mass coastwise quota for Striped Bass has feel short and not been filled in recent years. I am concerned that this downward trend will result in limited access or result in a direct closure of this and other fisheries. I do acknowledge that recent year classes of striped bass along the mid Atlantic coast have been thready at best. And that new regulations governing recreational and commercial harvests of Striped Bass (slot size for recreational and 15 fish >35" commercial) were best management practices. With all the management tools in place the one mathematical variable missing or not discussed is the Grey Seal interference. I believe it would be eye opening to be able to try and measure the impact to coastal fisheries the grey seals have had to date.

Thank you for taking the time to read this. Please contact me if I can be of help to Mass Marine Fisheries.

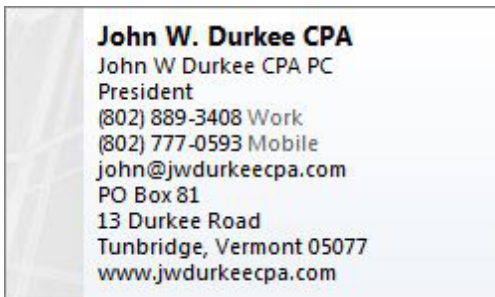
Sincerely,

Steve Selden

From: [John Durkee](#)
To: [Fish, Marine \(FWE\)](#)
Subject: public comments
Date: Monday, August 10, 2020 10:21:20 AM

The stiped bass are in trouble so why are we extending the commercial fishing by adding two more days and then another three days?

This makes no sense at all.....if anything they should be cutting back, including specific days that are catch and release only for recreational fishing as well.



STATEMENT OF CONFIDENTIALITY

The information contained in this electronic message and any attachments to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. If you are not the intended recipient, please notify John W Durkee CPA PC immediately at either (802) 889-3408 or at john@jwdurkeecpa.com and destroy all copies of this message and any attachments.

To ensure compliance with requirements imposed by the IRS, we inform you that any tax advice contained in this communication, unless expressly stated otherwise, was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue code or (ii) promoting, marketing or recommending to another party any tax-related matter(s) addressed herein.

From: [DOUGLAS SHEELEY](#)
To: [Fish, Marine \(FWE\)](#)
Subject: quota changes
Date: Friday, August 14, 2020 11:19:26 AM

In reference to the proposed extension of commercial striped bass fishing:

The 2020 changes in recreational stripped regulations to institute “slot” limits was to preserve the breeding stock of fish to restore the population. Commercial fishing favors taking the larger breeding female fish. Adding more days to the 2020 commercial season will negatively impact the overall fish population.

Regards,

Douglas Sheeley
53 Salt Meadows Rd.
West Dennis, MA 02670
dsheeley@comcast.net

From: [Bill Balaschi](mailto:Bill.Balaschi)
To: vinnyf18@verizon.net
Cc: [Fish, Marine \(FWE\)](#); michaelgerrity@me.com; ron.reif.jr@gmail.com; Salar02@aol.com; Chellafoods@gmail.com; Rickjwils@hotmail.com; capeflyfish35@gmail.com; harry.graff3@gmail.com; tinylynch@comcast.net; outcastcharters5@aol.com; flyfisher2012@live.com; godinfam@comcast.net; ccunsworth@comcast.net
Subject: Re: New proposed commercial regs.
Date: Monday, August 10, 2020 1:00:27 PM

Perfect Vin.
Hi Dan. Hope all is well.

Sent from my iPhone

> On Aug 10, 2020, at 12:10 PM, vinnyf18@verizon.net wrote:

>

> Dear Mr. McKiernan,

>

> In a year when we've seen our world turned upside down with a pandemic and social unrest, you and the members of Mass Fisheries are in the unique position to do something to restore our faith in the powers that be. Please do not extend the number of commercial fishing days. As a matter of fact, as a board member of the Cape Cod Flyrodders, I can unequivocally state our membership would vote tomorrow for a limited moratorium on striped bass fishing all together ASAP. This would give these fish a chance to recuperate their breeding stock numbers, and increase their chance to survive for future generations. It is not often a few people have the power to do something that is genuinely good, rather than unquestionably for the financial gain of a few. Believe me when I say, so many people are waiting and watching what happens on this vote. Thank you for your consideration.

>

> Vincent Foti

> 21 Hinkley Pond Drive, South Dennis MA 02660

>

>

> Sent from AOL Mobile Mail

From: [Taylor Vavra](#)
To: [Gary Mirando](#)
Cc: [Fish, Marine \(FWE\)](#); [Dean Clark](#); [Mike Spinney](#)
Subject: Re: Oppose Plans to Increase Commercial Fishing Pressure on Striped Bass
Date: Tuesday, August 18, 2020 2:19:38 PM

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Hey Gary!

Thanks so much for your support and sending off your letter. Hopefully we can put an end to this again this year.

Taylor Vavra
National Board Member
Stripers Forever
www.stripersforever.org
stripers@stripersforever.org

On Tue, Aug 18, 2020 at 2:15 PM 'Gary Mirando' via stripers@stripersforever.org <stripers@stripersforever.org> wrote:

To whom it may concern,

At this time there is a decline in the number of striped bass on the East Coast. The decline is most evident in the group of larger mature bass. Large fish taken via commercial striper harvest are often breeders important to restore the fishery to a sustainable level.

With current commercial fishing days unable to fill the poundage quota it is obvious there is a shortage of striped bass numbers. This is due to overfishing.

I am asking Mass DMF to stop the commercial overfishing of striped bass and to not increase the days for commercial harvest of the species.

Thank you for your consideration.

Gary Mirando
PO Box 666
West Tisbury MA 02575
508 693-8380
g.mirando@verizon.net

From: cryonic316@aol.com
To: [Silva, Jared \(FWE\)](mailto:Silva, Jared (FWE))
Subject: Re: Period 2 Fluke Pilot Program - Updated LOA
Date: Tuesday, August 11, 2020 10:32:34 AM

I like to comment on fluke and hcrab . I like to see hcrab at 300 ct I also like to see some way now or in the future to pick my five days of fishing by either call in or tx or open it up to seven days. Because my vessel is only 36 ft in length. Because of weather I am home commenting now, and in the past four weeks I have not fished more than two days in a single week. Thank You F/V Sarah Ann

-----Original Message-----

From: Silva, Jared (FWE) <jared.silva@state.ma.us>
To: cryonic316@aol.com <cryonic316@aol.com>
Sent: Wed, Jul 22, 2020 4:07 pm
Subject: Period 2 Fluke Pilot Program - Updated LOA

Hi Phil,

DMF is amending the P2 Fluke Pilot Program to similarly accommodate the multi-day trip retention of black sea bass and horseshoe crabs. Your revised LOA is attached. You may continue to use the tags previously provided. Please contact me if you have any questions or need to acquire additional tags.

Jared

From: [Taylor Vavra](#)
To: [Bob Campbell](#)
Cc: [Fish, Marine \(FWE\)](#); [Dean Clark](#); [Mike Spinney](#)
Subject: Re: Please do not extend commercial fishing days for Striped Bass
Date: Tuesday, August 18, 2020 12:29:46 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.

Hey Bob!

Thank you so much for sending in your letter! This is exactly the kind of thing the DMF needs to be aware of.

Thanks again for your support!

Taylor Vavra
National Board Member
Stripers Forever
www.stripersforever.org
stripers@stripersforever.org

On Tue, Aug 18, 2020 at 12:16 PM Bob Campbell <bobcampbell2010@gmail.com> wrote:

Director Dan McKiernan:

I'm writing to ask you to please not grant the commercial fishing industry additional days in which to increase their harvesting of our most important game fish, striped bass.

I no longer go on vacation or make weekend trips to Cape Cod as I used to, when I was a long-time Massachusetts resident and now that I'm not, because the striper fishing is no longer anywhere near what it was. They have been and continue to be overfished, not by recreational fishermen/fisherwomen like me, but by commercial and "recommercial" interests and individuals who seek monetary/business gains from this natural treasure.

But stripers are more than a natural treasure, they're an economic engine of recreational dollars and tax revenues for Massachusetts and all the East Coast states the ASMFC represents. There's overwhelming data that tells us clearly that these dollars, from hotel/motel lodging, restaurant receipts, gear purchases, guiding, spouse/family member purchases, etc., far outstrip the monies and state revenues realized by commercial fishing.

It's hard to let a business suffer or close. I've been there. We had a family farm that low milk prices made untenable, and we had to find another better way. If that's the fate of commercial striper fishing, that's hard but that's in their families' long-term interests and security. That's real.

Prolonging the destruction of, or at best the continual tenuous struggle of, our

Striped Bass fishery is not a sensible alternative economically, scientifically, morally, or practically.

Thank you for considering my thoughts on this very important issue, Director McKiernan,
Bob Campbell
Holmdel, New Jersey (past resident of Wellesley Hills and Newton, Massachusetts)

From: [Jonathan Black](#)
To: [Michael Kelleher](#)
Cc: [Fish, Marine \(FWE\)](#)
Subject: Re: Proposed expansion of striped bass commercial days
Date: Tuesday, August 11, 2020 11:24:00 AM

Well done Mike.

PLEASE NOTE NEW ADDRESS

Jonathan R. Black, P.C.
10 Cordage Park Circle, Suite 224
Plymouth, MA 02360
(Tel) 781-740-4250

Nothing in this email is intended to provide tax advice and this email may not be relied upon for that purpose.

Sent: Tuesday, August 11, 2020 at 10:29 AM
From: "Michael Kelleher" <mhkelleher72@gmail.com>
To: marine.fish@mass.gov
Subject: Proposed expansion of striped bass commercial days

To DMF Director Dan McKiernan:

DMF has noted that the commercial striper harvest is currently only 24.5% of quota, and has proposed increasing commercial fishing days in two steps to 7 days/week. I have been fishing as a non-commercial angler out of Duxbury for over 50 years and can attest to the remarkable decline in the most efficient breeders over 35 inches...matched only by the steep declines we saw in the 1980s. The more logical remedy for the weak current commercial catch would be to end the commercial season, or limit it to slot size fish. These measures saved the fisheries for snook and redfish in Florida and should be implemented in Mass waters. With striped bass now selling at \$22 -\$25/lb the average person can't afford to buy it, and those high prices will push the breeder population to the brink. We don't want to duplicate the cod disaster.

Michael Kelleher MD
425 Bay Rd, Duxbury, Ma. 02332
cell 508-667-5034

Sent from my iPad

From: [William Prodouz](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Recommending agsinst expanding commercial days from 2 to 4, 5,6 or 7 for striped bass in Massachusetts
Date: Friday, August 14, 2020 3:25:03 PM

I am writing to recommend against extending allowable days for commercial striped bass fishing in MA.

Presently we are at 27.7 % of the quota. This is not because these hardworking fisherman are having too few days to fish.i believe it is because there are too few of these porential breeders to catch.

It is NOT logical to extend the number of days to catch these fish if there are already too few of these breeders available to catch.

Why fish a fishery with too few fish into oblivion by adding more days to catch and kill an already depleted stock?

The percentage of quota caught year to date is telling us the stock is in even worse shape then we fear.

Please count me as supporting NO INCREASE IN COMMERCIAL STRIPED BASS FISHING DAYS IN 2020.
increase in commercial Striped Bass days in 2020.

Sincerely
Bill Prodouz

From: [Mark Sibley](#)
To: [Fish, Marine \(FWE\)](#)
Subject: recreation fishing for stripers
Date: Monday, August 10, 2020 4:42:23 PM

how about giving the rec guys a chance to catch some stripers? our present regs are awful. i fish a few times per year for stripers i am lucky to get 1 keeper per year. i dont think i am hurting the stock. yet you are giving the commercial guys the green light.does not seem fair at all.

thank you mark sibley

From: lcolella@verizon.net
To: [Fish, Marine \(FWE\)](#)
Subject: stripe bass
Date: Monday, August 17, 2020 5:54:57 PM

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It is plain to see the reason for the low catch no is because the stocks are depleted Not because we forgot how to catch. so if you want to destroy the breaders left contunion this madness fish every day till there gone. This is typical of goverment when the problem gets real bad then make more stupid decisions like fish more days and seehow bad we can depleat the breeding stock. after all what are we more concerned about the quota or to preserve the stocks for future generations. I could go on & on but i don't think anyones cares. It would be sad to see this fish go away Lou Colella

If i were a stripe bass I would only say HELP

From: [Helen Sledzik](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped bass
Date: Monday, August 10, 2020 12:52:05 PM

Director Dan Mckieman,

I want to express my feelings on the proposal to ADD
More Commercial fishing days.
Don't you people understand the problems that face our
Striped bass ? Listen to your own fisheries people for updates.

Harvesting the prime breeding fish by the commercials is
Incredibly stupid. Most if not all commercials are fishing for
Beer money and could care less about conservation. Their
Goal is to catch the very last Striper in our waters.

Thomas SLedzik
20 Courtney Rd.
Harwich, MA.
02645
Sent from my iPad

From: [Thomas Koerber](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass / no additional days
Date: Monday, August 10, 2020 7:21:50 PM

I am not in favor of any additional days being added for the commercial fishing for striped bass . I believe that there is a reason that the commercial fishermen are not reaching there quota, and that is that this is a species in trouble. This species needs to recover , we should be lowering there quotas and not extending the season for these commercial fishermen .

Regards

Tom Koerber

Sent from my iPad

From: [Michael LaMontagne](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass Adjustment
Date: Monday, August 10, 2020 11:04:07 AM

I am a recreational fisherman who fishes out of Provincetown. I've only landed one keeper this season. I think the reason the commercial boats haven't filled the quota is that there are no fish. Extending the number of commercial days will just decimate a dwindling stock.

Shut down the commercial season. Do not extend it.

Michael LaMontagne, Ph.D.
617-331-3214

From: [GABRIELLE SLEDZIK](#)
To: [Fish, Marine \(FWE\)](#)
Cc: [Helen & Tim Sledzik](#)
Subject: Striped Bass change in Commercial Policy
Date: Wednesday, August 12, 2020 12:24:23 PM

I was shocked when I saw the proposed open days for Commercial fishing. With the decline in Bass population over the last few years and the bad year this year ,it makes no sense to increase the fishing days in the fall when fishing gets better. Also with restaurants being required to cut tables ,the market for Bass has to be down. Please do not increase the days and protect the stock for the future.

Gaby and Paul
Sent from iPad

From: [Mike Piper](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass Commercial Adjustments comment
Date: Wednesday, August 12, 2020 3:35:33 PM

Director McKiernan,

It was with great dismay that I heard of the proposal to add more days to the commercial fishing for striped bass. I am a recreational fisherman from Marblehead and stripers are the only game fish we have in local waters. When the AMFSC finally called for a coastwide reduction, the slot limit was created to protect the larger breeders. Since commercial fisherman in Massachusetts are only allowed to target these larger fish, it does not make sense to alter the rules and allow for more harvesting than was happening organically. The reason the landings are so far below the quota is not because of bad weather. The fish have been decimated over years of overfishing. Let's give them a break and a chance to recover so that our kids and grandkids can enjoy fishing for them.

Sincerely,
Mike Piper
Marblehead

From: [Raymond west](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass Commercial Days proposal - comments
Date: Thursday, August 13, 2020 10:11:25 PM

Dear Director Dan McKiernan,

I am writing you in regards to the proposal for adding Commercial Days to the Striped Bass season. Please leave the commercial program as is, do not add any more days or extend the season 2020

While I know the commercial folks are entitled to their quota, adding days to facilitate more quota taken feels wrong. Why change the rules mid game? The fact the commercial folks are having trouble meeting the quota is further evidence the striped bass bio mass is in bad shape in my opinion. I would hope the science comes to the same conclusion.

Please do not extend or add days to the 2020 Striped Bass commercial program,

Thank you

Ray West
30 plain st
East Bridgewater ma 02333
508-690-1382
rrrwest@yahoo.com

From: [Al Williams](#)
To: [Fish, Marine \(FWE\)](#)
Cc: [Armstrong, Michael \(FWE\)](#)
Subject: Striped Bass commercial days
Date: Tuesday, August 11, 2020 10:17:54 AM

To: Director Dan McKiernan.
From: Al Williams / commercial striped bass fisherman / Gloucester
Subject: Additional Commercial striped bass fishing days.

Hello Dan

I am responding to the DMF proposal to add Tuesday's and Thursday's in September and Fridays, Saturday's; and Sunday's in October.

I support adding only one day, Tuesday; for the balance of 2020.

Rational: Unfortunately, the practice of commercially targeting striped bass significantly before midnight prior to an open day is becoming visibly common.

Law enforcement has limited resources available to address the problem in a meaningful way. This is not meant to detract from their efforts in any way. They do a terrific job with what they have.

In my opinion, open days should be consecutive; irregardless of how many open days are decided upon.

My preference for the balance of 2020, starting on September 1st, is for Monday's, Tuesday's; and Wednesday's to be the open commercial days. No further additions in October.

This structure will minimize the issue of "early fishing" to just one day, and three consecutive days of landings should sustain prices better than four or more days.

Thank you for reviewing my comments and all efforts to effectively manage the striped bass fishery in the Commonwealth.

Al Williams
5 Orchard Way
Gloucester, Mass
Email: al.nightshift@gmail.com

From: [Detwiler, Jeff](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass Commercial Fishing Days
Date: Monday, August 17, 2020 2:59:28 PM

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Dear DMF and Director McKiernan,

I support the proposed changes to the striped bass commercial season open fishing days. In fact, I would support going to seven days a week earlier than 10/2 (for example 9/18), given that September can see extended periods of unfavorable weather due to tropical systems.

- Striped Bass. DMF is proposing to add open fishing days to the 2020 commercial striped bass season. Beginning on September 1, 2020 Tuesdays and Thursdays will be added to the commercial fishery. This will allow commercial fishing four days per week (Mondays – Thursdays). Then, effective October 2, 2020, Fridays, Saturdays, and Sundays will be added to the commercial fishery. This will allow commercial fishing seven days per week.

Thank you for the opportunity to provide public comment,

Jeff

From: [Jeff Murphy](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass Commercial Fishing
Date: Monday, August 10, 2020 11:43:46 AM

DMF,

I thought we are trying to expand the population of Striped Bass with slot limits for non commercial fishermen. Expanding commercial fishing will reverse all that benefit and continue to deplete the stock. Also most commercial fishermen gaff all their fish no matter the size since netting and releasing takes too much time. I have seen it happen every time I am on the water in and around Gloucester. Commercial fisherman do not care about the limits, they take everything and try to make money off of it.

I am not in favor or expanding commercial fishing days. Please don't do this.

Thank you

Jeff Murphy

From: [Jonathan Krahl](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass Commercial Fishing
Date: Wednesday, August 12, 2020 8:19:29 AM

Dan,

Thank you for taking our comments into consideration. The state of striped bass fishing is reeling and the consideration of taxing further is not a wise decision. I fully understand that people need to make a living etc etc. however, at what cost? If the fishery is worse next year will we fish it more? Based on the fact that 25% of the quota has been hit, it should be glaringly obvious that the fishery has been over burned for the last few years. I would think the DOF's number one goal would be protecting the species for longevity. Hopefully the DMF does the right thing.

Thank you,

--

Jonathan Krahl
Cell: (860) 416 - 2283

From: [Scott Farrel](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped bass commercial quotas
Date: Sunday, August 16, 2020 12:42:41 PM

Please do not extend fishing days to facilitate attainment of a quota on a fish population deemed overfished. Thank you. Scott Farrell MD

Sent from my iPad

From: [Liam Rosati](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass Commercial Season
Date: Sunday, August 16, 2020 3:36:23 PM

Dear Director McKiernan,

I hope you're doing well.

I'm writing you today to ask that extra commercial days are not added to help fishermen reach the striped bass quota, and consider ending commercial striped bass fishing for the 2021 season. As you know, striped bass are "Overfished and Overfishing is Occurring," and the female breeder biomass has fallen to levels not seen in 25 years. Particularly disturbing is Massachusetts commercial limit of 15 fish, all greater than 35", almost all of which are female breeders- the fish we must protect.

On August 9th, 2019, Massachusetts commercial striped bass fishermen brought 32.8% (285,299 pounds) of the 869,813 pound quota brought to market.

As of August 16th, 2020, only 28.9% (212,484 pounds) of the 735,240 pound has been brought to market. That's about 73,000 pounds less than last year at this time. Less than 10 years ago, a million plus pound quota could be reached in just a weekend.

2018, 2019 and now 2020's poor quota performance is reflective of the precipitous decline of the striped bass biomass, as documented in the ASMFC's 2019 Striped Bass Benchmark Stock Assessment. I will not remind you how valuable the recreational striped bass fishery is or of how little financial significance commercial striped bass fishing is to actual career commercial fishermen.

I and many other recreational saltwater fishermen believe the State of Massachusetts by allowing this unsustainable, old-timey commercial fishery to carry on is playing a significant role in the destruction of this cherished American fishery.

Thank you for your time and considerations, and I look forward to again striped bass fishing in Massachusetts when the stocks recover.

Regards,

Liam Rosati
115 Hillcrest Drive
Amston, CT 06231

From: [Emmons Whited](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass Conservation
Date: Tuesday, August 11, 2020 9:31:44 AM

Dear Director Dan McKiernan,

Please don't up the commercial fishing days to seven days a week. The population is already struggling greatly as it is, and this will only worsen the situation.

I live in Maine, and greatly enjoy fishing for striped bass around my home town of South Portland. It is one of my favorite past-times. I'm in high school, and try to get out there whenever I'm not too busy with school or other things. Still trying to catch that one big bass!

When you approve a seven day fishing week, it affects not only Massachusetts. It will also affect the Maine fishery. Striper are migratory fish, and change territories year to year, even month to month. This order will affect all of the East Coast.

I really enjoy my fishing. And I'd like to enjoy it for as long as I live. So please don't make this change. I'd hate to witness a severe population drop in front of my own eyes, as a 16 year old.

Thank you for your consideration.

Emmons Whited

From: [Spencer Scaife](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped bass fishery
Date: Wednesday, August 12, 2020 9:34:04 AM

Hello,

My name is spencer scaife and i am a resident of cape cod. I am 26 years old and i am an avid surf casting fisherman of the area. I have seen a steady decline of the striped bass population over the last few years and i am upset because im not sure what the future holds for me or my next generation. Striped bass mean the world to me and many fishermen that i know, we are concerned with how the limits are being handled for commercial fishing. I believe strongly that we need to put an end to commercial striped bass fishing otherwise there will be none left for future generations to catch. The bio mass can only handle so much pressure. Ive seen many breeding fish get killed because of commercial fishing and that only hurts the population. Taking those fish out of the biomass only hurts the spawn for the future years. Something needs to be done ASAP, otherwise it will be too late. You wonder why only 24% of the quota has been caught...there aren't any fish to catch. Please do not extend commercial days. End the season if you know whats good for this fragile species.

Thank you for reading this.

Spencer w scaife

From: [Dale Hubbard](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass in Mass and proposal to increase Comm fishing days
Date: Wednesday, August 12, 2020 3:32:17 PM

Good day:

I have been fishing Plum Island for > 50-years. Fifteen to twenty years ago the **then resurgence** of the striped bass fishery was being hailed as a major victory! But not too many years later, we all knew the fishery was once again in trouble.

What did you do? **The answer is ... NOTHING!** And now you force inline circle hooks on Recreational fishermen claiming "release mortality" as the #1 killer of striped bass? No problems really, I get it, it will help the fishery, but what about Commercial fishermen ... do they need to use the SAME inline circle hooks? **No, they don't!** They can use ANY hooks they want and we see guys we know to be Comm fishermen even using treble hooks!

Now here in Mass they cannot keep 'smaller' bass ... so what about the "release mortality" for all of their undersized bass that we see them catch? Do you really think a high percentage of the fish they catch are actually large enough for them to keep? Really? As out at a local hotspot the other day, we observed only 1 Comm legal fish caught and yet we observed dozens of small fish after small fish being hoisted boatside by the Comm guys using J-hooks and trebles, only to be released (?), or where many fish were even cut off along-side their boats ... where one presumes the fish was probably DEEP HOOKED.

Great, I am sure that J-hook or treble deep inside the gut of a small striped bass does wonders for the striped bass recovery. We have called the Environmental Police repeatedly about this and they state that they *"Understand the situation, but unfortunately cannot do anything about it."* **So ... what do you do?** You are proposing to open up **MORE days** to this senseless slaughter of striped bass, small or not, possibly deep-hooked with J-hooks or treble hooks to die later ... where YOU will continue to blame the Recreational fishermen for any small dead fish!

You all really have your heads up your asses! You might have Masters degrees and PhDs, but you are incredibly ignorant and STUPID with the management of the once great Striped Bass fishery on the East Coast. It is absolutely disgusting ... you all should be ashamed of yourselves! If you really want to protect the breeders of the Striped Bass fishery ... you would allow the Comm season to stand 'as is', **whether or not their quota is met or not.**

Dale Hubbard
Parker River - Newbury, MA

From: [Stewart Holt](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass public comment
Date: Monday, August 17, 2020 9:52:26 AM

Director Dan McKiernan,

Please don't add any more Striped Bass commercial fishing days.

We have a serious problem With the fish Class between 28"-35" inches. I have mated on several Boston Charter boats and have also fished on commercial Striped Bas boats this summer. The big fish 35" or bigger have been there to catch. The recreational Keeper fish have not.

With COVID-19 and the market not being the greatest. It would be prudent to leave the fishing days as is. Changes can be made with 2021 regs.

If you have any questions you can call me on my cell phone. I would be happy to discuss this issue with you.

Regards,
Stew Holt
83 Middle Street
West Newbury, MA 01985
Cell: 781-983-2586

Sent from iPhone

From: [Steve Kivlehan](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass Quota
Date: Sunday, August 16, 2020 11:50:10 PM

Greetings,

As someone who has fished and grew up during the first crash in the late 80s, I implore you shut down the commercial season and take further actions if necessary to save the few breeders that are left.

Doubling the days for the comm fishermen is just counter-productive. Obviously, this fish is in trouble and drastic action needs to be taken

Lead by example before it's too late: Shut the comm fishery down or leave things as are. If the quote doesn't get filled, so be it.

Thank you,
Steve Kivlehan

Sent from [Mail](#) for Windows 10

From: [peter elenbaas](mailto:peter.elenbaas)
To: [Fish, Marine \(FWE\)](#)
Subject: striped bass quota
Date: Friday, August 14, 2020 8:59:26 AM

Dan McKiernan
DMF

Hi Dan,

I am writing regarding the proposal to expand the commercial season for striped bass in MA. I am an avid boater and fisherman. My dad first got a sailboat almost forty years ago and I have been fishing from the stern, the dinghy or from shore for stripers, blues, summer flounder and scup ever since.

Currently I fish and sail out of Padanaram harbor in Dartmouth. I have been an educator for twenty-plus years at Lincoln-Sudbury Regional High School, thirteen of which I spent teaching biology.

The decline in fishing "effort" which may be the result of COVID-19 this year does not alone explain the failure of fishermen to come close to the DMF quotas. This trend has been at least a decade in the making. There are simply not as many fish. The following large, breeding striper schools have vanished as a viable fishery during my time on the water. Elizabeth Islands, Devils Bridge, Squibnocketts/Nomans, Chatham, Provincetown. In addition, for every large striper most of us catch five bluefish. I can assure you that these are also gone. The ecological balance is now tipped a bit against both stripers and bluesrecovery. Specifically the gray seal, which in my experience only hunts hooked fish. I observe the three species foraging together near Cuttyhunk. It is true that a seal will take a hooked fish, particularly a small one. But the real ecological issue is competition for forage. So stripers and blues are now being caught excessively by fishermen and they have to battle a larger, more intelligent predator for prey. That's a tough spot. Look at how cod have failed to recover in spite of commercial closures because the competitive balance was shifted in the favor of other species. Do not expand the commercial season for any of our coastal species, especially the iconic, keystone, striped bass. In fact, the DMF should ban commercial fishing for stripers for at least two years or we will lose the fishery , and their partner the bluefish, forever.

sincerely yours,
Peter Elenbaas

From: [JAMES LAMPHEAR](#)
To: [Fish, Marine \(FWE\)](#)
Subject: striped bass quotas
Date: Friday, August 14, 2020 4:38:23 PM

Director McKiernan

I read an article in On the Water magazine about your proposed alterations to the commercial striped bass fishing days and am concerned as a recreational striped bass fisherman that the added days of fishing are going to deplete the resource even further as the fish they are harvesting are ALL breeders and isn't that the reason for the restrictions in the first place, maybe they aren't catching their quotas because

there aren't that many breeders left and the commercial fisherman call this a down year and give the bass a fighting chance to recover.

I assume you limited the rec. fisherman to keeping only 1 fish from 28in to 35in. to protect the breeders so why give the commercial fishermen card blank to harvest even more breeders.

I guess this is a long winded way of asking you to reconsider opening up the commercial fishing days.

Sincerely

James Lamphear

From: [Douglas Amorello](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass rules
Date: Monday, August 10, 2020 1:05:32 PM

To whom it may concern.

As I said in my comments at that meeting in Hanover the current size limit is restricting the quota from being caught. 35 inches is too big at the current state of what's available for fish. Adding more days and with the summer ending will not get us close to the quota. A smaller fish would have in this situation been better to sell and market through the off the boat sales pitch that we have due to Covid.

Doug

Sent from my iPhone

From: [Deborah Viglas](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass
Date: Tuesday, August 11, 2020 8:27:15 AM

Dan,

Am I reading the article in the Vineyard Gazette correctly?! Extending the bass fishing season?! Not sure where you get your data or for what purpose that you think it's ok to extend the season for bass. I read that they haven't caught enough bass, the quota is 20% less. Do you think it may be because there just aren't many?! Crazy!

Deborah Viglas
Edgartown MA

Sent from my iPhone

From: [Elizabeth Perry](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped bass
Date: Tuesday, August 11, 2020 10:24:57 AM

Opposed to increasing commercial limits. Please increase recreational limits that were reduced dramatically this year!

Beth Perry
Swampscott, MA

From: [Rick Enz](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped bass
Date: Monday, August 10, 2020 2:59:17 PM

Close the commercial season down and allow one fish over 34 for anyone. That's how the stocks recovered in the 80s. What about recreational sea bass and fluke why can't those seasons be extended. People need to eat and can't afford to buy fish

Rick Enz. Yarmouth Massachusetts
Sent from my iPhone

From: [Riptide](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass
Date: Monday, August 10, 2020 8:21:58 PM

For the love of God DON'T extend the Commercial season for stripers! They are being killed off and it will be the 80s all over again. I've run a charter boat for 21 years, the fishing is going to hell and you're pouring on gasoline.

Capt Terry Nugent
Riptide Charters
Cape Cod

Sent from Samsung Galaxy smartphone.

From: [Chris Jensen](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped bass
Date: Friday, August 14, 2020 6:48:38 AM

I believe the striped bass are being overfished. I think the idea of having heavy regulations is extremely important to save the striped bass population. With that being said I'm concerned about the commercial fishery in Massachusetts. I don't think a commercial fishery should exist anywhere. I don't think it makes sense to ask anglers to limit their catch, or release all of their catch, then allow commercial anglers to catch them and sell their catch. I feel as though the smartest thing to do is put a moratorium on all bass fishing and possibly call for catch and release on all striped bass fishing for the next few years and see if we can see a rebound in the stock. I can tell you that I have seen the stock diminish over the past 15 years throughout the northeast. Please think this suggestion over and look at all of the comments posted over the years of a drop in striped bass stock as you make your decisions.

Thank you for taking the time to read my email.

Sincerely,
Christopher M. Jensen
Sent from my iPhone

From: [Paul Ruzala](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striped Bass
Date: Tuesday, August 11, 2020 8:59:48 AM

Dan McKiernan,

I am 37 years old and am irate at your department. Over my short life span the fisheries have been mismanaged across the board. Striped bass have crashed twice, blueback herring populations have completely crashed and are struggling to return to historic numbers, cod have crashed and continue to be mismanaged, atlantic salmon are GONE, weakfish are just about gone, bluefish numbers are down and it goes on and on. Your department has shown that it is incapable to manage a sustainable fishery for any length in time and it's always too late too little. I see that you are looking to add two more commercial days a week to the striped bass fishery, which is already struggling at 25% of the quote. WHY??? One last attempt at a tax money grab? Last year the quota was failed to be reached and it's not on track to be reached this year. Not even close. Where is the common sense in your management? We all want SUSTAINABLE commercial and recreational striped bass fishing and it's anything but that. I have an extensive network of fisherman and we saw this coming 10 years ago. You have failed to adapt to modern fishing. Too many boats, too many high end electronics, too much social networking, instant reports - the fish don't stand a chance. In the end we the public will be left with nothing. I don't want to settle for 15 pound trophy fish in my Massachusetts waters due to mismanagement. I want schools of 30 and 40 pound fish like there used to be.

Thanks,
Paul Ruzala

From: [Paul Cuzzupe](#)
To: [Fish, Marine \(FWE\)](#)
Subject: striped bass
Date: Tuesday, August 18, 2020 10:25:06 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.

are our fisheries managers high? are you trying to eliminate stripers from the ocean?. do you people even fish? are you motivated by money? I think so ,anybody with half a brain knows that these fish are over fished.You should be eliminating commercial fishing for them all together. I have been fishing for them for over 30 yrs. Not a single legal fish this year. i spend hundreds if not thousands of dollars every season on gear, and fuel. eliminate stripes and watch recreational revenues plummet. I would love a response from one of my employees who i pay taxes for so we can discuss this further. 781-999-3404. Thanks, i hope my email at least gets read. oh, also , i would love to have my grand kids expierence what i was able to back in the 90"s . thanks, Paul c Cuzzupe

From: [Paul Sarkisian](#)
To: [Fish, Marine \(FWE\)](#)
Subject: striper bass
Date: Monday, August 10, 2020 9:36:48 AM

please leave thing as they are now .let the system work for a year or two .its hard to find slot fish now.

From: [Amberson, Jeff \(US\)](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striper commercial days Att: Dan McKiernan
Date: Monday, August 10, 2020 12:42:01 PM

Director McKiernan

I would like to go on record in opposition to adding any additional days to the 2020 commercial striped bass season. Striper stocks are at an all time low and it makes zero sense to put additional pressure on the fish that remain by increasing the days that commercial fisherman are allowed to harvest them. The fact that less than 25% of the 2020 quota has been reached this late in the season is evidence of the critical situation these fish face. Increasing the take at a time of declining numbers is counterproductive to maintaining a sustainable resource.

Thank you for your time, it is appreciated

Jeff Amberson

Senior Supply Chain Manager - UGV

FLIR Systems, Inc.

Government and Defense Business Unit

19 Alpha Road, Suite 101 Chelmsford, MA 01824-4237 USA

Office: +1 978 769 9345

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From: waynew3738@verizon.net
To: [Fish, Marine \(FWE\)](#)
Subject: Striper limit changes
Date: Tuesday, August 11, 2020 7:41:19 PM

Sirs,

Increasing fishing days for commercial striped bass seems to contradict the intent of the slot limit for recreational fishermen.

It makes no sense to limit recreational fishing to keeping only fish less than 36 inches and at the same time allowing commercial fishermen to take even more fish than they currently are.

If I release a 40 inch striper on Sunday and it is taken on Monday the fishery has not gained anything and I have given up a big fish.

Wayne Wilson
7 Spring Rd. Nahant, Ma.
781-844-7145

From: [Bruno Oliveira](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Striper Quota
Date: Monday, August 10, 2020 12:03:06 PM

Hello,

Instead of adding a day, I personally would like to see the quota cut in half.

Ideally, I believe commercial fishing of striped bass should be banned but I know that is a pipe dream.

I also believe the price of the recreational saltwater fishing license should be increased to \$25 per year and the additional funds put towards conservation and law enforcement.

We need more rangers doing rounds and making sure people are not poaching.

Thank you for your time.

Regards,
Bruno Oliveira

From: [Rob](#)
To: [Fish, Marine \(FWE\)](#)
Subject: stripped bass season
Date: Wednesday, August 12, 2020 7:47:48 AM

To Director Dan McKiernan ; I have been in the seafood business for 49 years as a fish market owner operator , oyster grower and commercial harvester and commercial fisherman. I also enjoy catching and releasing stripped bass with my fly rod. I know you are trying to rebuild the stripped bass population. If the commercial fishermen have been having trouble catching the quota for the last few years wouldn't it tell you that the fish are not as plentiful as your managers think and maybe letting the season play out with no changes could help the fishery rebound a lot quicker ? Also, at the end of the season the demand for stripped bass will be much less and the price will fall to a point that begs the question, are these big fish not much more valuable to leave in the ocean to help rebuild the population sooner ? I think I have a perspective that comes from many angles and the bottom line is that the health of the stripped bass population should always come first, otherwise there will be nothing to manage. Thank you in advance for considering my opinion. Robert McClellan. Former owner of Hatch's Fish Market in Wellfleet. (30 years, started in 1971)

From: [Kristina Thorpe - NOAA Affiliate](#)
To: [Fish, Marine \(FWE\)](#)
Subject: subscribe
Date: Wednesday, August 12, 2020 8:53:03 AM

Hello,

I wouldlike to subscribe to Mass marine fisheries updates. Could you please add me to your mailing list?

Thanks,
Kristina

From: [Aaron Uehara](#)
To: [Fish, Marine \(FWE\)](#)
Subject: To Director Dan McKiernan
Date: Friday, August 14, 2020 2:19:24 PM

Hey Dan,

Why increase the commercial quotas?

Isn't it clear how poorly the fishery is doing? You must have environmental data at hand. The commercial fisherman haven't hit their quota bc the fish are not in abundance. Increasing commercial days will further decimate the population.

To say that this is to support the commercial industry is absolutely bogus. Commercial guys know that they will have no industry if they have no fish to harvest. I've heard from commercial guys that it costs more to hunt for striped bass than it is for tuna. Why? Bc they are having a very hard time finding stock without having to travel all over. Increasing the days this year will only compound this same issue for next year.

If the population is not properly managed there will not be anything left.

Mahalo,

Aaron

From: [Michael Toole](#)
To: [Fish, Marine \(FWE\)](#)
Subject: To: Director Dan McKiernan comment on commercial striped bass season changes.
Date: Sunday, August 16, 2020 8:15:54 PM

Director McKiernan

I am writing as the representative Executive Board Member of the Plum Island Surfcasters, a 400 member North Shore Massachusetts fishing club. Our membership is opposed to adding any additional days to the commercial striped bass season. As our club expressed during the 2019 ASMFC hearing on striped bass over fishing, a much greater level of protection is needed. As a club we were very disappointed in the recent Size limit changes and do not expect them to accomplish what is needed. We see the current reduced commercial catch as one more example of the reduced number of striped bass. Based on this and membership input on declining fishing, we as a club, oppose any increases to the commercial striped bass season.

Michael Toole
PLum Island Surfcasters
Legislation Executive Board Officer
PO Box 1585
Newburyport, Ma 01950

From: [Mark Worster](#)
To: [Fish, Marine \(FWE\)](#)
Cc: [Tony Boynton](#)
Subject: Upcoming Commercial Quota Increases
Date: Monday, August 10, 2020 4:39:58 PM

Good afternoon,

I'm writing in opposition to the proposed upcoming quota increase for commercial fishing of Striped Bass, Summer Flounder and Black Sea Bass. These species have traditionally experienced population fluctuations and this year is no different. I have fished for Striped Bass, in particular, for the last 30 years and know full well the effect of proper management. When I first started fishing for Bass the limit was one fish at 36 inches. We were lucky to catch a Striper. The proper management had a huge positive effect and within 5 years we were catching significantly more and larger fish. That has not been the case the last few years. The average size of Striper being caught has declined and this year we are lucky to catch any fish over 36 inches. Although this evidence is anecdotal in nature it is still extremely valuable in managing the populations.

I urge you to leave the current restrictions in place and allow the three species to continue to rebound.

Best,

Mark Worster
118 Bayview Ave
Berkley, MA 02779

From: [trevor gowdy](#)
To: [Fish, Marine \(FWE\)](#)
Subject: URGENT!
Date: Monday, August 10, 2020 12:26:08 PM

Hello Dan, I just read the proposed added days to commercial striper fishing and simply cannot believe what I just read. You do not have an easy job by any means with so many different opinions, recreational versus commercial comments and mainly alot of greedy people. I am hoping you will give the following some very deep thought please. First, for the last 3-4 years, commercial quota has not even come close to what the actual quota was. 62%, 52% and most likely this year high 40's%. Why are days going to be increased, when all of the data and facts are right in our faces of a major depletion in striper population? The fish population is down drastically.....bottom line. The Cape and P town have had terrible fishing this year for stripers.....New Jersey is wiping out major schools, then New York etc.etc... They wiped out Chatham a few years ago and now it has happened here from Boston to Ipswich Bay. I ask when is Mass Fisheries going to wake up? Too little too late? Next, 99% of commercial fisherman in our area all have full time good paying jobs.....it becomes greed to make that extra money hence while depleting the population and no one will argue that with you. The influx of pogies into our area here Boston north in the last three years has been outstanding [like the jersey shores] and that alone has changed the way commercial fishing has been happening. Use to be two years ago just 5-6 boats in a school or area now we have well over 100 boats on one or two pogy schools or small areas that they are in. The SNAG HOOK and drop the bait works great.....EXCEPT.....all recreational fisherman now do this technique cause it is so easy and effective BUT.....the majority of fish are gut hooked by so many recreational fisherman.....I am an outdoor film producer and have done close work with Greg Skomal, your former former president and many others at Mass fisheries for over 18 years and have now finally begun to voice my grave concerns as I know these fish and waters well for over 40 years.....no, this is not a time to increase days.....this is a time to put more stringent rules on recreational and keep commercial what it is or eliminate all together. It is a joke to Mass fisheries that these so called commercial fishermen do this for a living.....they dont at all.....so why destroy a depleted population year after year after year? Mike Pierdnock is a dear friend from Atlantic fisheries board and he simply throws his hands up. Enlist us to help.....to help keep and grow what makes these New england waters so special.....remember, for the last 4 years your quota numbers have plummeted for striped bass.....DO NOT WIPE THEM OUT AGAIN.....Be nice to hear from you about this if you can make the time.....its a good idea. Best to you and your family during these times....please keep safe and healthy. Trev Gowdy

Trevor Gowdy
Curt Gowdy Film/ Broadcasting
978-927-1776 (office)
978-764-3169 (cell)
958 Hale street
BEVERLY, MA 01915



The Commonwealth of Massachusetts

Division of Marine Fisheries

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Governor

KARYN E. POLITO
Lt. Governor

KATHLEEN A. THEOHARIDES
Secretary

RONALD S. AMIDON
Commissioner

DANIEL J. MCKIERNAN
Director

MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director

DATE: August 14, 2020

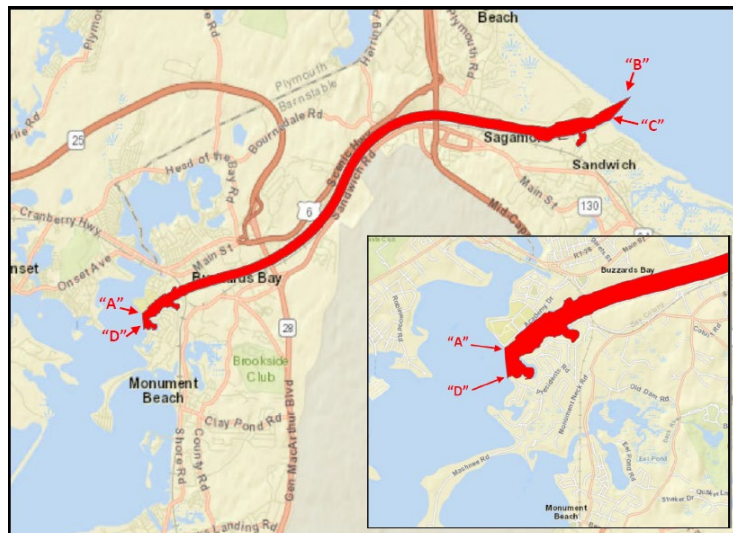
SUBJECT: **Recommendation to Close Cape Cod Canal to Commercial Striped Bass Fishing**

Recommendation

I recommend that the MFAC vote in favor of adopting DMF’s recent emergency action to close the Cape Cod Canal (“Canal”) (Fig 1) to commercial striped bass fishing as a final regulation. I am not proposing any modifications be made to the final from the emergency rule. This would make the current closure a final regulation and if changes were warranted would be subject to future rulemaking. The emergency regulation was filed on June 3, 2020. It is set to expire on September 3, 2020 (90-days) unless an action is taken to adopt this regulation beyond the initial emergency period.

Fig. 1

Map of Cape Cod Canal Commercial Striped Bass Closure



The rationale for this action is to address recent fisheries violations and problematic and illegal behavior among anglers that were noticeably worsened by commercial striped bass fishing activity. These concerning activities were described in March 5 and June 2 memoranda to the MFAC and a March 31 letter from the ACOE to DMF and served as the basis for the emergency action.

Description of Emergency Action

This action prohibited anglers from retaining any striped bass that did not conform to the recreational fishing slot limit (28” to less than 35”) and bag limit (1-fish per angler) while fishing along the Canal. Additionally, it made it unlawful to possess any commercial sized striped bass (35” or greater) when fishing along the Canal or within 1,000 feet of the Canal, unless that fish was lawfully caught elsewhere and was being actively transported to a seafood dealer for sale. The Canal was defined as all waters and

shoreline extending bounded by the seawardmost extent of the state pier at Taylor's Point to the seawardmost extent of the northern breakwater jetty at the east end to the seawardmost extent of the southern breakwater jetty at the east end to the northernmost tip of the peninsula at the end of President's Road in Bourne.

Overview of Public Comment

DMF held a public comment period from July 8, 2020 to August 14, 2020. The written public comment received is attached to this memorandum. A virtual public hearing was also held on Monday, August 3, 2020 via Zoom. The hearing was sparsely attended with fewer than 10 attendees and DMF only received one comment. However, DMF did post a recording of the hearing to its [YouTube](#) page and it has collected about 220 views as of today.

The action was strongly supported by nearly all of those individuals who commented in writing and the one individual who commented at the public hearing. Those in support of this action favored it for a number of reasons. This including supporting DMF's rationale that it would reduce poaching and problematic behavior along the Canal. There was also support for it of the perceived positive impact it may have on striped bass conservation through reducing localized fishing effort and resulting mortality. It should be noted that several commenters objected to the action because it restricted their access to the commercial striped bass quota.

The ACOE also submitted a written public comment. To summarize, the Canal has experienced record visitation this summer, however, the shoreline and access roads are less congested, and the behavior of fishermen has been less problematic and aggressive than in the past. They support the extension of this prohibition on commercial striped bass fishing, as it has alleviated some of the fishing related problems which were documented in past correspondence. It should be noted that verbal communications from MEP officers to DMF staff members have provided some additional anecdotal context that while fishing related problems still exist along the Canal, they appear to be diminished this year.

Attachments

Strikethrough Regulations
Public Comment

DRAFT FINAL STRIKETHROUGH REGULATIONS FOR CLOSURE OF CAPE COD CANAL TO COMMERCIAL STRIPED BASS FISHING

6.07: Striped Bass Fishery (*Morone Saxatilis*)

(1) Purpose and Scope. Since approximately October 1981 the Atlantic coastal states, through the auspices of the Atlantic States Marine Fisheries Commission (ASMFC), have been developing conservation and management measures to arrest the severe decline in the stocks of striped bass and to manage restored stocks. This cooperative management effort has been successful and as a consequence, the Chesapeake Bay Stock of the Atlantic Coast striped bass resource has been declared recovered as of January 1, 1995.

The following regulations represent the Commonwealth's response to this cooperative and joint coastal state conservation management effort. The objective of 322 CMR 6.07 is to allow controlled sustained recreational and commercial fishing for striped bass pursuant to the provisions of the ASMFC striped bass Fishery Management Plan.

322 CMR 6.07 is designed to identify the various user groups, implement conservation and management measures tailored to each group, and collect accurate statistics on striped bass catch levels. Persons intending to fish for striped bass have the option of classifying their activity as recreational or commercial. If a person intends to catch striped bass only for personal consumption and not for sale, that person must have a recreational saltwater fishing permit, and may fish year round, and retain striped bass that measure between 28 inches and less than 35 inches, but may not retain more than one striped bass within any 24-hour period.

Any person intending to catch and possess striped bass for the purpose of sale, barter or exchange must be fishing under the authority of a commercial permit and a regulated fishery permit for striped bass. However, 322 CMR 6.07 establishes a commercial fishing season that closes upon reaching the commercial catch quota, establishes a minimum commercial size of 35 inches, and requires fish to be sold only to dealers licensed and authorized by the Commonwealth.

Finally, 322 CMR 6.07 allows wholesale and retail dealers to purchase and sell striped bass under certain conditions. To purchase striped bass directly from commercial fishermen, wholesale and retail dealers must be authorized as primary buyers of striped bass and must affix a Striped Bass ID Tag to all striped bass at the time of primary purchase from the commercial fisherman. Striped bass imported into the Commonwealth must be marked with a numbered tag that identifies the state of origin and must be accompanied by documents that verify state of origin. Nonconforming (undersized) striped bass that were caught in the wild may be imported into the Commonwealth provided those fish were legally taken, shipped and meet documentation requirements of the state-of-origin.

(2) Definitions. For purposes of 322 CMR 6.07, the following words shall have the following meanings:

Actively Transport means the movement of lawfully caught striped bass by a commercial fisherman permit holder in a motor vehicle or a vessel. For purposes of this regulation, this shall include the movement of lawfully caught striped bass by a motor vehicle along the roads adjacent to the Cape Cod Canal, and also the landing of striped bass lawfully caught aboard a vessel and brought ashore at Taylor Point Marina in the town of Bourne or in Sandwich Marina.

Cape Cod Canal means those waters and the shoreline – including all adjacent jetties, wharfs, docks, ripraps and beaches – extending from the most seaward extent of the state pier at Taylor's Point on the campus of Massachusetts Maritime Academy in

Bourne; thence extending in an easterly direction to the seaward end of the northern breakwater jetty at the eastern entrance at Scusset Beach in Sandwich; thence in a straightline in a southerly direction across the eastern entrance of the waterway to the seaward end of the southern breakwater jetty in Sandwich; thence in a westerly direction to the northernmost tip of the peninsula at the end of President's Road in Bourne.

Circle Hook is defined as a fishing hook designed and manufactured so that the barb of the hook is not offset from the plane of the shank and bend and is turned perpendicularly back towards the shank to form a circular or oval shape.

Closed Commercial Fishing Day means any Sunday, Tuesday, Thursday, Friday and Saturday within the commercial season, as well as any Monday or Wednesday that falls on July 3rd, July 4th and Labor Day.

Commercial Fisherman means any person who may catch, possess and land striped bass for the purpose of sale, barter, or exchange or keeps for personal or family use taken under the authority of a commercial fishing permit issued by the Director under the authority of 322 CMR 7.01: *Form, Use and Contents of Permits*.

Commercial Quota means the allowable annual Massachusetts commercial harvest of striped bass pursuant to the ASMFC Interstate Striped Bass Management Plan, reduced by any overage incurred in the previous year.

Commercial Season means that period when commercial fishing is allowed beginning on the first open fishing day on or after June 23rd and ending when the quota is reached or on December 31st, whichever occurs first. The commercial season shall be further regulated by open and closed fishing days.

Consumer means any individual who obtains striped bass for personal use, rather than resale.

Dealer means any wholesale or retail seafood dealer permitted by the Director pursuant to M.G.L. c. 130 § 80 and 322 CMR 7.01(3): *Dealer Permits*.

Director means the Director of the Division of Marine Fisheries, 251 Causeway Street, Suite 400, Boston, Massachusetts 02114.

For-hire Vessel means any vessel that holds a for-hire permit, issued in accordance with M.G.L. c. 130, § 17C and 322 CMR 7.10(5): *Permit Requirements Applicable to For-hire Vessels*, that is carrying paying customers for the purpose of recreational fishing.

Gaff means a pole with a hook on the end that is used to lift a fish out of the water and onto a vessel or the shore.

High-grading means the discarding of a smaller legal-sized fish (previously captured and retained) in favor of a larger legal-sized fish.

Land means to transfer or attempt to transfer the catch of striped bass from any vessel to any other vessel or onto any land, pier, wharf, dock or other artificial structure, or for a fishing vessel with any striped bass onboard to tie-up to any pier, wharf, dock, or artificial structure.

Non-Lethal Device means any tool used in the removal of striped bass from the water or to assist in the releasing of striped bass that does not pierce, puncture, or otherwise cause invasive damage to the fish that may result in its mortality.

Open Commercial Fishing Days means Mondays and Wednesdays within the commercial season, excluding Labor Day, when commercial fishermen may harvest or attempt to harvest striped bass. Open fishing days shall not apply to any Monday or Wednesday that falls on July 3rd or July 4th.

Person means any individual, firm, corporation, association, partnership, club, bar, restaurant, supermarket, food warehouse, or private body.

Primary Buyer means any dealer authorized by the Director, pursuant to M.G.L. c. 130, § 80 and 322 CMR 7.07: *Dealers Acting as Primary Buyers*, to purchase striped bass directly from a commercial fisherman.

Primary Purchase means the first commercial transaction by sale, barter or exchange of any striped bass after its harvest.

Recreational Fisherman means any person who harvests or attempts to harvest striped bass for personal or family use, sport or pleasure, and which are not sold, traded or bartered.

Recreational Fishing means the non-commercial taking or attempted taking of striped bass for personal or family use, sport, or pleasure and which are not sold, traded or bartered.

Striped Bass ID Tags means the lockable, single-use, tamper evident, and non-transferable tags issued by the Director to Primary Buyers for affixing to striped bass. Striped Bass ID Tags are imprinted with the species, year, state, and unique identification number traceable to the Primary Buyer to whom they are issued.

Total Length means the greatest straight line length in inches as measured on a fish with its mouth closed from the anterior most tip of the jaw or snout to the farthest extremity of the tail. For fish with forked tails, the upper and lower fork may be squeezed together to measure the tail extremity.

- (3) Regulated Fishery Permit. The following special permit shall be required:
- (a) A commercial fisherman shall have issued to him or her by the Director a regulated fishery permit for striped bass, in addition to any other permits required by the Massachusetts General Laws, in the following categories:
 1. resident; and
 2. non-resident.
 - (b) A striped bass regulated fishery permit authorizes the named individual and/or a commercial fishing vessel to engage in the harvest, possession, and landing of striped bass for commercial purposes in compliance with 322 CMR 6.07, 7.01: *Form, Use and Contents of Permits* and 7.04: *Commercial Fisheries Control Date*.
 - (c) A striped bass regulated fishery permit shall be valid only during the striped bass commercial season as provided for in 322 CMR 6.07(4)(b).
 - (d) A striped bass regulated fishery permit shall be carried by the holder at all times when catching, taking, possessing or selling striped bass, and shall be displayed forthwith on demand of any Environmental Police officer or other official authorized to enforce 322 CMR 6.07.

(e) All persons must apply for or apply to renew their striped bass regulated fishery permit endorsement by the last day of February in the effective permitted fishing year.

(4) Commercial Management Measures. For purposes of conservation and management of the resource the following measures shall apply to commercial fishermen who harvest, catch or take, and/or sell, barter or exchange, or attempt to sell, barter or exchange any striped bass:

(a) Massachusetts commercial striped bass harvest will be limited annually by the commercial quota less any amount deducted to compensate for the previous year's overage.

(b) Commercial fishermen may fish for striped bass only during the commercial season and open fishing days within said season beginning on the first open fishing day on or after June 23rd and ending when the commercial quota is taken or on December 31st, whichever occurs first.

(c) Commercial fishermen engaged in commercial fishing for striped bass may not possess striped bass less than 35 inches in total length. If the number of striped bass aboard a vessel is greater than the number of fishermen, then all striped bass in possession must be greater than 35 inches in total length, and all fishermen must be commercially permitted as described in 322 CMR 6.07(3). Striped bass less than 35 inches in total length shall be returned immediately to the waters from which taken.

(d) Commercial fishermen engaged in striped bass fishing under the authority of a Commercial Fisherman Coastal Lobster, Offshore Lobster or Boat Permit, issued in accordance with 322 CMR 7.01(2) and on the registered vessel listed on the permit, may not possess, land, offer for sale or sell more than 15 striped bass per day on open commercial fishing days, as set forth at 322 CMR 6.07(2). This limit applies to the individual fisherman regardless of the number of commercial striped bass regulated fishery permit endorsements held by the individual or number of trips taken in a day and the vessel regardless of the number of individual commercial striped bass regulated fishery permit endorsement holders onboard or the number of trips taken in a day.

(e) Commercial fishermen engaged in striped bass fishing under the authority of a Commercial Fisherman Individual or Rod and Reel permit, issued in accordance with 322 CMR 7.01(2) or under the authority of a Commercial Fisherman Coastal Lobster, Offshore Lobster or Boat Permit, issued in accordance with 322 CMR 7.01(2), while fishing from shore or any location other than the registered vessel listed on the permit may not possess, land, offer for sale or sell more than two striped bass per day on open commercial fishing days, as set forth at 322 CMR 6.07(2). This limit applies to the individual fisherman whether fishing from shore or a vessel, regardless of the number of commercial striped bass regulated fishery permit endorsement assigned to the individual fisherman or the number of trips taken in a day.

(f) All striped bass which are the subject of a first sale shall be in the round, with the head, body and tail fully intact.

(g) Except as provided for in 322 CMR 6.07(5)(f), no striped bass may be filleted or processed in any manner except by evisceration. In all prosecutions or non-criminal citations issued, mutilation of a striped bass which interferes with or affects a proper or adequate measurement of the fish shall be *prima facie* evidence that the striped bass was or is less than 35 inches in total length.

(h) Commercial fishermen shall sell striped bass only to Primary Buyers.

(i) Commercial fishermen shall sell striped bass only during the commercial season and only during the open commercial fishing days within the commercial season.

(j) Commercial fishermen may harvest, catch, or take striped bass by rod-and-reel or handline only.

(k) Commercial fishermen engaged in commercial fishing for striped bass may not fish

aboard the same vessel at the same time as recreational fishermen.

(l) In accordance with the Declaration Procedure set forth at 322 CMR 6.41(2), the Director may make in-season adjustments to the commercial fishing limits as established in 322 CMR 6.07(4), including but not limited to the open commercial fishing days and the commercial fishing limits as set forth at 322 CMR 6.07(4)(b), (4)(d) and (4)(e).

(m) Commercial fishermen are prohibited from harvesting striped bass from the Cape Cod Canal for commercial purposes or possessing any striped bass 35" total length or larger in any container or vehicle within 1,000 feet of the shoreline of the Cape Cod Canal, unless the fish is being actively transported to a primary dealer and was lawfully taken in a location other than the Cape Cod Canal.

(5) Recreational Management Measures. For purposes of conservation and management of the resource the following measures shall apply to recreational fishermen who harvest, catch, take or possess or attempt to harvest, catch, take or possess any striped bass:

(a) Only striped bass measuring at least 28 inches and less than 35 in total length may be retained. Striped bass measuring less than 28 inches or 35 inches or greater in total length shall be released immediately to the waters from which taken. Recreational fishermen shall not mutilate any striped bass in a manner that prevents the accurate measurement of the fish.

(b) Recreational fishermen may retain no more than:

1. one striped bass per day; and
2. may possess no more than one striped bass at any one time.

(c) Recreational fishermen may not sell, barter or exchange any striped bass.

(d) Recreational fishermen may not discard dead striped bass that measure between at least 28 inches but less than 35 inches in total length.

(e) To prohibit the practice of high-grading as defined in 322 CMR 6.07(2), recreational fishermen may not retain legal-sized striped bass and release said fish in favor of another larger legal-sized striped bass captured subsequently. Any legal-sized fish not immediately released into the water and held by stringer, live-well or another means shall be considered intent to high-grade.

(f) Mandatory Use of Circle Hooks. Recreational fishermen fishing from shore or private vessels shall use circle hooks when fishing for striped bass with whole or cut natural baits. This shall not apply to any artificial lure designed to be trolled, cast and retrieved, or vertically jigged with natural bait attached.

(g) Rules Specific to For-hire Vessels.

1. At-sea Filletting. Operators and crew onboard for-hire vessels permitted under the authority of 322 CMR 7.10(5): *Permit Requirements Applicable to For-hire Vessels* may fillet or process legal sized striped bass for their recreational customers at sea provided that:

- a. The skin is left on the fillet; and
- b. Not more than two fillets taken from legal striped bass are in the possession of each customer of that trip, representing the equivalent of one fish per angler.

2. Use of Circle Hooks. Recreational fishermen fishing onboard for-hire vessels permitted under the authority of 322 CMR 7.10(5): *Permit Requirements Applicable to For-hire Vessels* are not subject to the provisions set forth at 322 CMR 6.07(5)(f) and therefore are not required to use circle hooks during for-hire trips when fishing with whole or cut natural baits.

(6) Dealer Management Measures. For purposes of conservation and management of the resource, the following measures shall apply to any dealer who possesses, sells or offers to sell any striped bass:

- (a) Only Primary Buyers shall purchase striped bass directly from fishermen.
- (b) Primary Buyers shall report all striped bass purchases from commercial fishermen based on schedules and on forms to be provided by the Division.
- (c) Primary Buyers may not purchase or receive from a commercial fisherman any striped bass which is less than 35 inches in total length.
- (d) Primary Buyers may not purchase, receive or possess from a commercial fisherman any striped bass which has been mutilated in such a way as to interfere with or affect a proper or adequate measurement of the fish.
- (e) Primary Buyers may not purchase or receive from a commercial fisherman any striped bass during the closed fishing days within the commercial fishing season.
- (f) Primary Buyers may not purchase more than a single commercial trip limit of striped bass from any commercial fisherman regardless of the number of commercial striped bass regulated fishery permit endorsements in the possession of the commercial fisherman.
- (g) Dealers may purchase and offer for sale whole striped bass that were caught in the wild and imported into Massachusetts from states where they have been lawfully landed provided that the fish comply with the size limit for the jurisdiction of origin and are individually tagged with the jurisdiction of origin. If fish are filleted after importation, all containers of fillets shall be accompanied by records describing the jurisdiction of origin, the name of the Massachusetts dealer that processed the fish, the quantity of fillets and the species. A copy of these records shall be kept on the dealers premises for 30 days after processing. Original tags shall remain with the fish or the fish fillets, as required at 322 CMR 6.07(6)(h)2.
- (h) Primary Buyers shall tag each striped bass with a Striped Bass ID Tag in accordance with the following provisions:
 - 1. Issuance of Striped Bass ID Tags.
 - a. The Director shall annually issue Striped Bass ID Tags only to Primary Buyers.
 - b. The annual quantity of tags issued shall be determined by the Director based on the commercial quota.
 - 2. Use and Disposition of Striped Bass ID Tags.
 - a. Prior to departing any ramp, pier, parking lot or other location of primary purchase, the Primary Buyer shall affix a Striped Bass ID Tag through the mouth and gills or through the lower jaw of each striped bass and lock the Striped Bass ID Tag into place.
 - b. Striped Bass ID Tags shall remain affixed through the mouth and gills or lower jaw of any whole striped bass or accompany any processed or filleted striped bass while in the possession of any person for the purpose of re-sale.
 - c. If a person intends on selling portions of processed or filleted striped bass to a consumer, the tags shall remain on the premise of the seller until all portions are sold to a consumer.
 - d. Once all portions of a striped bass are sold, a person shall cut the Striped Bass ID Tag into two pieces and discard it.
 - 3. Striped Bass ID Tag Accounting.
 - 1. Within 30 days of a written request by the Director, following the close of the commercial season, the Primary Buyer shall:
 - a. return all unused Striped Bass ID Tags issued to the Primary Buyer by the Director for that year; and
 - b. submit a Striped Bass ID Tag Accounting Report, on forms provided by the Director, which documents the disposition of all Striped Bass ID Tags.
 - 2. The Director may restrict a dealer from future participation as a Primary Buyer for failure to return all unused Striped Bass ID Tags or submit the Striped

Bass ID Tag Accounting Report in accordance with 322 CMR 6.07(6)(g)3.i.

- (7) Prohibitions. It shall be unlawful for:
- (a) a recreational fisherman to retain more than one striped bass per day;
 - (b) a recreational fisherman to possess more than one striped bass at any one time;
 - (c) a recreational fisherman to sell, barter or exchange or offer to sell, barter or exchange any striped bass;
 - (d) a recreational fisherman to retain or possess any striped bass less than 28 inches or 35 inches or greater in total length;
 - (e) a recreational fisherman to mutilate any striped bass in a manner that prevents the accurate measurement of the fish; such mutilation shall be *prima facie* evidence of a violation of 322 CMR 6.07(7);
 - (f) a recreational fishermen to discard dead striped bass that measure between 28 inches but less than 35 inches or longer in total length;
 - (g) a recreational fisherman to “high-grade” striped bass or to keep striped bass alive in the water by attaching a line or chain to the fish or placing the fish in a live-well or holding car;
 - (h) any person(s), whether from shore or onboard a vessel, to possess striped bass in any quantity exceeding one striped bass per person without a commercial striped bass regulated fishery permit and for those striped bass to violate the commercial management regulations at 322 CMR 6.07(4);
 - (i) a for-hire vessel, permitted in accordance with 322 CMR 7.10(5): *Permit Requirements Applicable to For-hire Vessels*, during a for-hire trip to retain more than one striped bass for each person onboard;
 - (j) a commercial fisherman to sell striped bass to any person other than a Primary Buyer.
 - (k) a non-resident commercial fisherman to possess more than one striped bass upon leaving Massachusetts;
 - (l) a commercial fisherman to catch, take, possess, sell, barter, exchange or attempt to sell, barter or exchange any striped bass without having issued to him or her a valid permit to do so;
 - (m) a commercial fisherman to catch, take, possess, sell, barter, exchange or attempt to catch, take, possess, sell, barter or exchange any striped bass for commercial purposes once the commercial quota is reached and the commercial fishery is closed, or to retain, possess or land more than one striped bass during the closed commercial fishing days;
 - (n) a commercial fisherman to sell, barter, exchange or attempt to sell, barter, exchange any striped bass during the closed commercial fishing days within the commercial season;
 - (o) a commercial fisherman to catch, take, possess, sell, barter, exchange or attempt to sell, barter or exchange any striped bass less than 35 inches in total length;
 - (p) any commercial fisherman fishing under the authority of a Commercial Fisherman Coastal Lobster, Offshore Lobster or Boat Permit, issued in accordance with 322 CMR 7.01(2)(a), (c), (d) and (e) and onboard the registered vessel listed on the permit, to take, possess, land, offer for sale or sell more than 15 striped bass during a single open commercial fishing day. This shall apply to the individual fisherman regardless of the number of commercial striped bass regulated fishery permit endorsements held by the individual or number of trips taken in a day and the vessel regardless of the number of commercial striped bass regulated fishery permit endorsement holders aboard;
 - (q) any commercial fisherman fishing under the authority of a Commercial Fisherman Individual or Rod and Reel Permit, issued in accordance with 322 CMR 7.01(2)(h): *Individual*, (i): *Shellfish/Rod and Reel* and (j): *Rod and Reel*, or under the authority of a Commercial Fisherman Coastal Lobster, Offshore Lobster or Boat Permit, issued in accordance with 322 CMR 7.01(2)(a), (c), (d) or (e), while fishing from shore or anywhere

other than the registered vessel listed on the permit, to take, possess, land, offer for sale or sell more than two striped bass during a single open commercial fishing day. This shall apply to the individual commercial fisherman whether fishing from shore or from a vessel regardless of the number of commercial striped bass regulated fishery permit endorsement holders aboard or trips taken in a day;

(r) a commercial fisherman to fillet or process any striped bass other than by evisceration;

(s) a commercial fisherman to mutilate any striped bass in such a way as to interfere with or affect a proper or adequate measurement of the fish;

(t) a commercial fisherman to participate in the primary purchase of any striped bass which is not in the round, or which has had the head or tail removed;

(u) a commercial fisherman to possess or land striped bass once the Director has determined that 100% of the commercial quota has been reached;

(v) any Primary Buyer to purchase or receive during a primary purchase any striped bass which has been mutilated in such a way as to interfere with or affect a proper or adequate measurement of the fish;

(w) any Primary Buyer to purchase or receive from a commercial fisherman any striped bass which is less than 35 inches in total length;

(x) any Primary Buyer to purchase or receive from a commercial fisherman any striped bass after the open commercial season has closed or on any calendar day that is not an open commercial fishing day;

(y) any Primary Buyer to fail to report all striped bass purchases from commercial fishermen as prescribed by the Director;

(z) any commercial fishermen to harvest, catch, or take striped bass by longlines or tub-trawls;

(aa) any vessel rigged for otter trawling, hauling sink gillnets, purse seines, or possessing baited or unbaited longline or tub-trawl gear to possess striped bass;

(bb) any wholesale or retail dealer to possess, sell, barter or exchange or offer to sell, barter or exchange any whole striped bass imported into Massachusetts unless such fish so imported is tagged as specified by 322 CMR 6.07(6);

(cc) commercial fishermen to discard dead striped bass that are 35 inches or greater in total length;

(dd) any person to receive during a primary purchase any striped bass unless permitted as a wholesale or retail dealer pursuant to 322 CMR 7.01(3): *Dealer Permits* and authorized as a Primary Buyer pursuant to 322 CMR 7.07: *Dealers Acting as Primary Buyers*;

(ee) any person involved in the resale of striped bass to fail to furnish, upon request of the Director or the Environmental Police, receipts documenting the purchase of striped bass;

(ff) any person to apply a Striped Bass ID Tag to a striped bass harvested for commercial purposes without being a Primary Buyer;

(gg) a Primary Buyer to tag a striped bass with a Striped Bass ID Tag that was not issued to said Primary Buyer by the Director for the current year or that has been defaced or modified in any manner;

(hh) any person, other than the original harvester, to possess striped bass or portions thereof for the purpose of sale without the striped bass or portions thereof being tagged in accordance with 322 CMR 6.07(6)(g);

(ii) any person to fail to surrender Striped Bass ID Tags to the Director or the Environmental Police upon request;

(jj) any person to sell, trade, loan or gift or offer to sell, trade, loan or gift to another person any Striped Bass ID Tags;

(kk) a Primary Buyer to file a false claim of Striped Bass ID Tag loss for purposes of obtaining additional Striped Bass ID Tags.

(ll) a dealer to purchase a striped bass that has had its right pectoral fin entirely removed.

(mm) for any recreational angler to use any device other than a non-lethal device to remove a striped bass from the water or assist in the releasing of a striped bass.

(nn) for any commercial fisherman fishing on an open commercial fishing day to gaff a striped bass or attempt to use a gaff to remove a striped bass from the water that is less than 35 inches total length.

(oo) for any recreational fishermen fishing from shore or a private vessel to use any type of hook other than a circle hook when fishing for striped bass with whole or cut natural baits. This prohibition shall not apply to any artificial lure designed to be trolled, cast and retrieved, or vertically jigged with a natural bait attached.

(oo) any person to retain or possess striped bass taken from the Cape Cod Canal that measure 35" total length or larger.

(pp) any person to retain or possess more than one striped bass taken from the Cape Cod Canal during any calendar day.

(qq) Any person to possess any striped bass measuring 35" total length or larger within 1,000 feet of the Cape Cod Canal unless that fish was lawfully harvested in a location other than the Cape Cod Canal and is being actively transported to a primary buyer.

(rr) Any person to possess more than one striped bass at any time within 1,000 feet of the Cape Cod Canal unless the fish was lawfully harvested in a location other than the Cape Cod Canal and is being actively transported to a primary buyer.

(ss) Any commercial fisherman to retain or possess any striped bass taken from the Cape Cod Canal for sale or attempted sale that was.

From: [Breen, Michele CIV USARMY CENAE \(USA\)](#)
To: [Fish, Marine \(FWE\)](#)
Cc: [Macpherson, John C CIV USARMY CENAE \(USA\)](#); [Mazzola, Joseph J CIV USARMY CENAE \(USA\)](#)
Subject: Public Comment on Cape Cod Canal
Date: Tuesday, August 11, 2020 9:57:26 AM

Director McKiernan,

The U.S. Army Corps of Engineers would like to submit this comment in regards to the emergency regulation to close the Cape Cod Canal to commercial striped bass fishing. The Cape Cod Canal supports the Division of Marine Fisheries effort to make this regulation permanent based on the positive effects the ban has had at the Canal in addition to the feedback received from both the public and employees.

This summer the Canal, like many other public outdoor sites, has experienced record visitation. Our recreation areas and service roads have been heavily utilized by those seeking to get out and enjoy the beauty of Cape Cod. The ban on commercial striped bass fishing at the Canal has helped to create a less competitive atmosphere along the water's edge and on the service roads. The shoreline is less crowded for those who are fishing recreationally and the service roads have seen less pedestrian and bicycle traffic than has been witnessed on commercial striped bass fishing days in the past. Despite the increased visitation this summer, we have been made aware of fewer conflicts between groups of fishermen and received less complaints between other recreational users and fishermen.

Although the commercial striped bass fishing ban has not solved nor do we expect it to solve all of the Canal's issues concerning fishing, it has been successful at reducing the stress often felt in years past by recreational visitors and employees on commercial fishing days.

The Cape Cod Canal supports the proposal to make the emergency ban on commercial striped bass fishing permanent.

Respectfully,
Michele L. Breen
Park Manager
Cape Cod Canal
PO Box 1555
Buzzards Bay, MA 02532
978-318-8636

From: [Evan Fogel](#)
To: [Fish, Marine \(FWE\)](#)
Subject: public comment on cape cod canal
Date: Friday, August 14, 2020 4:30:35 PM

Hello and thank you for considering comments,

I do wish that I had received notification by mail or email earlier sooner as we now have less than 90 minutes until deadline and I have just learned of this.

Personally I have suffered a large financial hit to the tune of over \$4,000 due to this closure after spending over \$3,000 in January and February to upgrade my canal tackle and rods and reels. I would have gladly returned them had this been announced earlier but after removing tags and testing the gear it was too late when the decision was made in early June. It was then that I purchased another \$1,000 worth of gear to be able to fish by boat and beach but the fact of that matter is that there are just not many fish out there and from the quota standpoint it is evident that canal accounts for close to 50% of the commercial striped bass sold in MA. With my son due next month and covid 19 cutting my normal work hours down to nothing I invested the money in fishing gear to make money and unless this rule is reversed I do not see myself coming close to recouping my expenses.

Problems relating to canal causing closure to commercial:

As a resident and tax payer in Buzzards Bay I use the canal not only for fishing, but for walking my dogs, outings with my students (with moderate to severe learning disabilities), enjoying a meal with my pregnant wife, and general recreation. I have not seen any less people fishing this year from last year even with this rule in effect.

Poaching- I myself and numerous other commercial fishermen have called the Environmental police to report poaching and discouraged people from poaching by taking short fish or too many fish. Unlike Bill who spoke in the zoom meeting they have not been able to get there in time but we have reported vehicles and license plates whenever possible. (we understand that there is too few EPO's and too much shoreline to cover but the majority of commercial men and women that I know do try and do the right thing which also means picking up the trash left behind by those recreational fishers who do not live here and care about this environment the way we do. Last year there was a lot less trash on the rocks as a result.

I know that there were commercial fishermen that broke laws and engaged in illegal activities and from what I understand some of them were repeat offenders giving the rest of us a bad reputation but it sounds like they should lose their commercial endorsement and not the rest of us having to suffer from their bad choices.

This year I have witnessed arguments and altercations resulting in police being called to the canal that have had nothing to do with commercial fishing and believe that last year really was not a result of commercial fishing but simply as Bill stated "a good bite" or lots of fisherman calling their friends to come fish a blitz which will always be the case commercial or not.

There is plenty more I had wanted to say but since I have to work now and was not prepared for and unaware of this deadline I understand I may not get the chance. The most important things I would like you to consider is that striped bass is a popular food source that is really

dependent on the canal in Mass. Commercial fisherman if given the chance to fish it again now understand it can be taken away and the majority that fish the canal will take better care of it and their fellow fisherman who are being responsible as well. I know that I will continue to call the Environmental Police when I see illegal activity which is mostly people keeping short fish and too many but it is also Commercial guys unlike Bill that call for certain reasons and not just because someone had 2 big fish on a Monday or Thursday last year but know the difference or at least find out if that person is native american and legally harvesting or recreational and illegally doing so or does not even possess a license and is keeping everything they catch. I understand the EPO's do not have time to investigate every call and can not be everywhere at once. But also understand that a few bad apples should not ruin it for the rest of us that are doing the right thing. Again as a resident and commercial fisherman I feel obligated to voice my concerns and feel extremely disappointed about the financial impact and burden this ruling has had on me.

My apologies for not having the time to proofread and complete my thoughts, Thank you for your consideration,

Evan Fogel

From: [William Prodouz](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Closure of Cape Cod Canal to Commercial Striped Bass Fishing
Date: Thursday, August 13, 2020 6:00:54 PM

I am a long time dedicated Striped Bass fisherman. Living in Pocasset the last 7 seasons has allowed me the privilege to fish the Cape Cod Canal 100 times a season.

I support changing the temporary emergency closure to a more permanent one with this action.

I believe there is less confusion among anglers when there is one set of rules for the canal (no fish 35 inches or greater).

I believe there is less confusion among the environmental police not having to determine if the person in possession of the 35 inch plus fish is recreational or commercial.

We still have problems with trash and crowds during dawn breaking tides but at least issues on who can and cannot harvest these bass on commercial days is reduced to zero.

I thank the EPO for their efforts and prompt response to my calls when I observe possible poaching of striped bass.

I did attend the zoom hearing and appreciate the response to my fears about this emergency action being the start of other actions limiting recreational access. I was told, this initial emergency action (like any others that could occur) had a 90 day limit and the DMF had sought input from many parties prior to taking this action. Also they cannot make it permanent without hearings and rulemaking as you are doing now.

Bill Prodouz
Pocasset , MA 02559

From: [David Cavanaugh](#)
To: [Fish, Marine \(FWE\)](#)
Subject: "Public Comment on Cape Cod Canal"
Date: Monday, July 13, 2020 6:22:13 PM

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The closure of commercial fishing seems to have decreased the amount of trash and complaints about fishermen at the canal. The EPOs have done an amazing job of patrol there (especially officer Cole, Opie and Sgt. McClintock), and hopefully they will have the resources to continue strenuous enforcement.

Now, if ALL fishing were banned at the canal, and on all Corps of Engineers property, there would be a great reduction in trash and debris left behind by these so called "environmentalists" and there would be no arguments about Native fishing rights versus the rest of the population. I would hope that as the "landowners", the Corps of Engineers could simply post their property; the same as any private citizen can post their own land against hunting and fishing.

From: [Russ Delaney](#)
To: [Fish, Marine \(FWE\)](#)
Subject: "Public Comment on Cape Cod Canal"
Date: Friday, July 10, 2020 4:27:07 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: Director Daniel McKiernan

Please ban Commercial Striped Bass fishing in the Cape Cod Canal.
The Cape Cod Canal & associated bike path provides for multi use recreational activities.
The disruption caused by the few (Commercial fisherman) significantly impedes the enjoyment of the many.
It would be horrible policy to let commercial fishing continue on the Cape Cod Canal.

Thank you,
Russ Delaney
Falmouth, MA

From: [robert scalzo](#)
To: [Fish, Marine \(FWE\)](#)
Subject: canal closure to commercial stripe bass fishing
Date: Friday, July 10, 2020 12:56:10 PM

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I am in favor of making the closure to remain in effect

James F. O'Leary
115 Bates Avenue
Quincy, MA. 02169
617-852-0489

11 August, 2020

Director Daniel McKiernan
Division of Marine Fisheries
251 Causeway Street, Suite 400
Boston MA. 02114

Public Comment on Cape Cod Canal

Dear Director McKiernan,

I will get right to the point.

MAKE the EMERGENCY BAN on COMMERCIAL FISHING at the CAPE COD CANAL

PERMANENT

There are many reasons why this ban should be permanent. I'll give you just a few.

I enjoy fishing because I get out in the fresh air and get some exercise. But I do not fish the Canal as much as I would like to fish it. It is just too frustrating there. I know the rules and I obey them. But too many people either don't know the rules or feel the rules are for everyone but them. A recreational fisherman looks just like a commercial fisherman. But it is entirely different talking to an "I don't know the rules" person and a "rules don't apply to me" person. Especially when you know that the latter is armed with a 6" knife, knows how to use it and does not like to be told what he is doing is not right. It is less frustrating and much safer to stay away from all the people there.

A second reason is trash. I always take away more stuff (read trash) than I bring in. Yes, I know that recreational fishermen leave trash there. But most of them are pretty good about trying to take it away. On the other hand, if a commercial takes time out from fishing to pick up his trash, he could be missing a big fish. He came to the Canal to make money catching fish, not to bother with his trash. The Corps pays people to pick up trash. They don't pay him.

A third reason is related to the first discussion above. When someone gets hurt, from either frustration or aggression, the Corps can't allow it to happen again. They will close the Canal to *all* fishing. The Canal is a federal navigation project, not a federal fishing project. There will still be lots of recreation there. The Corps will still meet their secondary mission requirements, but *no one* will catch any fish. Oh, and by the way, someone getting hurt is inevitable, frustrated people don't think straight and aggressive people don't care about others.

Thank You for considering my concerns on this matter.

James F. O'Leary

From: [Carl Johansen](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Cape Cod canal commercial closing
Date: Friday, July 24, 2020 1:37:16 PM

Needs to be a permanent regulation . It will help to sustain the local resource more in line with recreational fishing and stop the poaching of these fish especially during the commercial sell days . Some folks have made it an art form to catch or buy fish from the canal only to resell them as commercial fish. These suicide fish are mostly in the larger end of the resource that get and have been hammered over these past several years and wasted due to the way they are poached and released inside the canal. How many time you see poached fish floating in the water after being high graded for a larger one when two fish were allowed each selling day. The stacking of the fish also contributed towards a less quality fish by those who poached them and in many cases did not even ice them down until the actual day they sold them . It is now clear , so much so that law enforcement can be carried our for the benefit of every one, included the bass resource itself. Poaching still continues, however the EPO 's are able to keep a better control over these poachers and put a few away at least for now. This law needs to be forever .

Carl Johansen

anglerjj@comcast.net

Peace and Prayers

From: [Mike Jones](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Cape Cod Canal Commercial Closure
Date: Friday, August 7, 2020 1:22:36 PM

Dan McKiernan

As an avid angler from the surf, I fully support the closure to commercial fishing activities within the boundaries of the Cape Cod Canal. The problems associated with crowds pursuing "easy fish" has been very evident over the last decade. The recreational crowd is not innocent either when it comes to the issues at hand.

At a time when the status of the Striped Bass is being scrutinized due to a dwindling stocks, maybe a better solution would be to designate the canal as "Federal Waters" and enforce zero possession of Striped Bass to bring it inline with existing federal regulations on Striped Bass.

A Catch n Release fishery with equipment restrictions such as no treble hooks and barbless hooks would greatly help with Striped Bass Conservation, litter, Crowds, parking, crime and as well as helping with COVID concerns of social distancing. There is sufficient shore line access to fish for Striped Bass in New England. The big attraction to the canal has always been the "Easy Fishing" that is a common occurrence from May to October which attracts anglers from all over the northeast.

Yes, the local socioeconomics would take a hit, but if we do not address these concerns now it wont matter when a moratorium on Striped Bass is in place.

Thank You and DMF for the hard work!

Regards,

Mike Jones
Carver, MA

- Past President, Massachusetts Striped Bass Association
- Carver Sportsmen's Club, Board of Directors

From: [Jonathan Krahl](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Cape Cod Canal Commercial Fishing
Date: Wednesday, August 12, 2020 8:41:41 AM

Dan,

Thanks for taking our feedback on the matter. It is very well known the Cape Cod Canal is overfished by both recreational and commercial fishing. It should continue to be closed to commercial fishing. The canal has become a vital part of the striper migration and any opportunity to help these fish safely migrate should be considered. Based on the state of the Striped Bass fishery coupled with all the illegal activities that happen at the CCC it only makes sense to keep it closed for commercial fishing. Hopefully the DOF will make the right decision and keep this closure in place.

Thanks,

--

Jonathan Krahl
Cell: (860) 416 - 2283

From: [Brian Dailey](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Cape cod canal fishing
Date: Friday, July 24, 2020 11:23:52 AM

All fishing should be closed on the canal, it is a danger to those transiting the canal by boat to have people casting toward them and lines that can foul props. In top of the amount of trash left on the shore by quite a few fisherman. It also seems to me like fishing in a man made structure is similar to fishing in a herring ladder. Keep commercial fishing in the canal closed and extend that closure to the recreational side as well. The state should allow 14 miles of beaches for access people to fish from as a replacement.

From: [Dave Anderson](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Closing the Cape Cod Canal to commercial fishing.
Date: Saturday, July 11, 2020 8:12:09 AM

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I fully support closing the canal to commercial fishing.
Sent from my iPhone

July 13, 2020

Daniel McKeirnan
Director
Massachusetts Division of Marine Fisheries

Subject: Public Comment on Cape Cod Canal

Dr. Mr McKeirnan:

I applaud the Division's decision to close the Cape Cod Canal to commercial fishing and I hope that this decision becomes permanent.

As you know, the Cape Cod Canal is a Federal waterway and operation and maintenance is under the supervision of US Army Corps of Engineers. Regulations on the supervision and permitted uses of the Canal are detailed in Code of Federal Regulations - *33 CFR § 207.20 - Cape Cod Canal, Mass.; use, administration, and navigation.*

Of specific note are these sections of the regulations:

*207.20 (o) **Trespass to Property.** Subject to the provisions of paragraph (q) of this section trespass upon the canal property is prohibited.*

*207.20 (q) **Recreational use of canal -***

(1) Policy.

(i) It is the policy of the Secretary of the Army acting through the Chief of Engineers to provide the public with safe and healthful recreational opportunities within all water resource development projects administered by the Chief of Engineers, including the canal and government lands part thereof. Any recreational use of the canal and those lands shall be at the users own risk.

...

***(5) Fishing.** Persons may fish with rod and line **from the banks of the canal on Federally owned property** except areas designated by the division engineer*

...

***(15) Commercial activities.** The engaging in or solicitation of business without the written permission of the division engineer is prohibited.*

The unambiguous interpretation of these sections is that regulation intends to only allow recreational fishing from the banks of the canal. All other uses are prohibited. The regulation further clarifies that engaging in commercial activities, which would include commercial fishing, are only allowed with the permission of the US Army Corps Engineers. The decision of the Division to ban commercial fishing along the Canal is consistent with and re-enforces existing federal regulation.

I also note that the Division's action was taken to address the "worsening public nuisance and safety problems arising from increased fishing activity along the canal." This is indeed the case, and it's not a matter of a few spoiling things for the many, but rather the many spoiling things for a few.

From the probably the 1930's until 2017, there were a handful of fishermen wading into the Canal to fish. But due primarily to social media, commercial fishing in the canal has exploded over the past two years. On any given night when there is an outgoing tide, upwards of 30 or 40 fishermen can be fishing from private property or trespassing through property to gain access to the just to the section of the canal between the Mass Maritime Academy and the Corp of Engineers offices. I can only imagine that this is replicated dozens of times over along the entire length of the canal.

The concerns related to this activity are numerous and include:

Risk to Fisherman – Many of the commercial fisherman are wading into the Canal and fishing from the within waters of the Canal. This is an inherently risky activity and prohibited under Federal regulation that only allows fishing *"from the banks of the canal on Federally owned property"*.

Besides the dangerous currents in the Canal, the fishermen are also are risk of being overwhelmed by a powerboat wake, having their waders filled with water and at great risk of drowning. Over the years, there have been numerous incidents of near drownings and drownings in the Canal area.

Difficulty of Enforcing Game Laws – Because the fishermen are in a prohibited and inaccessible area, it is difficult for Massachusetts Environmental Police Officers to enforce the game laws and the fishermen take advantage of this fact. On any night, it seems that every other fisherman is engaged in illegal "high-grading". I.e. keeping a half-dead fish on a line while trying to catch a larger fish to keep under the one fish limit, and "releasing" the nearly dead fish if they do.

Damage to Private Property – With the dozens of fishermen wading in the canal, this has emboldened others to fish directly from private property along the banks of the Canal, in violation of both state trespassing laws and the canal regulations that only allows fishing from "federally owned property".

Besides being an intrusion upon the quiet enjoyment of the homeowner's property, the fishermen have done damage to the privately-owned and maintained seawalls that form a portion of the banks of the Canal. This damage results from treading paths across the tops of sea walls and removing rocks from walls for fishing rods and equipment and thus damaging the wall's integrity.

Safety Concerns for Residents – While most of the fishermen keep to themselves, there have been several disturbing incidents between fisherman, residents and even Environmental Police Officers.

The fishermen maintain a chat group where they track the comings and goings of residents. At least for now, they only appear to use that information to figure out which property to trespass through to gain access to the Canal. That being said, it doesn't require a huge leap of logic to see that this presents a security risk to residents.

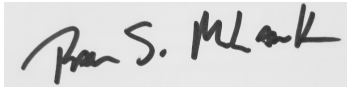
Additionally, a small contingent of fishermen have threatened or tried to intimidate some the elderly residents for simply seeking to enforce their property rights.

Given that commercial fishing in the Cape Cod Canal is already prohibited by Federal regulation and the recent explosion in problems, the Division is right to seek to close the canal to commercial fishing.

The Federal regulations seek to provide “the public with and healthful recreational opportunities.” The closure will ensure that recreational users of the canal have ongoing and unfettered access to the canal.

I hope that you will vote decide to make this closure permanent.

Warmest Regards,

A handwritten signature in black ink on a light gray rectangular background. The signature reads "Paul S. McLaughlin" in a cursive, slightly slanted script.

Paul S. McLaughlin

From: [David Schwind](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Closure of Cape Cod Canal to Commercial Striped Bass Fishing - comments
Date: Saturday, July 11, 2020 9:21:46 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.

Hello,

I am emailing to support the decision to close the Cape Cod Canal to commercial stripe bass fishing. I think there have been many fish illegally caught at the canal and it's also very hard for law enforcement to enforce the laws there due to a number of factors.

Please continue with the closure. I'd also recommend closing it permanently to commercial stripe bass fishing.

Thanks,
David Schwind

From: [James Lukas](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Closure of Commercial on Canal
Date: Friday, July 10, 2020 10:40:01 AM

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Bravo!

I am a lifelong bass fisherman and fished commercially for striped bass and other species.

My first striped bass came in 1964...

Over the last few years I have worked at Red Top, lobstered the Canal and rode my bike- and witnessed some dangerous and embarrassing criminal behavior

As a result of these events I have been a confidential informant and seen excellent response.

I would like to make special mention and commend the follow up, particularly by EPO M. Bass

I would be most pleased if your prohibition were to be made permanent.

My best regards

Captain Jim Lukas
Cotuit
508-273-3469

Sent from my iPhone

From: [Andrew Messer](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Closure of the Cape Cod Canal to Commercial Fishing (Public Comment)
Date: Friday, July 10, 2020 10:34:58 AM

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To Whom it may concern,

I have been sport fishing the Cape Cod Canal for years now and I have seen many changes come to the canal. Now the bad changes certainly outweigh the good because people usually never forget a negative experience. Lately I have been wanting less and less to go to the Canal to fish not because of the terrible fishing (which is one thing this year) but because of the ill-mannered, littering disrespectful people who usually go there. It's been getting worse and worse each year as far as crowds and poor fishing practices. I agree with the commercial ban on this fishery as the striped bass are a heavily persecuted fish in the North East and it is far too easy to exploit schools of big bass within the canal (Social Media helps worsen this). Since this is a public area it is very hard to monitor the entire 7 miles of the canal which is understandable and the only solution would be an outright ban of fishing it which would not be ideal. I do notice some good samaritans making use of the Environment Police number on the signs now hanging along the Poles, unlawful fishermen have been caught due to this and that is an improvement. All in all the commercial ban seems necessary but it's not going to stop the dregs that break the law, people with no morals or knowledge will usually do illegal actions and sometimes without knowing it.

Thanks for your time

Regards

From: [Stephen Madden](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Closure to the Cape Cod Canal Commercial fishing.
Date: Monday, August 3, 2020 8:19:23 PM
Attachments: [Canal%20Public%20Hearing%20Notice%20Advisory.PDF](#)

To: Director Daniel McKiernan

Subject: Closure to the Cape Cod Canal Commercial fishing.

I am in full support of a continued recently enacted emergency regulations of 322 CMR 6.07 to close the Cape Cod Canal Canal.

I believe this emergency action is necessary and should now be considered the norm at the Cape Cod Canal !

I encourage the use of Poaching stings by Law Enforcement agencies.

I also encourage that the Cape Cod Canal be considered a Catch and Release fishery !

Thank you for time reading my concerns and thoughts.

Public Comment Period and Public Hearing Schedule that DMF will accept for written public comments.

Best,

Stephen Madden
7 Susan Cir, Carver, MA 02330
Recreational Angler

From: [Tim Petracca](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial Fishing at Canal
Date: Wednesday, July 15, 2020 2:30:15 PM

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Hello,

1. I am in favor of continuing the ban on Commercial Fishing in the Canal.
2. I am in favor of continuing the slot fishing limits you have implemented.
3. I am in favor of the bag limit of 1 per day per recreational licensed fisherman. (Removing this completely for Recreational Fisherman would be a mistake. I very much enjoy eating striper and if a change has to be made to 1 every other day, up to 1 per week, then I would be in favor).
4. I live on the Canal and fish as much as I can and it has been rather sane this year. The crowds are down (especially on old Commercial days) and the number of fish going back (C&R) is much higher. Where I am, I have seen no poaching.
5. I believe the commercial guys were not the problem, but if it helps in enforcement of all canal related problems, including striper health, then I am in favor.

Thank you,

Tim Petracca

Timothy J. Petracca, Sr

C: 435-901-0831

E: Tim.Petracca@ppcpackage.com



Scanned by [McAfee](#) and confirmed virus-free.

From: bonitobob@aol.com
To: [Fish, Marine \(FWE\)](#)
Subject: Commercial Striped Bass Canal Fishing
Date: Saturday, July 11, 2020 7:04:01 AM

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You should stop ALL commercial Striped Bass fishing - the canal is for recreational fishing and family fun not people fighting - trash - fowel landush

From: [Stephen Schillinger](#)
To: [Fish, Marine \(FWE\)](#)
Subject: commercial striped bass fishery regulations
Date: Tuesday, July 14, 2020 10:54:42 AM

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DMF

I am in favor of elimination of ALL commercial striped bass fishing since it severely reduces the spawning biomass by culling high fecundity breeders from the population. Until such measures are taken, I am in favor of restricting commercial harvest to areas outside of the CCC.

Stephen A Schillinger
7 Florence Rd
Marblehead, MA 01945

From: [Mike Sardina](#)
To: [Fish, Marine \(FWE\)](#)
Cc: [Tom Bell](#)
Subject: Fwd: Public Comment on Cape Cod Canal
Date: Monday, July 13, 2020 2:48:04 PM

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Dear Mr. Silva,

I am in complete agreement with what Tom Bell has stated below and urge you to consider closing the canal to all fishing. As a catch and release fisherman, I find it appalling that the canal has become the killing “ground” that it has. With many folks with time on their hands due to the virus, I imagine many, many fish will die due to mishandling and many more will be poached. Please stop the slaughter.

Regards,
Mike Sardina

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From: stratamodel@gmail.com <stratamodel@gmail.com>
Sent: Friday, July 10, 2020 11:06:43 AM
To: marine.fish@mass.gov <marine.fish@mass.gov>
Cc: Mike Sardina <MSardina@brownsardina.com>; Tom Knapp <thjknapp@comcast.net>; Daniel Wells <daniel.clarke.wells@gmail.com>
Subject: Public Comment on Cape Cod Canal

Dear Mr Silva,

I am a recreational striped bass fisherman. The Cape Cod Canal is an artificial waterway that long ago became the shortcut for striped bass migrating to and from the Gulf of Maine. It has also become a kill zone that is abused by commercial and recreational fishermen. Illegal retention of under and now oversize fish is rampant. Harvesting fish beyond the daily limit is common. “High grading” (discarding a dead or dying fish for a bigger one) has been widely reported. All of these violations are nearly impossible for resource managers to curtail. Greater mortality from stressing large brood stock is perhaps an even more serious problem. State and Federal authorities are well aware of this situation.

I am fully in favor of prohibiting commercial fishing for striped bass in the Cape Cod Canal. I would also strongly favor closing the Canal to all fishing.

Tom Bell
Cohasset MA

From: [bruce tetreault](#)
To: [Fish, Marine \(FWE\)](#)
Date: Friday, July 10, 2020 11:48:01 AM

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I've been fishing the canal for 25 years I'm 72 years old I have no bolt you taking this away from me is that fair I never heard anybody are only catfish that one legally size now you even take that away from us seniors

From: [marian](#)
To: [Fish, Marine \(FWE\)](#)
Subject: problems at cape cod canal
Date: Friday, July 10, 2020 11:28:29 AM

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Hello:

for many years my husband and I would leave our house around six in the morning to drive down to the Cape Cod canal so that he could fish. We would stop at a local sandwich shop pick up lunch and we had a cooler of water with us. We were always able to find a picnic table to sit at and we brought extra chairs.

While he fished I would walk most of the canal. The people some with their family in tow, some alone appeared to enjoy themselves. I know we did and we never witnessed any kind of problem. We are so sorry to hear that people are leaving trash behind and that the fishermen are not behaving. My husband an avid fisherman does not like this.

We are getting too old to make the trip now however we will always have very fond memories of our day trips to the Canal.

Sincerely
Marian Conway

From: [Nate](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Cape Cod canal commercial regs
Date: Friday, July 10, 2020 10:24:01 AM

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I personally think it is a great move by you, I have been fishing the canal for 20 years and have seen people 7 days a week freezing fish to sell

From: [Dr Spock](#)
To: [Fish, Marine \(FWE\)](#)
Subject: public comment on Cape Cod Canal Striped bass fishing.
Date: Friday, July 10, 2020 4:01:34 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 in regards to the upcoming hearing regarding stopping commercial striped bass fishing in the Cape Cod Canal. I am in favor of changing the regulations to allow only recreational Striped Bass Fishing there. All too often we hear and read in the papers of commercial fishers hiding fish in the rocks and claiming they were recreational fishing. Also they were saving fish on off days to sell on legal days. This is a problem everywhere . While it is a shame that a few bad apples can spoil commercial fishing at the canal for the ;legal fishermen; it is a fact that this is happening.

Sadly, I must agree that commercial Striped Striped Bass fishing in the canal must cease as soon as possible.

Best Regards.

Herb Bassett

S. Chatham, Mass

From: [Gerald Audet](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Cape Cod Canal
Date: Tuesday, August 11, 2020 9:35:30 PM

Hello Daniel McKiernan

I want to voice my strong opposition to re-opening the cape cod canal to commercial striped bass fishing. It is clear from both a data standpoint and also anecdotal evidence that a substantial amount of poaching, illegal harvest (due to confusion or otherwise), and personal conflict is associated with commercial fishing in the canal. Also, with the fishery in decline (and new regulations to attempt to reverse this) it does not make sense to re-open such a significant migration route to harvest. Particularly because the commercial harvest of bass from shore is made up of individuals who are only doing it for supplemental income, or other reasons entirely: no one is making a living on shore-based canal caught striped bass.

Thank you
Dr. Gerald Audet
Douglas, MA

From: [Greenleaf](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public comment on Cape Cod Canal
Date: Saturday, July 11, 2020 1:57:19 PM

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I explore you to keep the canal closed to commercial striped bass fishing. The stock is in serious trouble and opening it back up will only hurt it further.

Thank you,
Michael Greenleaf Garrison
Cape Cod born and raised

From: [Brendan Shea](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Cape Cod Canal
Date: Wednesday, July 22, 2020 10:34:49 AM

Good afternoon,

I am writing to offer my comments on the closure of the Cape Cod Canal to commercial fishing. I offer my opinion as both a recreational fisherman living on Cape Cod (saltwater license holder 2018-present) and as a marine scientist (MS in Marine Biology, Northeastern University, 2018; Incoming PhD Student at Virginia Tech, Fall 2020). I strongly encourage the state to make the closure of the Canal to commercial fishing permanent, both to protect the striped bass stock and to preserve the ability of the general public to enjoy the Canal for one of its stated purposes: recreation (RULES AND REGULATIONS GOVERNING PUBLIC USE OF CORPS OF ENGINEERS WATER RESOURCES DEVELOPMENT PROJECTS, 327.1(a), May 2000, <https://www.nae.usace.army.mil/Portals/74/docs/Recreation/Title36.pdf>). During the spring tide cycles, the Canal is regularly overcrowded with fisherman in the morning hours, and I regularly witness conflicts among anglers. I have certainly noticed a decrease in such conflicts this year, when commercial fishing has been prohibited. If the State were to take any further action on Canal fishing regulations, I would suggest they go even further, and close the Canal to fishing entirely, recreational included, as even recreational fishing poses a major threat to the large, reproductively mature striped bass which are frequently caught in the Canal. As you are aware, many recreational fisherman exhibit poor techniques for catch-and-release, including extended time out of water, holding large fish by the lip or gills, and failing to adequately revive the fish on release - the accidental mortality rate is certainly high. There are a wealth of other fishing locations around the Cape, South Coast, and South Shore, where fish are not literally penned in on either side, with hundreds of lines (or more) in the water.

Respectfully,

Brendan Shea

From: [Stephan Botzki](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Cape Cod Canal
Date: Monday, July 20, 2020 12:59:08 PM

Hello,

as a recreational fisherman I am verry happy and in full support of your decision on closing the canal for commercial fishing. The canal is already very busy and with this years different bag sizes it would only add confusion and more strain to the situation.

I would like the Canal be declared recreational only every year.

Thank you
Stephan

From: [Brad Laney](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Cape Cod Canal
Date: Sunday, July 19, 2020 10:33:34 AM

Hello, thank you for the opportunity to provide feedback.

I am not in support of commercial fishing in the cape cod canal or commercial for striped bass fishing. Striped bass numbers have been in decline for a long time and can not support commercial fishing.

Commercial fishing will have a devastating effect on their numbers that are already in decline. Once a limited resource has been depleted it will never be able to make a comeback. We know this by looking at the commercial tuna industry. Their numbers have been destroyed and we will never see them in numbers again like they once were.

The population of anglers that fish for stripped bass grows every year, and due to social media, there is a burning desire to keep fish for pictures, further contributing to their already high mortality rate. The last thing needed is commercial fishing.

In many years of fishing I have never heard of a recreational angler that is in support of commercial fishing of any kind, so the only people that are being pleased by allowing commercial fishing, are commercial fisherman. They are the minority. There are no positives or benefits to Commercial fishing, especially for striped bass. The revenue the state receives from recreational anglers in pursuit of striped bass will by far outweigh any monetary benefit the state would receive from commercial fisherman.

At the end of the day, allowing commercial fishing of striped bass in the canal will simply wipe out a very limited resource in order to please a small group of people, commercial fisherman. Thank you for your consideration, and please do not hesitate to contact me if you would like further details, or information as to why why commercial fishing for striped bass is harmful.

From: [Mark Alongi](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Cape Cod Canal
Date: Friday, July 17, 2020 8:11:50 AM

I am in full support of the Canal being recreational fishing only. This simplifies enforcement.

Thanks for your time.
Mark

From: [Lou Ellen Beard](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Cape Cod Canal
Date: Tuesday, July 14, 2020 8:18:22 PM

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To whom it may concern,

I have been fishing the Cape Cod Canal for over 15 yrs now traveling from NH , I started making weekend trips and then weekly vacations and have the past few years been there a temporary seasonal camper at Bourne Scenic Park . I go to Fish !

This year in February, I decided to try my hand at commercial rod and reel, purchased my license and anxiously awaited the season.

To my dismay, the season on the Canal was closed. I have done some research and it seems that the commercial rod and reel guys are being blamed for the mess and mayhem that has occurred the past few years . The taking of illegal fish and so on. I have spent 100 of hours day and night along every inch of the Canal, the things I have witnessed have nothing to do with commercial fishermen.

I strongly believe that social media, phones and greed have allowed everyone in a 200 mile radius to be alerted when the bite is good and they arrive from all over. Illegal fish and unlicensed anglers are a much bigger problem. I myself have been approached to give up a fish that was being released back to the Canal.

I know it's impossible and expensive to cover the Canal every minute, but take a good look before penalizing the commercial fisherman.

I will continue to Fish the Canal as my seasonal reservations are made, but do have a bitter taste towards the way it was handled and that In February when people were paying their fee this was never mentioned.

I believe you could involve the fisherman to help you with this problem and turn it around so that the people that are ruining it would be educated to proper sportsmanship. The Canal Club has great members and does a lot to help promote a good fishery and strong fishing ethics, maybe they would offer some help.

I hope you reconsider this decision and open it for the remainder of 2020 , while looking at better solutions for the 2021 season.

Thank you in advance for your consideration in this matter,

Peter Beard
57 Fish and Game Rd
PO Box 290
Hillsboro, NH 03244
603-731-8685 cell
603-464-5138 home
Pbeard@tds.net

From: [peteiodice](#)
To: [Fish, Marine \(FWE\)](#); [Silva, Jared \(FWE\)](#)
Subject: Public Comment on Cape Cod Canal
Date: Monday, July 13, 2020 1:19:53 PM

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It's absolutely ridiculous the canal has been closed to commercial striped bass fishing. Shore fishing limits were reduced to 2ea fish a few years back, now the canal closure, an entire sub category, granted not the highest income potential of an industry, has been virtually eliminated.

I grew up in Sagamore Beach and have fished the canal my entire life, 30+ years, and my father before me. I know the old school salts, like Stan Gibbs, the ones that are still fishing today. They sell fish not to make a million but to put food on their table and offset the cost of living. Reducing the shore limit to 2ea, crippled them. Forced others to break the rules and keep more than 2ea. Thus creating this problem of stacking fish from the canal. Whether I agree or disagree with the current commercial limits doesn't matter in this context other than stating the new regulations created the issues we are seeing on the canal of stacking (stealing really) fish. I play by the rules, so what ever regs are put out I follow, others don't.

This is a policing issue. If you can't have an EPO stationed at the canal to catch the bad guys, nothing you do, no new regulation, is going to fix that. Instead you take away the rights of individuals who do play by the rules. Ridiculous.

The other issue on the canal is volume of people fishing the canal now. Social media has made the canal explode the last 10 years or so. It's known as a world class fishing destination now. There's not much you can do about how many people fish the canal. But the same social media outlets that created the boom in people fishing the canal can also be utilized to protect it. All you have to do is look at posts in the different social media sites to see what is happening when. Most of these guys actually police the canal themselves. People are being shamed on social media by their peers about how to hold and properly release a fish. It's almost annoying to watch and read about, but it is helping. And if the closure is due to an attempt to protect striped bass population, it's proven recreational fishing kills more striped bass than commercial.

That statement needs to be clarified too. Are you closing the canal to protect fish stocks, I don't think that is the case but many people do think that. Or are you closing the canal because you can't police it? The canal is probably one of the easiest places for EPO's to police. Look for parked cars on the side of the road and an entire service road on both sides of the canal the EPO's can utilize and cruise up and down. Their presence alone is a deterrent. Easier than chasing guys in boats or on some secluded beach somewhere.

Bottom line is you will always have bad guys breaking the rules. You need to police the bad guys rather than take away the rights of the good guys, and in this case actually taking food off people's plates. Some fisherman rely on striped bass income.

Thank you,
Peter

Sent from my Sprint Samsung Galaxy S10.

From: [Conor MacWilliams](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Cape Cod Canal
Date: Monday, July 13, 2020 10:42:04 AM

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Director Daniel McKiernan,

I approve of the closure of the Cape Cod Canal and think it should be extended to recreational anglers as well. The Canal is a vital thoroughfare for the striped bass biomass and should be closed to all fishing except for catch and release. Given the level of poaching seen over the last few years due to the exposure of the fishery via social media and other channels, it seems prudent to let anglers enjoy the popular fishing spot as a catch and release location. The level of pressure on the fishery as a whole has once again increased dramatically and must be managed for the enjoyment and livelihood of all the folks who fish it.

Best,

--

Conor MacWilliams

From: [Brandyn Botelho](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Cape Cod Canal
Date: Monday, July 13, 2020 7:10:47 AM

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To Director Daniel McKiernan,

I am in favor of closing the canal to the commercial take of striped bass.

Thank you,
Brandyn Botelho

From: [Paul Briggs](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Cape Cod Canal
Date: Friday, July 10, 2020 8:15:20 PM

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Hello my name is Paul Briggs,

I'm a tax paying citizen of Taunton and a current Saltwater fishing licensed recreational fisherman. I think you should continue to uphold the ban on commercial fishing at the Cape Cod Canal. I myself have in the past witnessed multiple infractions of fishing violations before the ban went into effect. I've also heard that there have still been numerous violations this year at the canal. I think it would only help law enforcers uphold the regulations of Striped Bass fishing. I also think it will go a long way to promoting a healthy recreational fishery for years to come. I've been there multiple days and seen the banks look like an absolute slaughter house because of the amount of fish taken there. If the current slot limit remains in effect and the ban on commercial fishing remains it will only help maintain a healthy fishery for years to come. Any questions on my commentary please feel free to Contact me by email or my cell phone listed below. Thank you.

Paul Briggs
774-218-8523

Sent from my iPhone

From: [Nhinconkhi Lainhodenem](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Cape Cod Canal
Date: Friday, July 10, 2020 4:31:05 PM

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I would like stripes bass commercial to be allow in Cape Cod Canal.

[Sent from Yahoo Mail for iPhone](#)

From: [michael chapman](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Cape Cod Canal
Date: Friday, July 10, 2020 12:02:55 PM

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I fully endorse the closure of commercial striper fishing in the canal. I also feel recreational limits should be reviewed for further restrictions. The percentage take of the Chesapeake spawn as it traverses the canal is way too high, and shore fisherman often kill lesser-size fish on the hopes of getting a larger one that day - killing the excess.

Michael Chapman
mjchaps@gmail.com
617-513-9916

From: [Robert Tober](#)
To: [Fish, Marine \(FWE\)](#)
Cc: [Robert Tober](#)
Subject: Public Comment on Cape Cod Canal
Date: Friday, July 10, 2020 11:23:03 AM

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Public Comment regarding Closure of Cape Cod Canal to Commercial Striped Bass Fishing is as follows:

Any change made to Cape Cod Canal commercial striped bass fishing must be "called out" to any and all those purchasing ocean fishing licenses at the time of purchase. Since this requested CMR change/action is isolating/targeting the canal it must be consistent in its allotment of fishing licenses to notify consumers of this change by specifically calling it out (in writing) to purchasers of ocean fishing licenses who intend to use the license for fishing at the Canal.

The canal is a popular fishing place for regular and occasional fisher people, and therefore by calling this change out at the time of the license purchase, many would be license purchasers will be properly notified before the purchase, instead of finding out about it afterwards when it's too late, and then they will risk getting fined if they fish anyway in anger of the lack of transparency and communication of the change before license purchase. This change will clearly be a point that will catch the majority of purchasers, who intend to fish just the canal, off guard. By being transparent about this change many license purchasers will not purchase a license because they do so to specifically to fish at the canal.

The State and many others historically say that that everyone should be abreast of the law and therefore there is no need to call changes like this out, but I think in this case the more accurate statement is (where the canal is being specifically isolated) it would be neglectful to point the change out at the time of sale because so many purchase a license just for the canal fishing. That said, my opinion is that failure to call this change out at the time of sale will be an attempt to maximize revenues, at the citizens expense. Therefore, I request, or make a motion, that if CMR is changed that the change include the required notification of the change to ocean fishing license purchasers at the time of license purchase.

Thanks,
Robert Tober
Massachusetts resident

From: [Wertheim, Bradley M.,M.D.](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Cape Cod Canal
Date: Friday, July 10, 2020 11:10:22 AM

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Dear Director McKiernan,

I am writing to express my earnest support for your action to close the Cape Cod Canal to commercial fishing. As an angler, outdoorsman, and scientist, I feel that this action is fair and long overdue. I envision two principal benefits of continuing this ban indefinitely: 1) Reduction in fishing pressure on Striped Bass stock in a critical area of economic and ecologic benefit to the Commonwealth of Massachusetts and 2) Enhanced capacity for the MA Environmental Police to enforce fishing regulations. The Canal has become one of the premiere Striper fisheries in the Northeast for recreational shore anglers. Commercial fisherman have plenty of other places to fish, which are not often accessible to the recreational surfcasting community. Banning commercial fisherman from the Canal is a very reasonable step towards Striped Bass conservation and support of the recreational fishing community—a large source of economic/tourism value to the state. Thank you for taking action on this issue and I strongly support ongoing commitment to the commercial fishing ban.

Sincerely,

Bradley Wertheim, MD
Wellesley, MA

Instructor in Medicine
Harvard Medical School

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From: stratamodel@gmail.com
To: [Fish, Marine \(FWE\)](#)
Cc: ["Mike Sardina"](#); [Tom Knapp](#); [Daniel Wells](#)
Subject: Public Comment on Cape Cod Canal
Date: Friday, July 10, 2020 11:06:48 AM

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Dear Mr Silva,

I am a recreational striped bass fisherman. The Cape Cod Canal is an artificial waterway that long ago became the shortcut for striped bass migrating to and from the Gulf of Maine. It has also become a kill zone that is abused by commercial and recreational fishermen. Illegal retention of under and now oversize fish is rampant. Harvesting fish beyond the daily limit is common. "High grading" (discarding a dead or dying fish for a bigger one) has been widely reported. All of these violations are nearly impossible for resource managers to curtail. Greater mortality from stressing large brood stock is perhaps an even more serious problem. State and Federal authorities are well aware of this situation.

I am fully in favor of prohibiting commercial fishing for striped bass in the Cape Cod Canal. I would also strongly favor closing the Canal to all fishing.

Tom Bell
Cohasset MA

From: [Dylan Ferreira](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Cape Cod Canal
Date: Friday, July 10, 2020 11:02:21 AM

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To Director Daniel McKiernan,

I am in favor of closing the canal to the commercial take of striped bass.

Thank you
Dylan Ferreira

From: [Daniel Wells](#)
To: [Fish, Marine \(FWE\)](#)
Cc: [Tom Bell](#); [Jerry Audet](#); peter@saltwateredge.com
Subject: Public Comment on Cape Cod Canal
Date: Wednesday, August 12, 2020 10:39:10 AM

For Director Daniel McKiernan,

I have been a fisherman for over 30 years and I grew up in Maryland on the Chesapeake Bay. After living there 17 years I spent the rest of my adult life moving around the country as an active duty member of US Army. Finally after exiting service I settled down on the South Shore of Massachusetts with my wife, who was born in Boston and grew up a Mass resident. I have been a Massachusetts resident since 2013 and plan to raise my family here indefinitely. That said I have a vested interest in seeing resources managed well so my children will grow up with an abundance of fish species for them to pursue.

I was very happy to see the emergency closure of the Canal to commercial fishing. I spend several trips a month at the Canal and I have been very disheartened for many seasons to see many anglers there abusing this great resource, the Striped Bass. I thought closing to commercial fishing to better assist in dealing with poaching efforts there was a good first step by the Common Wealth. I want to outline what I have seen in my trips to the Canal:

1. Rampant poaching by anglers who will take fish back to their cars and continue to harvest more fish. I see this on several trips I take every seasons. I have attempted talking to anglers, but this often results in threats from individuals with good language skills or pretending to have a language barrier (though I am sure sometimes the barrier might be real). I also will call the EPO line if I have clear evidence that multiple fish have been kept, but before it was very hard to do that because people would claim to be "commercial guys" and unless I saw them keep more than 3 fish (which has happened) I did not call the EPOs. Now than one fish is the maximum its easier to make that phone call because I can be sure the person is not following the rules since Commercial fishing is banned.
2. The process of keeping a keeper or now slot sized fish on the rocks clearly dead then when a larger fish is caught throwing the dead fish back and letting it float down the canal. This if referred to as "upgrading" and needs to stop as its even more wasteful that poaching as the fish are not even eaten.
3. General poor handling of fish leading to very high C&R mortality. For example carrying a trophy fish all the way up to the bike path taking several photos then just throwing it back into the canal with no real attempt at reviving the fish. Often people who are doing this have a dead keeper already and are releasing other fish to stay in compliance with law. However, the fish don't make it and I have seen many of them end up floating down the canal from this awful handling by the angler.

I would personally like to the the DMF continue the ban on Commercial Fishing in the Canal indefinitely. I would also love to see some additional measures implemented to better manage this resource:

1. Enforcement is the number one problem and that requires funding to hire more EPOs dedicated to the Cape Cod Canal for the entire striped bass season. Also having lived in Alaska while in the Army I saw better resource management as fishing and hunting tourism is

one of the major sources of commerce there. I think the Commonwealth should work with Army Corps of Engineers to make the entire Canal a special fishing zone that requires a paid pass to fish. The pass must be visibly displayed on shoulder or hat of individual fishing so an EPO can simply ride down the canal and ticket anyone who is not wearing their pass. Fishing without a pass should result in confiscation and destruction of the persons fishing equipment. Failing to display the pass should have a very small financial penalty as a nuisance fine to make sure people display their passes making the EPO's job easier. In Alaska residents have much lower costs for licenses and the out of state fees drove the states revenue. I think the Canal should be similar but since Mass is so small maybe you extend some form of discount to New England states too. Below is an example. All of the funds generated from this fee should go 100% to the cost of having full time EPO presence on the Canal during the Months of May through October. I believe solving the policing issue of the Canal is the most important step and this is the best way I can think to equitably fund that program.

1 Day MA \$10 Other NE States: \$20 All Other States: \$35

3 Day MA: \$30 Other NE States: \$60 All Other States: \$100

Annual MA: \$50 Other NE States: \$100 All Other States: \$150

2. Create a separate set of rules around fish handling similar to how the Kenai River is managed in Alaska. Fish outside of the slot are not to be taken out of the water. Removal of an undersized fish from the water is considered an attempt to "keep" the fish and grounds for potential poaching violations. This would address the issues with "poor fishing handling" that leads to such a high C&R mortality there.

3. Create a "Tagging" requirement with a maximum of 10 tags per year for each Canal permit holder. Once a fish is tagged the angler must stop fishing for that day the tag is filled out. This will discourage the process of "Upgrading". Because if someone has a dead fish and is still fishing they are in violation of the new Canal regulation.

4. For any violation other than failing to display the "Canal permit" all of the fisherman's equipment should be taken by the EPOs and destroyed. Taking things to auction allows anglers to try and get their equipment back at a low cost. Know that what every you use to violate the law will be taken and promptly destroyed will be the most effect deterrent to fishermen violating the rules. Other financial penalties and going to court is fine, but if the equipment is retained the person can continue to keep poaching or doing other illegal activities. It is essential the gear is taken and never returned. In Alaska the EPO's I dealt with were always an armed team and confiscated any equipment used in poaching which could also extend to vehicles. I think going for vehicles is a bridge too far so the focus should be rods, reels, and tackle box at minimum.

I think some form of adoption of the four measures I listed above would address the high mortality at the Canal for striped bass by providing funding for adequate EPO enforcement presence, ensuring "keep them wet" fishing handling to reduce C&R mortality, make it illegal for people to attempt to "upgrade" their catch, and by removing the violators equipment immediately create a strong deterrent to illegal behavior by both physically (unable to keep fishing) hampering poaching efforts and financially hurting the poacher immediately (purchasing new gear is costly).

I also realize it may be necessary if the striped bass population continues to decline to close the Canal completely to fishing if a coast wide moratorium is required. If that happens I will miss fishing the Canal, but I will patiently wait for the stocks to rebuild and the moratorium be

lifted. I want my children who are young now to have a change at experiencing "abundance" of large stripped bass when they are teenagers and young adults. Without taking those kinds of tough measures now that dream is dead.

Sincerely,
Daniel Wells

From: [Nelson Sigelman](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public comment on Cape Cod Canal
Date: Thursday, July 23, 2020 4:13:22 PM

DMF:

I support commercial fishing. I think the goal should be to build a vibrant resource that the recreational and commercial sectors can share. Fighting with each other over a shrinking piece of the pie is not productive. But I support the closure of the Cape Cod Canal to commercial fishing.

As I understand it, the proposed closure will allow the Environmental Police to better control poaching in canal waters. I support that effort.

However, new regulations without enforcement erode public confidence. DMF and the Environmental Police must allocate the necessary resources to police the canal effectively on a fulltime basis.

That would include: respond quickly to tips about illegal activity; identify trouble spots; hand out hefty fines; erect security cameras; confiscate equipment; and when you make arrests, release the names of the individuals charged. The majority of responsible fishermen will support it.

Thank you,

Nelson Sigelman

115 Bernard Circle

Vineyard Haven, MA 02568

--

[Martha's Vineyard Fish Tales](#): *How to catch fish, rake clams, and jig squid, with entertaining tales about the sometimes crazy pursuit of fish*

[Martha's Vineyard Outdoors, Fishing, Hunting and Avoiding Divorce on a Small Island](#)

MV Times Review, Jan. 2, 2018, "[Good Sports](#)"

Vineyard Gazette, May 25, 2018, "[Front Row Seat to the Natural World](#)"

marthasvineyardoutdoors.com

From: bakstran@charter.net
To: [Fish, Marine \(FWE\)](#)
Subject: Public comment on Cape Cod canal
Date: Friday, July 10, 2020 12:08:14 PM

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Dear Director Daniel McKiernan,

I am writing to provide my comments in regards to the regulation prohibiting any angler at the Canal that does not conform to the recreational angler length requirements of not less than 28" and no greater than 35" and a daily limit of one fish per day. Additionally, no persons shall possess any commercial size Striper within 1,000' of the canal unless transporting.....

I fully support this regulation as it stands now and would support its permanent implementation.

This size Striper is critical to the breeding of future generations of Stripers and therefore is the future of the fishery resource.

Commercial fishing is allowed elsewhere and the Canal should not be an impediment for these fisherman to meet their goals.

However, if commercial fisherman take the breeders from the Canal they will damage the overall population. Commercial fishery is important but not at the expense of damaging the overall population for the future.

I have fished for Stripers for over 60 years and I've seen the adverse impacts of pollution and over harvesting.

Please continue to enforce this regulation and make it permanent. Thank you.

Sincerely yours,

Paul Bakstran
PO Box 96 Berlin, Mas. 01503

Sent from [Mail](#) for Windows 10

From: [Joe Cummings](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public comment on Cape cod Canal
Date: Friday, July 10, 2020 4:03:48 PM

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Dear sir; Please keep in place the ban on commercial striped bass fishing in the canal. It is no longer the zoo it was prior to the ban. Life has returned to a very pleasant normal - litter is down, noise is down, confrontations are down and the striped bass are being protected. The few who try to skirt the rules are being caught through the efforts of honest fishermen and law enforcement. This is a win for all who care about the canal! Keep up the good work.- Joe Cummings

Sent from my iPhone

From: [marlin336cb](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public comment on Cape cod canal
Date: Friday, July 10, 2020 10:43:22 AM

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The last I knew it was illegal to conduct a commercial fishery in federal waters for striped bass. The Cape cod canal is a federally operated waterway. Currently there is no license available from the federal government to conduct this fishery. Also there is no such license available from the commonwealth of Massachusetts to conduct this fishery in federally controlled waters.thank you for your time and attention to this matter God bless america

Sent from Samsung tablet

From: [Mike](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public comment on cape cod canal
Date: Friday, July 10, 2020 6:34:50 PM

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It's about time! Impossible for the environmental officers to enforce the regulations when there are two standards at the same location.

Thanks, Mike Brucato

Sent from my iPhone

From: [Christopher Kline](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Cape Cod Canal"
Date: Monday, July 13, 2020 8:59:56 AM

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Hello,

I am writing to lend my support for the closure of the Cape Cod Canal to commercial fishing. I am a holder of both recreational AND commercial striped bass licenses. I'm one of those people that purchased their rod-and-reel commercial licenses for \$100 prior to the closure of the canal to commercial fishing, but I'm not complaining.

I believe this closure to be a good thing. In recent years the canal was not only an uncomfortable and sometimes dangerous place to fish, but also a slaughterhouse for breeder-class fish and nuisance to neighbors. This year the trash, noise, and general mood of the canal has been much saner and more pleasant.

Let's keep the canal for recreational fishing. If someone wants to commercially catch striped bass for a living, that should be left for those who pursue the endeavor as a full-time occupation from boat.

Sincerely,
Christopher Kline
44 Forbes Hill Rd, Quincy, MA 02170

From: [Aaron Perlmutter](#)
To: [Fish, Marine \(FWE\)](#); [Fish, Marine \(FWE\)](#)
Subject: Public Comment on Closure of Cape Cod Canal to Commercial Fishing.
Date: Monday, July 13, 2020 11:53:22 AM

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Director Daniel McKiernan,

I live in Barnstable County and have been fishing the waters for 25 years. The recent decrease in striped bass is extremely frustrating for anglers that practice catch and release.

I approve of the closure of the Cape Cod Canal to commercial fishing and think it should be extended to recreational anglers as well.

The canal is an artificial structure that traps bass and bait and it is sometimes sometimes literally "shooting fish in a barrel." Given the advent of social media, when the fish are present, hundreds of "connected" anglers can descend on these fish immediately. It is a slaughter.

You can fix this problem by banning all bass from being taken from the canal. This would be analogous to what we see in trout and salmon rivers where there are often segments that prohibit the removal of fish, but other parts of the water (analogous to Cape Cod and Buzzards Bay) allow fish to be harvested.

Thank you for your consideration.

Aaron Perlmutter
Barnstable Ma.

From: [Mark Vduccio](#)
To: [Fish, Marine \(FWE\)](#)
Subject: Shame on you cowtowing
Date: Tuesday, July 28, 2020 2:30:24 PM

Shame on you for cowtowing to inept Environmententsl police
Who in my experience only target English speaking US citizensYou should truly be ashamed
of what you do for money.
Time for the new director to resign and be replaced by a normal person inststed
of a political hack that he smells like

[Sent from Yahoo Mail for iPhone](#)

From: [Mark Veducio](#)
To: [Fish, Marine \(FWE\)](#)
Subject: U are greedy assholes who should all be fired and replaced by donkeys
Date: Friday, July 10, 2020 2:49:26 PM

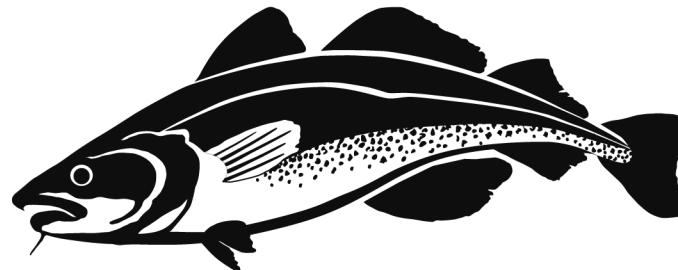
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[Sent from Yahoo Mail for iPhone](#)

Incidental Take Permit Application and Future Rule Making Affecting Fixed Gear in Massachusetts

August 14, 2020

Marine Fisheries
Commonwealth of Massachusetts



Strahan v. Mass EEA et al

- April 2019 – Suit filed
 - Strahan filed ESA citizen’s suit against MA
 - Complaint alleged DMF violates Sec. 9 of ESA by promulgating regulations requiring vertical lines and those lines are taking endangered right whales and leatherback turtles
- April 30, 2020 - Memorandum and Order on Preliminary Injunction
 - Judge found that Plaintiff is likely to prevail on his claim that deployment of VBRs has and will continue to violate ESA
 - DMF ordered to promptly see an ITP under Sec. 10 of ESA
- Current Status:
 - DMF has begun ITP application process
 - MA AG filed a Motion to Stay for duration of ITP process
 - Judge has not yet ruled on Motion



Incidental Take Permit

- An Incidental Take Permit under Section 10 of the ESA is needed when a non-federal action is anticipated to result in the taking of threatened or endangered species
- The ITP authorizes takes that will likely result from the otherwise legal activity (e.g. fishing).
- ITP application process is lengthy (2-4 years), resource-intensive and requires coordination with the federal oversight agency (NMFS or FWS).
- Applicants must develop a Habitat Conservation Plan; main component of the application



ITP Task Force

- Since the April 30, 2020 Order, DMF and the Commissioner have convened an ITP Task Force to develop and analyze the information necessary information for a successful ITP application.
- Team consists of:
 - Robert Glenn, Senior Fisheries Biologist, DMF
 - Erin Burke, Protected Species Specialist, DMF
 - Beverly Vucson, DFG legal counsel
 - Tori LaBate, DFG legal counsel
 - Anna Webb, Statistician, DMF
 - Jared Silva, Marine Policy, DMF
 - Eve Schluter, Assistant Director, Natural Heritage and Endangered Species Program
- Task Force members have begun the application process in coordination with National Marine Fisheries Service



Habitat Conservation Plan

- The HCP is the most important aspect of an ITP application
- HCP must consist of:
 - An assessment of the likely impacts on protected species
 - Measures to be taken to minimize and mitigate for impacts
 - An analysis of alternatives not chosen
 - Funding assurances
 - Measures that will be taken to monitor and manage species and their habitats
- Mitigation measures must be sufficient for NMFS to make a negligible injury determination for covered species during the NEPA review process in order to obtain a permit.



List of Fisheries change

- LOF categorized US fisheries under the Marine Mammal Protection Act according to the level of interactions which result in serious injury or mortality to marine mammals.
- The Northeast lobster fishery is classified as Category I (frequent interactions).
- We believe that in order to have a chance of developing a successful ITP application, the Massachusetts trap/pot fisheries must listed separately from the Northeast lobster fishery on the List of Fisheries.
- DMF must develop conservation and management measures for the Massachusetts state waters trap/pot fishery that are significantly different from those used in other jurisdictions.



Potential Conservation Measures

- Seasonal pot gear closure in all Massachusetts state waters from Feb 1 – April 30.
- Ban on all buoy lines using rope larger than 3/8” diameter
- Require all fixed gear in state waters be equipped with maximum 1,700 pound breaking strength vertical lines or equivalent buoy line contrivance.
- Limit the issuance of seasonal student licenses to max of 150 per year.
- Extend the existing Jan 1 – May 15 CCB gillnet closure along those state waters from Gurnet Point to the south entrance of Scituate Harbor.



Next Steps

- The conservation measures needed to distinguish Massachusetts trap/pot fishery under the LOF must be in place before the distinction can be granted.
- DMF petition NMFS during the LOF public comment period to separate the Massachusetts fishery under the LOF.
- DMF's rule-making timeline won't work with the soon to be released 2020 LOF but goal is to petition in 2021.
- DMF must enact significant conservation measures for protected species before the 2021 LOF, likely released in July 2021.
- The distinction under the LOF must be in place before the ITP can be successfully granted.



Comments?



August 19, 2020

Division of Marine Fisheries

Slide 9

Marine Fisheries
Commonwealth of Massachusetts





The Commonwealth of Massachusetts

Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114
p: (617) 626-1520 | f: (617) 626-1509
www.mass.gov/marinefisheries



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

KATHLEEN A. THEOHARIDES
Secretary

RONALD S. AMIDON
Commissioner

DANIEL J. MCKIERNAN
Director

August 14, 2020

AMENDED STATEMENT OF PERMIT CONDITIONS:
PHASE 3 STEP 1 WORKPLACE SAFETY AND REOPENING STANDARDS
FOR FOR-HIRE FISHING VESSELS

On May 18, 2020, Governor Baker issued COVID-19 Order No. 33 “Implementing a Phased Reopening of Workplaces and Imposing Workplace Safety Measures to Address COVID-19” and COVID-19 Order No. 34 “Expanding Access to and Use of State Beaches and Addressing Other Outdoor Recreational Activities.” These orders reopened the for-hire recreational fishing industry on May 25, 2020, subject to certain workplace safety and reopening standards. On August 12, 2020, the Executive Office of Energy and Environment updated the “Workplace Safety and Reopening Standards for For-Hire and Charter Vessels – Phase III, Step 1”. Consistent with these most recent workplace safety and reopening standards, the Division of Marine Fisheries is issuing all for-hire charter and head boat permit holders **Statement of Permit Conditions** to protect public health, welfare and safety.

Pursuant to the authority set forth at G.L. c. 130, §§17C and 80 and 322 CMR 7.01(7) and 7.10(7), the Director of the Division of Marine Fisheries applies the below listed conditions to your 2020 recreational for-hire fishing permit.

1. Effective immediately all for hire charter and head boat permit holders will be authorized to conduct for-hire fishing activity under the authority of your for-hire fishing permit subject to the “Workplace Safety and Reopening Standards for For-Hire and Charter Vessels – Phase III, Step 1” issued by the Massachusetts Executive Office Energy and Environmental Affairs. These standards are available [online](#) and have been attached to this Statement of Permit Conditions.

This Statement of Permit Conditions shall remain in effect until otherwise notified. The Director may amend this Statement of Permit Conditions at any time. Any amendments shall become effective upon written notice. Violation(s) of any condition or restriction as contained herein shall result in an adjudicatory hearing to suspend or revoke your for-hire permit, as well as any other fines and penalties provided in G.L. c.130.

Daniel J. McKiernan, Director
Division of Marine Fisheries

August 14, 2020

Effective Date



MASSACHUSETTS EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

WORKPLACE SAFETY and REOPENING STANDARDS FOR FOR-HIRE AND CHARTER VESSELS – Phase III, Step 1

Amended August 12, 2020

INTRODUCTION

In accordance with the authority granted to the Secretary of the Executive Office of Energy and Environmental Affairs (EEA) pursuant to [COVID-19 Order No. 43](#) to issue workplace safety standards for operators of and participants in outdoor recreational activities, the following guidelines apply to For-Hire and Charter Vessels as part of Phase III, Step 1 of the Commonwealth's reopening.

In Phase III, Step 1, For-Hire and Charter Vessels are permitted to operate subject to the limitations set forth below.

This document provides guidance for how to implement general workplace safety standards and other public health guidance ("COVID-19 measures") in the context of outdoor recreational operations in Phase III of the Commonwealth's reopening. Operators who fail to implement applicable COVID-19 measures may be sanctioned in accordance with COVID-19 Order No. 43. Operators are further reminded that in addition to implementing COVID-19 measures in Phase III, they must still comply with all federal, state and local laws.

The public health data and guidance on which this document is based can and does change frequently. The most recent version of this document can be found on the Commonwealth's website, <http://www.mass.gov/>

LIMITATIONS ON OUTDOOR RECREATIONAL ACTIVITIES AND FACILITIES

For-hire and charter vessels may operate in Phase III, Step 1 with specific capacity restrictions. Inspected vessels are limited to 50% capacity, plus Captain and crew, or 10 passengers, plus Captain and crew, whichever is greater, and provided further that aggregate capacity must not exceed 50 passengers plus Captain and crew. "Inspected vessels" are those subject to U.S. Coast Guard inspection under 46 USC 3301. Uninspected vessels, known as "six pack boats" are limited to 6 passengers plus Captain and crew. Indoor areas on all vessels are limited to 40% of indoor capacity. Multiple deck vessels must limit the capacity on each deck to no more than 50% capacity. All vessels must still comply with all federal, state, and local laws.

In addition to complying with the aforementioned limitations, operators must implement the following safety measures detailed below:



IMPLEMENTING SAFETY MEASURES FOR YOUR OPERATION

All businesses and organization in the Commonwealth must immediately adopt and maintain the following generally applicable COVID-19 safety rules.

Social Distancing	<ul style="list-style-type: none"> • All persons, including employees, customers, and vendors should remain at least six feet apart to the greatest extent possible, both inside and outside workplaces • Establish protocols to ensure that employees can practice adequate social distancing • Provide signage for safe social distancing • Require face coverings or masks for all employees and customers
Hygiene Protocols	<ul style="list-style-type: none"> • Provide hand-washing capabilities throughout the workplace • Ensure frequent hand washing by employees and adequate supplies to do so • Provide regular sanitization of high touch areas, such as workstations, equipment, screens, doorknobs, restrooms throughout work site
Staffing and Operations	<ul style="list-style-type: none"> • Provide training for employees regarding the social distancing and hygiene protocols • Employees who are displaying COVID-19-like symptoms do not report to work • Establish a plan for employees getting ill from COVID-19 at work, and a return-to-work plan
Cleaning and Disinfecting	<ul style="list-style-type: none"> • Establish and maintain cleaning protocols specific to the business • When an active employee is diagnosed with COVID-19, cleaning and disinfecting must be performed • Disinfection of all common surfaces must take place at intervals appropriate to said workplace

The application of these measures to for hire and charter vessels is detailed below.

I. Social Distancing

- ❖ Face coverings are required for all workers and customers in accordance with Covid-19 Order 31: [*Order Requiring Face Coverings in Public Places Where Social Distancing is Not Possible*](#) to prevent against the transmission of Covid-19.
- ❖ Passengers and crew members must abide by social distancing protocols of at least six feet between individuals. Passengers and crewmembers from the same household are not required to social distance from each other.
- ❖ Minimize the use of confined spaces (e.g., elevators, control rooms, vehicles) by more than one individual at a time; all employees in such spaces at the same time are required to wear face coverings.



II. Hygiene Protocols

- ❖ Ensure access to handwashing facilities on site, including soap and running water or provide alcohol-based hand sanitizers with at least 60% alcohol.
- ❖ Crewmembers are encouraged to provide to customers handwashing capability or sanitizer on the vessel.
- ❖ Supply employees with an adequate supply of soap, disinfectant, hand sanitizer, and paper towels.
- ❖ Crew members must provide for regular touch-point sanitization (e.g., workstations, equipment, screens, doorknobs, restrooms) no less than daily.
- ❖ Vessel captains must provide training for crewmembers regarding the COVID-19 control plan, train their crewmembers in basic hygiene practices, such as frequent and thorough hand washing, respiratory etiquette (e.g., covering coughs and sneezes), and discourage crewmembers or passengers from using others' personal property, work tools, and equipment.
- ❖ Require regular and not less than daily cleaning and sanitation of all high-touch areas such as workstations, door handles, and restrooms.
- ❖ Post visible signage throughout the site to remind employees on the hygiene and safety protocols.

III. Staffing and Operations

- ❖ Vessel captains must conduct pre-shift staff screening and maintain staff screening log.
- ❖ Vessels that offer food and beverage service must comply with all food service and [restaurant guidance](#), including that 1) bar areas must remain closed unless re-configured to accommodate table seating 2) all customers must be seated while consuming food or beverages on the vessel, and 3) all other amenities and areas not specifically designated for appropriately socially distanced, seated food and beverage consumption (e.g., decks without chairs and tables, etc.) must not be used for consumption of food or beverages. Dance floors and self-serve areas must remain closed.
- ❖ Customers and crew members should not pass or share fishing rods or equipment, to the maximum extent possible. If sharing is necessary, equipment must be disinfected between use.
- ❖ The vessel captain must establish a COVID-19 control plan addressing the practices and protocols to protect staff and the public. A control plan should be developed for each vessel.
- ❖ Signage must be posted that clearly states that any person with symptoms consistent with COVID-19 may not enter the vessel.
- ❖ Provide training to workers on up-to-date safety information and precautions including hygiene and other measures aimed at reducing disease transmission.
- ❖ Limit visitors and service providers on site; shipping and deliveries should be completed in designated areas, outside the facility if possible.
- ❖ Operators should log all persons on the vessel, including customers, to enable contact tracing (name and phone number or name and email address). It is recommended that at least one member per household/car is logged so as to assist with contact tracing.



- ❖ Employees must stay home if feeling ill.
- ❖ Encourage workers who test positive for COVID-19 to disclose to the workplace employer for purposes of cleaning / disinfecting and contact tracing. If the employer is notified of a positive case at the workplace, the employer shall notify the local Board of Health (LBOH) in the city or town where the workplace is located and assist the LBOH as reasonably requested to advise likely contacts to isolate and self-quarantine. Testing of other workers may be recommended consistent with guidance and / or at the request of the LBOH.
- ❖ Employees who are particularly vulnerable to COVID-19 according to the Centers for Disease Control (e.g., due to age or underlying conditions) are encouraged to stay home.
- ❖ Post notice to employees, workers, and customers of important health information and relevant safety measures as outlined in government guidelines.

IV. Cleaning and Disinfecting

- ❖ Conduct frequent cleaning and disinfection of vessels and associated boarding site.
- ❖ Keep cleaning logs that include date, time, and scope of cleaning.
- ❖ Conduct frequent disinfecting of heavy transit areas and high-touch surfaces (e.g., doorknobs, handrails, seating areas, bathrooms). Restrooms should be cleaned and sanitized following the [*EEA COVID-19 Outdoor Recreation Facility Restroom Cleaning Best Practices*](#).
- ❖ In event of a positive case, shut down site for a deep cleaning and disinfecting of the workplace in accordance with current guidance.



The Commonwealth of Massachusetts

Division of Marine Fisheries

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August 10, 2020

Marine Fisheries Advisory

2020 Black Sea Bass Recreational For-Hire Season Extended

Massachusetts for-hire fishing operations will be able to take patrons recreationally fishing for black sea bass for an extended season this fall. This season, which was scheduled to end on September 9, will now extend through October 9 for the for-hire fishery. The established bag limit of 5 fish and minimum size of 15” will apply. This seasonal extension is being offered to offset the delayed season start required of for-hire fishing businesses this spring due to COVID-19 safety measures. The last day for anglers fishing from shore or private vessel to retain black sea bass will remain September 8.

The Division of Marine Fisheries (DMF) was given approval by the Atlantic States Marine Fisheries Commission to extend the recreational black sea bass season for anglers fishing aboard charter and head boats through a conservation equivalency proposal. As such, the 31 days added to the end of the for-hire season are projected to result in the same amount of harvest that likely would have occurred aboard for-hire vessels during the seven days that the fleet was prohibited from fishing for black sea bass this spring (May 18–May 24). More days are being added to the end of the season than were closed in the beginning of the season because black sea bass catch rates are at their peak in spring when the fish are nearshore, aggregated, and aggressively feeding and interest in the fishery is at its highest.

DMF is issuing [permit conditions](#) to holders of 2020 MA Charter Boat and Head Boat permits to authorize this seasonal extension. Access is limited to those individuals who obtained one of these 2020 for-hire permits prior to August 6, the date our proposal was approved by the Atlantic States Marine Fisheries Commission. This seasonal adjustment applies only to the recreational for-hire fishery because DMF did not prohibit fishing from shore or private vessel this spring the same as it did from for-hire vessels. The recreational black sea bass season will revert to May 18–September 8 for all modes in 2021, unless subsequently changed by DMF.

A directory of MA Charter Boats and Head Boats can be found in our Saltwater Fishing Guide at: <http://www.eregulations.com/massachusetts/fishing/saltwater/charter-head-boats/>.



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August 10, 2020

STATEMENT OF PERMIT CONDITIONS AND LETTER OF AUTHORIZATION: **EXTENSION OF FOR-HIRE RECREATIONAL BLACK SEA BASS SEASON**

On August 6, 2020, the Division of Marine Fisheries (DMF) received approval from the Atlantic States Marine Fisheries Commission on a conservation equivalency proposal to extend the recreational black sea bass fishery for for-hire operations through October 9. This proposal was based on the for-hire fishery being prohibited from participating in the first seven days of the 2020 recreational black sea bass season (May 18–May 24) due to public health related shutdowns in response to COVID-19 per Governor Baker’s Stay At Home Advisory and Essential Services Order and resulting DMF issued [permit conditions](#). This Statement of Permit Conditions and Letter of Authorization implements the approved seasonal extension allowing for-hire operations to continue to fish for and retain black sea bass during the period of September 9 through October 9, 2020.

In accordance with the authority at G.L. c. 130, § 80 and 322 CMR 7.01(7) and 7.10(7), this Letter of Authorization and Statement of Permit Conditions is being applied to 2020 For-Hire Permits issued prior to August 6. Effective September 9, 2020 all 2020 For-Hire Permits issued prior to August 6 are hereby exempt from the recreational black sea bass fishing limits set forth at 322 CMR 6.28(3)(b), subject to the permit conditions enumerated below.

1. Anglers fishing aboard your vessel during for-hire trips may retain, possess, and land black sea bass during the time period of September 9, 2020 through October 9, 2020.
2. All anglers fishing aboard your vessel during for-hire trips shall not retain, possess, or land more than 5 black sea bass measuring at least 15” during any calendar day.
3. Effective October 10, 2020 anglers fishing aboard your vessel during for-hire trips shall be prohibited from retaining, possessing, or landing any black sea bass.
4. These conditions shall only apply when taking patrons fishing on for-hire trips. This shall not apply to any private recreational fishing activity done by the permit holder or onboard the vessel named on the for-hire permit.

Except as explicitly provided herein, this Letter of Authorization and Statement of Permit Conditions does not exempt the permit holder from any marine fishery laws and regulations of the Commonwealth. This written authorization and the applicable 2020 Massachusetts’ For-Hire Permit shall be on board the vessel at all times while participating in this seasonal extension.

This Statement of Permit Conditions shall remain in effect until October 10, 2020, unless otherwise notified or sooner revoked for cause. The Director may amend this Statement of Permit Conditions

at any time. Any amendments shall become effective upon written notice. Violation(s) of any condition or restriction as contained herein shall result in an adjudicatory hearing to suspend or revoke the for-hire permit, as well as any other fines and penalties provided in G.L. c.130.



Daniel J. McKiernan, Director
Division of Marine Fisheries

September 9, 2020

Effective Date



The Commonwealth of Massachusetts

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Massachusetts 2020 Black Sea Bass For-hire Fishery Conservation Equivalency Proposal

July 17, 2020

Overview

The Massachusetts Division of Marine Fisheries (DMF) submits this conservation equivalency proposal to extend the end of the state’s for-hire recreational black sea bass season in 2020 to account for seven days closed to for-hire fishing at the beginning of the season due to the COVID-19 pandemic. Three alternatives are presented (Table 1).

Option A was DMF’s initial proposal and would extend the season 53 days. The approach of Option A best represents expected values for a conservationally equivalent exchange for days lost in the beginning of the season, except that the MRIP data have high PSEs caused by a paucity of intercept data in Wave 5 due to so few days being historically opened in September. Option B was added to the proposal to allay Technical Committee concerns about the high PSEs and instead uses lower PSE data from the adjacent Wave 4 as a proxy for Wave 5 harvest estimates. However, DMF believes that given annual pattern of landings and decreasing catch rates and angler participation after Labor Day, it is excessively conservative to apply Wave 4 daily landings values to wave 5. DMF proposes Option C, a compromise approach that falls in between the first two and extends the fishery only through October 9, the final open fishing day for summer flounder.

Table 1. Massachusetts status quo and proposed rules for recreational black sea bass fishing aboard for-hire vessels in 2020 via conservation equivalency.

	Season	Daily Bag Limit	Minimum Size
Status Quo	May 18 – September 8	5 fish	15”
Option A	May 25 – October 31	5 fish	15”
Option B	May 25 – September 21	5 fish	15”
Option C (preferred)	May 25 – October 9	5 fish	15”

Introduction

Consistent with executive orders of the Governor of Massachusetts in response to the COVID-19 pandemic and further guidance from the Administration, DMF issued Permit Conditions for all 2020 For-hire Permit holders making it unlawful to conduct any for-hire fishing activity in the Commonwealth effective April 27, 2020¹. These permit conditions were rescinded effective May 25, 2020, when for-hire fishing operators were authorized to resume operations provided they comply with specific restrictions and safety standards under the phased-in re-opening guidance².

¹ <https://www.mass.gov/doc/042720-statement-of-permit-conditions-to-restrict-for-hire-fishing-during-covid-19-stay-at-home/download>

² <https://www.mass.gov/doc/051820-statement-of-permit-conditions-on-2020-for-hire-permit-and-workplace-safety-and/download>

These permit conditions were issued pursuant to the authority set forth at G.L. c. 130, §§17C and 80 and 322 CMR 7.01(7) and 7.10(7). Violation of these permit conditions would result in an adjudicatory hearing to suspend or revoke the for-hire permit, as well as any other fines and penalties provided in G.L. c.130. The Massachusetts Environmental Police (MEP) enforce permit conditions the same as regulations. During the for-hire fishing closure, MEP conducted normal enforcement operations, reporting high compliance with the permit conditions and only one documented violation by an individual who was not a holder of a 2020 for-hire permit.

DMF submits this conservation equivalency proposal to amend the 2020 Massachusetts black sea bass for-hire fishing season in response to this closure of the for-hire fishery. Private recreational fishing, while likely impacted by social distancing measures, was not prohibited during the same period. If an alternative conservationally equivalent for-hire season is authorized by the ASMFC's Summer Flounder, Scup, and Black Sea Bass Management Board, DMF would implement the revision to the 2020 for-hire season by permit condition. The for-hire season would revert in 2021 to that in the regulations (May 18–September 8), unless subsequently amended through a Board-approved revision.

This action would cause a temporary regulatory mode-split in the MA recreational black sea bass where non currently exists. DMF is on the record expressing concerns with recreational mode-splits between for-hire and private anglers; however, the unprecedented nature of this situation in which only one mode was closed by factors external to fisheries management outweighs these concerns and provides our rationale for responding with a mode-specific recoupment. A recreational black sea bass mode split currently exists elsewhere along the coast and they have been authorized for other species as well.

The analysis of conservation equivalency included in this proposal applies standard, previously approved methods and data for evaluating conservation equivalency. It relies on prior year harvest data to project harvest under proposed regulatory changes in the current year. For this reason, coupled with it being an evaluation for a complete closure of the for-hire fishery during May 18-24, 2020, the analysis is not impacted by the lack of MRIP APAIS conduct caused by COVID-19 during that time (which was resumed in Massachusetts on May 20) or the pending availability of Wave 3 MRIP catch and effort estimates. As a mode-specific proposal, consideration is not given to any changes in private angler recreational harvest that may have occurred this spring; it is our position that this would not be expected of a conservation equivalency proposal submitted in advance of the fishery's season. Complete MRIP surveying and sampling is expected to occur throughout the for-hire black sea season in Massachusetts providing an estimate of for-hire harvest in 2020 to compare to 2019 for an evaluation of the impacts of this conservation equivalency proposal.

Proposal Timeline

The ASMFC's Summer Flounder, Scup, and Black Sea Bass Management Board discussed the potential for states to make regulatory adjustments in response to COVID-19 impacts at its May 6 meeting. The first version of this proposal was submitted to the ASMFC on May 26 with a request for Board consideration at its June 16 meeting. This aggressive timeline was pursued in hopes of providing the for-hire industry the most benefit in terms of lead-time from an approved proposal. A second version, adding the Option B approach following review by the Technical Committee, was submitted to ASMFC on June 8. The second version and the TC's review were included in the Board's briefing materials for June 16; however, action was deferred to await guidance from the Commission's Executive Committee on conservation equivalency proposals of this nature. The Board did agree at that time to consider the Massachusetts proposal (and any others) no later than the August 2020 meeting. The ISFMP Policy Board did not adopt the Executive Committee's eventual guidance, but had it, the MA propose would have met the narrow criteria intended to limit the precedence setting nature of allowing states to

modify in-season regulations to address lost fishing opportunity. The Policy Board did conclude that states could still submit proposed changes to their recreational measures following the guidelines outlined in the Commission's Conservation Equivalency Policy and Technical Guidance Document. This third version of the proposal, submitted July 17, does not alter the analysis but provides additional information to meet that document's standards for state conservation equivalency proposals, and adds the compromise approach of Option C. Given this history and that the submission of this third version meets the two-week cut-off for consideration prior to the next Board meeting, DMF is requesting that the Board chair use his discretion to allow its review and consideration for approval at the August 6 meeting of the Summer Flounder, Scup, and Black Sea Bass Management Board.

Analysis

On December 10, 2019, the Summer Flounder, Scup, and Black Sea Bass Management Board approved status quo recreational black sea bass management measures in state and federal waters for 2020. This meant a May 18–September 8 open season, 5 fish limit, and 15" minimum size limit for Massachusetts. As a consequence of the Governor's for-hire fishery closure, the Massachusetts for-hire fishery missed seven open fishing days of the 2020 recreational black sea bass season (i.e., May 18–May 24).

MRIP data for the past two years were used to estimate lost for-hire harvest due to the fishery closure and determine the conservationally equivalent number of days that could be added to the end of the season for for-hire activity (Tables 2–3). The average daily harvests per wave were calculated for both the most recent year (2019) and a two-year average (2018–2019). The premise of the analysis was to add an equivalent of seven Wave 3 days (the number of days lost) to the end of the season during Wave 5. Notably, Wave 3 had the highest daily catch rates, meaning that the equivalent number of Wave 5 days was larger than seven in all cases. Note that 2018 and 2019 are the only recent years in which the fishery was open during Wave 5 to provide harvest data. Less than a quarter of Wave 5 was open in either year which helps explain the high PSE values. During Wave 5 in 2018, 47 intercepts encountered black sea bass and 19 intercepts encountered black sea bass during 2019.

Option A

This option compares daily harvest rates in Wave 3 to rates in Wave 5 to determine the number of equivalent Wave 5 days to add at the end of the season (Tables 2–3). Using the 2-year average approach, closing seven days in Wave 3 provides for opening 65 days at Wave 5 harvest. This is more than the number of days that could possibly be opened in Wave 5 (53 days remaining). Massachusetts has no Wave 6 data with which to produce a daily harvest rate, but it can be assumed to be—at most—equal to Wave 5 given declining seasonal availability of black sea bass and fishing effort. Extending equally into Wave 6 would result in a conservationally equivalent season of May 25–November 12. Using 2019 data alone, closing seven days in Wave 3 provides for opening 39 days at Wave 5 harvest. This would result in a conservationally equivalent season of May 25–October 17.

Under Option A, DMF is proposing a season extension until October 31 only. This is mid-way between the 2-year and 1-year approaches' results. The Technical Committee has in recent years supported an averaging approach for seasonal revisions through conservation equivalency (which would provide for additional open days). However, opening in Wave 6 is not anticipated to provide much benefit to the industry and could provide for spurious MRIP harvest estimates with few intercepts. This choice also recognized the high PSE values for the Wave 5 harvest estimates used for analysis. Extending the season further into Wave 5 should help improve the precision of the estimates.

While the Wave 3:5 exchange rates are substantial, differential harvest between the waves is not unexpected. The commencement of the recreational black sea bass season in Massachusetts in mid-May

is much anticipated, with large aggregations of fish available in shallow waters nearshore and favorable weather producing high effort and high catch rates. Delayed season openings in several other northeast states until mid-June further drives for-hire business in May and early June in Massachusetts.

Harvest rates in Wave 5 are also not anticipated to be constant throughout the proposed season extension, but rather drop off steeply with declining local availability of fish and fishing effort at the onset of fall. While there are no data that explicitly describe the expected harvest rates through the end of Wave 5 (the fishery has not been open during this time due to regulations), weekly harvest rates across modes are typically near annual lows at the beginning of Wave 5 (Figure 1). Also of note is that for-hire activity contributes less than 15% to the state's total recreational black sea bass harvest on average for 2017–2019.

Option B

An alternative approach is also proposed as a strategy to satisfy Technical Committee concerns to avoid using the Wave 5 data with high PSEs. The assumption under this conservative approach is that Wave 4 daily catch rates during 2018 and 2019 could serve as representative proxies for the Wave 5 rates during 2020. The Wave 4 data had lower PSEs than Wave 5 (55.2 in 2018 and 34.1 in 2019; Table 2). The Option B analysis estimated that 13 additional days could be added to the end of the season using the average 2018-2019 daily harvest rates and 8 days could be added using the 2019 rates alone (Table 3). Under this proposal, 13 additional days would be added to the end of the season, representing the average daily harvest rate from 2018 and 2019; in the past, averaging years has been supported by the TC. The Option A proposed extension of 53 days was between the 2018/2019 average daily harvest rate and the 2019 rate alone (Tables 2 and 3). Option A did not propose to use the 2018/2019 average because there was little benefit to the fishery of remaining open into November and because the end of a wave was a convenient marker for closing the fishery; these factors did not apply to the Option B proposal.

Option C

DMF requests the Board approve a preferred Option C that is not based on a specific analysis but falls between Options A and B in the length of the season extension. DMF appreciates the concerns of the Technical Committee about the use of high PSE catch data, but it is reasonable to assume that given the seasonal pattern of declining landings after Labor Day caused by offshore migrations of black sea bass, decreasing catch rates, decreasing angler participation, and decaying weather conditions, Wave 5 landings will invariably be lower than Wave 4. DMF's Option C is a compromise option that falls in between the two disparate Options: A (53 days) and B (13 days). This option would extend the fishery for just 30 days through October 9, the last open fishing day for summer flounder, thereby resulting in for-hire anglers being able to enjoy the retention of two species that are commonly targeted and retained together.

Summary

Options A and B represent two disparate outcomes with Option B being sensitive to the comfort level of the Technical Committee. DMF has presented these and highlighted their challenges and has recommended a compromise option for Board consideration for extending Massachusetts' for-hire fishing season during Wave 5 for 30 days to accommodate for-hire vessel operators and anglers who were closed out of the fishery due to the COVID-19 pandemic in May when sea bass fishing is at its peak in the Commonwealth.

Table 2. Massachusetts wave-specific daily for-hire harvest rates, # of fish (MRIP query date 5/18/20)

	Wave 3	Wave 4	Wave 5
2018 For-hire Harvest, # fish (PSE)	36,083 (22.2)	13,659 (55.2)	455 (80)
# Open Days (May 19–Sep 12)	43	62	12
Daily Harvest Rate	839	220	38
2019 For-hire Harvest, # fish (PSE)	30,685 (24.1)	34,040 (34.1)	1,001 (106)
# Open Days (May 18–Sep 8)	44	62	8
Daily Harvest Rate	697	549	125
2018–2019 Avg. Daily For-hire Harvest	768	385	82
2019 Avg. Daily For-hire Harvest	697	549	125

Table 3. Calculation of conservationally equivalent for-hire season lengths for Options A and B.

	Exchange Rate	Days added in Wave 5 to account for 7 fewer days in Wave 3	Resulting Season Length
<i>Option A (Waves 3:5 Exchange Rate)</i>			
Two-year Average	9.424	65	May 25 – November 12
Most Recent Year	5.574	39	May 25 – October 17
Proposed	-	53	May 25 – October 31
<i>Option B (Waves 3:4 Exchange Rate)</i>			
Two-year Average	2.00	13	May 25 – Sep 21
Most Recent Year	1.27	8	May 25 – Sep 16
Proposed	-	13	May 25 – Sep 21

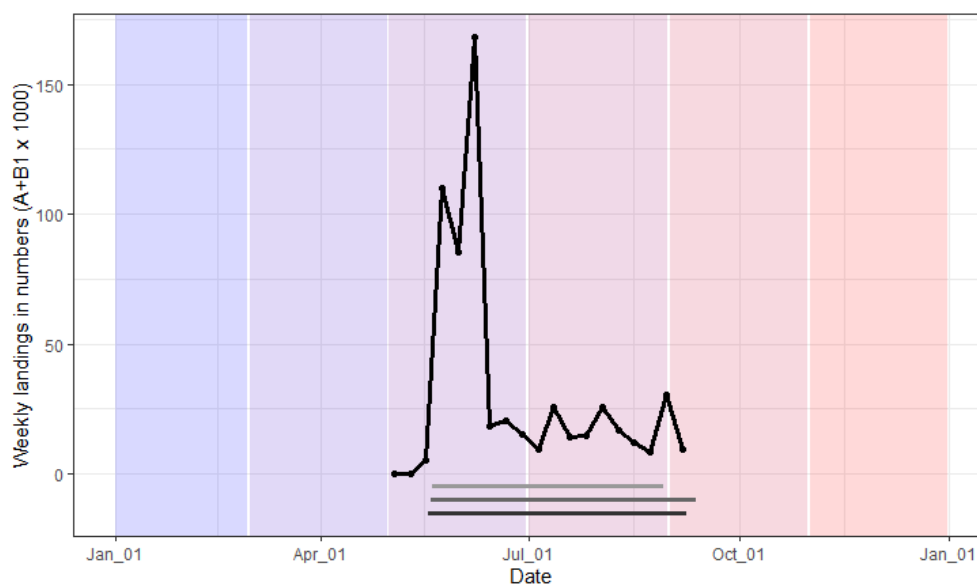


Figure 1. Average black sea bass harvest in numbers (given in thousands) by week over 2017-2019. Horizontal lines at the bottom of the figure indicate the season length in 2017 (top), 2018 and 2019 (bottom). Vertical rectangles indicate waves. Note that the harvest quantities provided are across all modes to increase the sample size.

Appendix 1.

Methods. The steps below outline the methodology used in this proposal for calculations leading to a conservationally equivalent season extension. Subscripts in the table below refer to the Option A approach; for Option B the reference to Wave 5 can be replaced with Wave 4.

Steps	Equation		Definitions
(1) Calculate the average daily harvest rate by wave for each year by dividing the total harvest in numbers in each year and wave by the number of days that were open in that year and wave.	$r_{w,y} = \frac{h_{w,y}}{d_{w,y}}$	$r_{w,y}$ w y $h_{w,y}$ $d_{w,y}$	Average daily harvest rate by wave and year. wave. Year. Total harvest in numbers during wave w of year y . Number of open days during wave w of year y .
(2) Calculate the average of the average daily harvest rates by wave across all years in the set.	$\bar{r}_w = \frac{1}{Y} \sum_{y=1}^Y r_{w,y}$	\bar{r}_w Y	Average harvest rate by wave over all y years Total number of years
(3) Calculate the exchange rate – the ratio of average daily harvest rate in wave 3 to average daily harvest rate in wave 5.	$x_{w3w5} = \frac{\bar{r}_{w=3}}{\bar{r}_{w=5}}$	x_{w3w5}	Exchange rate ratio (waves 3:5)
(4) Determine the number of additional days in wave 5 that account for the days lost during wave 3 (7 days were lost).	$\tilde{d}_{w5} = 7x_{w3w5}$	\tilde{d}_{w5}	Number of additional days during wave 5



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August 18, 2020

Marine Fisheries Advisory

NOAA Fisheries Enacts Final Interim Rule Extending Recreational Gulf of Maine Cod and Haddock Seasons

On August 13, 2020 NOAA Fisheries enacted a [final interim rule](#) to extend the recreational Gulf of Maine (GOM) cod and haddock seasons for the federal 2020 fishing year (May 1, 2020 – April 30, 2021). While specific details are provided below, in summary this action: 1) extends the fall for-hire recreational fishing season for GOM cod; 2) adds a springtime GOM cod recreational fishing season for all recreational anglers; and 3) extends the springtime GOM haddock recreational fishing season for all recreational anglers.

In response to this action, the Division of Marine Fisheries (DMF) is proceeding to implement complementary measures for state-waters. Given the late timing, the extended fall for-hire recreational fishing season for GOM cod will be implemented by conditioning all 2020 For-Hire Permits (see [Statement of Permit Conditions](#)). DMF then expects to implement the springtime adjustments to the recreational GOM cod and haddock seasons by regulation over this coming winter.

Gulf of Maine Cod

Prior to this federal rule change, the recreational GOM cod season was scheduled to occur from September 15 – September 30 with a one-fish per angler bag limit and 21” minimum size for all recreational anglers. With this rule change, the for-hire fishery has been extended an additional 14 days to September 8 – October 7; private recreational anglers will still be subject to a September 15 – September 30 season. Additionally, an April 1 – April 14 season has been added for both for-hire and private recreational anglers. During these open seasons, the one-fish per angler bag limit and 21” minimum size shall remain in effect.

The extended fall for-hire season is intended to allow the for-hire fleet to use the fall season to make up for the loss of access to the fishery in the spring. Travel and other COVID-related restrictions imposed by states in March and April effectively closed the for-hire fishery. While state restrictions of for-hire fishing have been lifted or modified, limits on the number of people who may gather remain in place and constrain the number of passengers for-hire vessels may accommodate.

FY2020 GOM Cod Recreational Fishing Limits			
Angler Mode	Open Season	Bag Limit	Minimum Size
Private Angler	September 15 – September 30	1 fish	21”
	April 1 – April 14	1 fish	21”
For-Hire Angler	September 8 – October 7	1 fish	21”
	April 1 – April 14	1 fish	21”

Gulf of Maine Haddock

Prior to this federal rule change, the recreational GOM haddock season was scheduled to occur from April 15 – February 28 with a 15-fish per angler bag limit and 17” minimum size for all recreational anglers. With this rule change, the fishery will be extended to include the entirety of April with the closed season only occurring from March 1 – March 31. No changes to the bag limit or size limit were made.

FY2020 GOM Haddock Recreational Fishing Limits			
Angler Mode	Open Season	Bag Limit	Minimum Size
Private Angler	April 1 – February 28	15-fish	17”
For-Hire Angler	April 1 – February 28	15-fish	17”

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



The Commonwealth of Massachusetts

Division of Marine Fisheries

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Commissioner

DANIEL J. MCKIERNAN
Director

August 18, 2020

STATEMENT OF PERMIT CONDITIONS AND LETTER OF AUTHORIZATION: EXTENSION OF 2020 FOR-HIRE RECREATIONAL GULF OF MAINE COD FALL SEASON

On August 13, 2020, NOAA Fisheries enacted a [final interim rule](#) to adjust recreational groundfish measures in the Gulf of Maine for the period of May 1, 2020 – April 30, 2021 (FY2020). This action adjusts the recreational fishing seasons for Gulf of Maine cod and haddock during the fall of 2020 and spring of 2021. Of specific interest, NOAA Fisheries has extended the for-hire recreational fall season for Gulf of Maine cod from September 15 – September 30 to September 8 through October 7. Consistent with this federal action, and in order to have these measures in place by the fall open season, the Division of Marine Fisheries (DMF) is adjusting its for-hire recreational fishing season for Gulf of Maine cod through this Letter of Authorization and Statement of Permit Conditions. Changes affecting recreational cod and haddock fishing in the Gulf of Maine in April 2021 will be implemented via regulation over the coming winter.

In accordance with the authority at G.L. c. 130, § 80 and 322 CMR 7.01(7) and 7.10(7), this Letter of Authorization and Statement of Permit Conditions is being applied to 2020 For-Hire Permits. Effective September 8, 2020, all 2020 For-Hire Permits are hereby exempt from the recreational Gulf of Maine cod fishing limits set forth at 322 CMR 6.03(4)(a), subject to the permit conditions enumerated below.

1. Anglers fishing aboard your vessel during for-hire trips may retain, possess, and land Gulf of Maine cod during the period of September 8, 2020 through October 7, 2020.
2. During this authorized period, anglers fishing aboard your vessel during for-hire trips shall not retain, possess, or land more than one Gulf of Maine cod per angler measuring at least 21” during any calendar day. If a multi-day for-hire trip is being conducted in federal waters then anglers may possess and land Gulf of Maine cod consistent with federal rules, as authorized at 322 CMR 6.03(4)(c).
3. These conditions shall only apply when taking patrons fishing on for-hire trips. This shall not apply to any private recreational fishing activity done by the permit holder or onboard the vessel named on the for-hire permit.

Except as explicitly provided herein, this Letter of Authorization and Statement of Permit Conditions does not exempt the permit holder from any marine fishery laws and regulations of the Commonwealth. This written authorization and the applicable 2020 Massachusetts’ For-Hire Permit shall be on board the vessel at all times while participating in this seasonal extension. This Statement of Permit Conditions shall remain in effect through October 7, 2020, unless otherwise

notified or sooner revoked for cause. Beginning October 8, 2020 anglers fishing aboard your vessel during for-hire trips shall be prohibited from retaining, possessing, or landing any Gulf of Maine cod.

The Director may amend this Statement of Permit Conditions at any time. Any amendments shall become effective upon written notice. Violation(s) of any condition or restriction as contained herein shall result in an adjudicatory hearing to suspend or revoke the for-hire permit, as well as any other fines and penalties provided in G.L. c.130.



Daniel J. McKiernan, Director
Division of Marine Fisheries

September 8, 2020
Effective Date

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NOAA Fisheries Sets 2020 Gulf of Maine Cod and Haddock Recreational Regulations in the Gulf of Maine

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August 13, 2020

NOAA Fisheries Sets 2020 Gulf of Maine Cod and Haddock Recreational Regulations in the Gulf of Maine

NOAA Fisheries is setting Gulf of Maine (GOM) cod and haddock recreational measures for 2020.

The recreational fishery for GOM cod and haddock is managed under the Northeast Multispecies Fishery Management Plan (FMP). The FMP includes a proactive

recreational accountability measure, which allows the Regional Administrator, in consultation with the New England Fishery Management Council, to develop recreational management measures for the fishing year to ensure that the recreational sub-annual catch limits (ACLs) are achieved, but not exceeded. We project that current measures for GOM cod and haddock can be liberalized somewhat without the 2020 recreational fishery's sub-ACLs being exceeded.

After consultation with the Council, we are making changes to Gulf of Maine cod and haddock management measures as shown in the table below:

	Haddock			Cod			
	Possession Limit	Minimum Size (inches)	Open Season	Possession Limit	Minimum Size	Open Season (Private)	Open Season (For-Hire)
Old Measures	15	17	May 1 – February 28, April 15 -30	1	21	September 15 - 30	September 15 - 30
New Measures	15	17	May 1 - February 28, April 1 - 30	1	21	September 15 - 30, April 1 - 14	September 8 - October 7, April 1 - 14

Read the [interim final rule](#) as filed in the *Federal Register* and our [bulletin](#).

Questions?

Fishermen: Contact [Spencer Talmage](#), Sustainable Fisheries, 978-281-9232

Media: Contact [Allison Ferreira](#), Regional Office, 978-281-9103

NOAA Fisheries Greater Atlantic Region (978) 281-9103, www.fisheries.noaa.gov/garfo



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Massachusetts Division of Marine Fisheries

Daniel J. McKiernan, Director

Policies, Procedures, and Guidelines

Review of Actively Fished Criteria for Limited Entry Permits and Regulated Fishery Permit Endorsements in Response to COVID-19 Pandemic

Introduction and Purpose: On March 10, 2020 Governor Baker declared an emergency in response to the COVID-19 pandemic. Over the following months, this emergency declaration imposed restrictions on certain business activities and established social distancing guidelines. While commercial fishing was deemed an essential business and was allowed to continue throughout the pandemic, some commercial fishermen made the personal decision to halt or reduce their commercial fishing activity to protect their own personal health. Additionally, the shutdown of restaurants contributed to a significant decline in demand for many local seafood products, impacting ex-vessel prices.

As a result, some fishermen may not actively fish their commercial permits this year, and this could impede their ability to conduct limited entry permit and endorsement transfers over the next five-years. This impediment would likely be felt most by older commercial permit holders who may be seeking to retire out of the fishery in the near future, and these same individuals are at a higher risk for developing more serious complications from the COVID-19 illness. Accordingly, this policy seeks to mitigate the potential constraining effect this pandemic may have on permit transfers.

Background: Pursuant to the authority at M.G.L. c. 130 s. 2, 17, 17A, and 80 and 322 CMR 7.01 and 7.06, the Director of the Division of Marine Fisheries (DMF) may control the issuance, renewal and transfer of commercial fishing permits and regulated fishery permit endorsements ("permit endorsements"). This authority includes, but is not limited to, enacting permit issuance moratoriums to limit entry into a fishery and prescribing the means and manners by which limited-entry permits and permit endorsements can be transferred.

Most commercially important fisheries at the federal and state level have adopted limited-entry rules where permit holders are limited in number and in most cases include only those persons or vessels that have past participation in the fishery and remain active. This approach is known as an "input control" where the number of participants or vessels is controlled in an attempt to limit harvest or fishing

mortality. In contrast, “output control” measures are direct controls on total harvest, known as hard quotas.

Since the 1970’s these programs have been a key component of DMF’s inshore fisheries management strategy. In the Commonwealth, limited-entry began in the 1970’s with limits on Coastal Lobster permits and tuna purse seine permit endorsements. In the past three decades, permits and endorsements for many other gears and/or species have become limited-entry (see table 1).

Table 1. List of limited-entry permits/endorsements and the date limited-entry was established for that gear or species.

Gear Endorsements		Species Endorsements	
Limited-entry Fishery	Limited-entry Date	Limited-entry Fishery	Limited-entry Date
Bluefin Tuna Purse Seine	1974	Coastal Lobster Permit	1975
Bluefish Gillnet	1983	Fluke	1999
Sink Gillnet	1992	State Waters Groundfish	2006
Fish Pot – Scup	1990	Horseshoe Crab	2008
Fish Pot – Sea Bass	1987	Black Sea Bass	2012
Fish Pot – Conch	1990	Menhaden	2013
Quahog Dredge	1993	Tautog	2020
Surf Clam Dredge	1993		
Bay Quahog Dredge	2001		
Coastal Access Permit	1992		

After limiting entry, managers usually accommodate new participants into the industry through some means (e.g. transfers); otherwise, the fishery would become extinct with retirement of the last participant. Consequently, permit/endorsement transfers are usually considered essential to allow ingress and egress into and out of the industry once managers achieve some optimal level of participation. Transfers of limited-entry permits or endorsements are conducted under regulations and policies established by the Division.

Permit transfers require the permit holder to contact DMF in writing, have the agency determine the permit and/or permit endorsements’ eligibility for transfer, and then complete a form with notarized signatures between the holder and the intended recipient. To determine transfer eligibility, DMF reviews dealer and harvester reported commercial landings to determine if the fishermen met the actively fished criteria, as established at 322 CMR 7.03(2) and (7) for Coastal Lobster permits and 322 CMR 7.06(4) for all limited-entry permit endorsements. To be considered actively fished, the permit holder must have reached sold some quantity of fish (“activity threshold”) in four out of the past five years; the specific activity threshold for each permit or permit endorsement is further specified in regulation and policy.

Policy: When reviewing the four out of the past five-year lookback period to determine if a permit transfer meets the requisite actively fished criteria, DMF will not include data from calendar year 2020, unless so requested by the transferee. Instead, the lookback period will extend back-in-time one-year prior to the terminus where it would have otherwise concluded. This policy shall expire on January 1, 2026.

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Northeast observer redeployment webinar recording now available

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August 13, 2020

Webinar recording available through August 19

Northeast observer redeployment

Northeast fisheries observer redeployment begins on August 14. If you missed our webinar for fishermen on the redeployment, you can listen to it online through August 19. To get access, please email us at ne.observerprogram@noaa.gov.

More information on the redeployment is posted on [our webinar event site](#).

Questions?

Contact: [Kathryn McArdle](#), [Ken Keene](#) or [Sara Weeks](#)

Northeast Fisheries Science Center, (508) 495-2239, www.nefsc.noaa.gov



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Atlantic States Marine Fisheries Commission

2020 Summer Meeting Webinar Summary

Sustainable and Cooperative Management of Atlantic Coastal Fisheries

2020 Summer Meeting Webinar
August 3-6, 2020

Toni Kerns, ISFMP, or
Tina Berger, Communications
For more information, please contact
the identified individual at
703.842.0740

Meeting Summaries, Press Releases and Motions

TABLE OF CONTENTS:

ATLANTIC STRIPED BASS MANAGEMENT BOARD (AUGUST 3 & 4, 2020)	3
<i>Press Release</i>	<i>3</i>
<i>Meeting Summary</i>	<i>4</i>
<i>Motions</i>	<i>4</i>
ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM COORDINATING COUNCIL (AUGUST 3, 2020).....	5
<i>Meeting Summary</i>	<i>5</i>
<i>Motions</i>	<i>5</i>
SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (AUGUST 3, 2020)	6
<i>Meeting Summary</i>	<i>6</i>
<i>Motions</i>	<i>7</i>
SHAD & RIVER HERRING MANAGEMENT BOARD (AUGUST 4, 2020).....	7
<i>Press Release</i>	<i>7</i>
<i>Meeting Summary</i>	<i>9</i>
<i>Motions</i>	<i>10</i>
ATLANTIC MENHADEN MANAGEMENT BOARD (AUGUST 4 & 5, 2020)	11
<i>Press Release</i>	<i>11</i>
<i>Motions</i>	<i>12</i>
EXECUTIVE COMMITTEE (AUGUST 5, 2020)	12
<i>Meeting Summary</i>	<i>12</i>
<i>Motions</i>	<i>13</i>

INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD (AUGUST 5, 2020).....	13
<i>Meeting Summary</i>	13
<i>Motions</i>	14
ATLANTIC HERRING MANAGEMENT BOARD (AUGUST 5, 2020)	15
<i>Meeting Summary</i>	15
<i>Motions</i>	15
ASMFC BLUEFISH MANAGEMENT BOARD & MID-ATLANTIC FISHERY MANAGEMENT COUNCIL (AUGUST 6, 2020).....	15
<i>Meeting Summary</i>	15
<i>Motions</i>	16
ASMFC SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD & MID-ATLANTIC FISHERY MANAGEMENT COUNCIL (AUGUST 6, 2020)	17
<i>Meeting Summary</i>	17
<i>Motions</i>	18

ATLANTIC STRIPED BASS MANAGEMENT BOARD (AUGUST 3 & 4, 2020)

Press Release

ASMFC Atlantic Striped Bass Board Initiates Amendment 7 to Address Longstanding Fishery Management Issues

Arlington, VA – The Commission’s Atlantic Striped Bass Management Board initiated the development of an Amendment to the Interstate Fishery Management Plan. As the first step in the development of a new FMP or amendment, the Public Information Document (PID) will focus on the following management topics: (1) fishery goals and objectives; (2) stock rebuilding/timeframe; (3) management triggers; (4) biological reference points; (5) regional management (recreational measures, coastal and producer areas, regional reference points); (6) recreational discard mortality; (7) conservation equivalency; (8) recreational accountability; and (9) coastal commercial quota allocation. The purpose of the PID is to solicit stakeholder input on prioritizing the importance of each topic for continued development and inclusion in the Draft Amendment.

“Now that Addendum VI measures are in place and stock rebuilding has been initiated, the Board can focus on addressing a number of issues that have been at the forefront of striped bass management for a long time,” stated Board Chair David Borden of Rhode Island.

Between the Spring and Summer Meetings, a Work Group of Board members met to discuss significant issues facing striped bass management. The Board agreed that all of the issues discussed by the Work Group are extremely important and complex, and deserve significant thought and consideration. Furthermore, the prioritization of issues to be addressed by the Amendment should be guided by stakeholder input.

“Given it’s been 17 years since the Board last considered a new plan amendment to the striped bass management program, the Board intends to be very thoughtful and deliberative as it proceeds with the development of this Amendment,” stated Mr. Borden. “It’s important that we provide the public with sufficient background information in order to solicit effective feedback from all stakeholders and ensure the Draft Amendment addresses the most pressing issues at this time.”

During its deliberations, Board members discussed the importance of addressing discard mortality in recreational striped bass fisheries given discards significantly contribute to total fishing mortality. As a result, the Board tasked the Plan Development Team and Technical Committee to review factors limiting the accuracy of discard mortality estimates for stock assessment purposes, and to identify potential actions that could improve understanding or help reduce discard mortality in the fishery.

The Work Group Report, which can be found [here](#), will serve as the foundation of the Draft PID. The Board will review the first draft of the PID at the Commission’s Annual Meeting in October. At that meeting, the Board will determine if the PID is ready to be sent out for public comment or if further modifications to the document are needed. Given current, and possibly future, meeting restrictions due to COVID-19, public hearings may be conducted via webinar.

For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at mappelman@asmfc.org or 703.842.0740.

PR20-16

Meeting Summary

The Atlantic Striped Bass Management Board reviewed and approved the 2019 Fishery Management Plan Review and compliance report. It also reviewed the Striped Bass Board Work Group Report, which describes significant issues facing striped bass management. The Board supported inclusion of the Work Group's recommendations in the Public Information Document for the newly initiated amendment (see above press release).

The Board considered two postponed motions from previous meetings. The first postponed motion (and its amended motion) addressed the initiation of the amendment (see above press release). The second postponed motion, which considered accountability measures for states that do not achieve their predicted reduction in 2020 relative to Addendum VI measures, was postponed indefinitely with the recognition that evaluating 2020 recreational fishery performance will be difficult due to the data limitations caused by COVID-19. Recreational accountability will also be addressed in the newly initiated amendment.

Lastly, the Board elected Martin Gary (PRFC) as Vice Chair of the Atlantic Striped Bass Management Board. For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at mappelman@asmfc.org or 703.842.0740.

Motions

Move to approve the 2020 Fishery Management Plan Review and state compliance reports for Atlantic striped bass.

Motion made by Mr. Hasbrouck and seconded by Ms. Patterson. Motion stands approved without objection.

Postponed Motions from April 2019

Main Motion

Move to initiate an Amendment to the Atlantic Striped Bass Fishery Management Plan to address the needed consideration for change on the issues of fishery goals and objectives, empirical/biological/spatial reference points, management triggers, rebuilding biomass, and area-specific management. Work on this amendment will begin upon the completion of the previously discussed addendum to the management plan.

Motion postponed indefinitely.

Motion to Amend

Move to amend to add reallocation of commercial quota between states.

Motion postponed indefinitely.

Move to postpone indefinitely the motions made during the April 2019 meeting of the Board.

Motion made by Mr. Luisi and seconded by Dr. Davis. Motion is adopted by consensus.

I move to initiate an Amendment to the Atlantic Striped Bass Fishery Management Plan focused on the following management topics: (1) fishery goals and objectives; (2) stock rebuilding/timeframe; (3) management triggers; (4) biological reference points; (5) regional management (recreational measures, coastal and producer areas, regional reference points); (6) recreational discard mortality; (7) conservation equivalency; (8) recreational accountability; and (9) coastal commercial quota allocation. Each of these topics will be presented in a Public Information Document in order to solicit

stakeholder comment focused on prioritizing the importance of each topic for continued development and inclusion in the Amendment.

Motion made by Mr. Luisi and seconded by Ms. Ware. Motion passes (15 in favor, 1 opposed).

Motion to Amend

Move to amend to remove part 9: coastal commercial quota allocation from the initial motion.

Motion made by Mr. Hasbrouck and seconded by Dr. Davis. Motion fails (2 in favor, 12 opposed, 2 abstentions).

Move to task the Plan Development Team/Technical Committee to begin developing methods to better understand discards in the fishery

Motion made by Mr. Reid and seconded by Mr. Gary. Motion passes (15 in favor).

Move to elect Marty Gary as Vice Chair of the Atlantic Striped Bass Management Board.

Motion made by Ms. Ware and seconded by Mr. Miller. Motion passes.

Postponed Motion from February 2020

Move to task the Plan Review Team to review state reductions in the Fishery Management Plan Review of the 2020 fishing year. If a state is below their predicted target reduction, the Board may direct a state to modify measures for the following fishing year to achieve the target reduction.

Move to postpone indefinitely, with the intention to address accountability in the initiated amendment.

Motion made by Ms. Ware and seconded by Dr. Davis. Motion passes (12 in favor, 1 opposed, 1 abstention, 1 null).

ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM COORDINATING COUNCIL (AUGUST 3, 2020)

Meeting Summary

The ACCSP Coordinating Council met to review the governance survey results and receive updates on committee and program activities. As part of the consent agenda, the Council also approved minutes from its May 2020 meeting. The Council noted the governance transition has successfully improved ACCSP visibility among partners and stakeholders and allowed for full integration with ASMFC management and science programs. The majority of respondents feel better informed, engaged, and invigorated. This change is due to both ASMFC integration and ACCSP leadership. All respondents agree ACCSP is advancing its mission to produce dependable and timely marine fishery statistics for Atlantic coast fisheries that are collected, processed, and disseminated according to common standards agreed upon by all program partners.

The Council voiced appreciation of the monthly committee newsletters and distribution of program updates with meeting materials. ACCSP remains on track to address items in the 2020 Action Plan.

For more information, please contact Geoff White, ACCSP Director, at Geoff.white@accsp.org or 703.842.0740.

Motions

No motions made.

SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (AUGUST 3, 2020)

Meeting Summary

The South Atlantic State/Federal Fisheries Management Board (Board) met to consider Cobia Draft Addendum I for public comment, approve a cobia commercial trigger for the 2020 fishing year, discuss timelines for implementing upcoming actions, and approve Terms of Reference for the 2020 Red Drum Simulation Assessment.

Atlantic Cobia Draft Addendum I

The Board approved for public comment Draft Addendum I to Amendment 1 to the Interstate Fishery Management Plan (FMP) for Atlantic Migratory Group Cobia (Atlantic cobia). The Draft Addendum was initiated in response to the 2020 harvest specification, which established a new total harvest quota based on the results of the 2020 Atlantic cobia benchmark stock assessment. Under Amendment 1, 92% of the total quota is allocated to the recreational fishery, and 8% is allocated to the commercial fishery.

The Draft Addendum proposes strategies that could reduce commercial percent allocations, without reducing the commercial quota below its 2019 level (50,000 pounds). Options for lower commercial allocations were proposed because of a large increase in the 2020-2022 total quota, which resulted in a larger commercial quota (as 8% of the total). The higher overall quota is due, in part, to the increase in recreational catch estimates that resulted from the 2018 calibration of recreational data to the new, mail-based Fishing Effort Survey conducted by the Marine Recreational Information Program. The updated recreational data were incorporated into the 2020 assessment, which estimated a greater abundance of fish than the previous assessment and provided the basis for the 2020-2022 total quota.

The Draft Addendum additionally proposes changes to the calculation of the commercial trigger (determines whether an in-season coastwide commercial closure occurs) and *de minimis* measures (applied to states with relatively little commercial or recreational harvest). The current trigger calculation method is dependent on recent harvests meeting the current or upcoming quota. Proposed changes to the commercial trigger would allow this trigger to be calculated based on harvests in the most recent 5 years, regardless of the size of the harvests relative to a quota. Proposed changes to *de minimis* measures include consideration of a cap on the amount of the commercial quota that can be set aside to account for harvest in commercial *de minimis* states as well as increasing the alternative recreational minimum size limit, which can be adopted by recreational *de minimis* states that choose not to adopt the measures of a neighboring or nearest non-*de minimis* state.

It is anticipated that states from New Jersey through Georgia will conduct public hearings on the Draft Addendum via webinar; a subsequent press release will announce the details of those hearings once they become finalized.

Commercial Trigger

In May 2020, the Cobia Technical Committee (TC) submitted a memo to the Board describing an alternative method for calculation the commercial trigger. Development of this method was necessary because the method described in Amendment 1 requires recent harvests to meet the current or upcoming quota, which is not the case for the commercial quota resulting from the 2020 harvest specification. Therefore, the TC developed a more flexible alternative method that can be applied regardless of past harvest levels relative to a quota. The Board approved this method for use in 2020, setting a commercial trigger of 135,422 pounds. If the non-*de minimis* (Virginia-South Carolina)

commercial harvest tracked in-season meets or exceeds this amount, a coastwide commercial closure would begin 30 days later. As of July 30, harvest among non-*de minimis* states was 29,488 pounds. Virginia and North Carolina have agreed to close their commercial fisheries if their cumulative harvest reaches 73,000 pounds.

Atlantic Cobia Implementation Timelines

The Board discussed upcoming timelines related to implementation of the new cobia harvest quotas from the 2020 specification, along with any potential changes to allocations from Draft Addendum I (considered for final approval in October 2020), so that state measures reflective of these quotas can be implemented in 2021. This involves submission of implementation plans shortly after the October Board meeting, then review by the Cobia Technical Committee and Board via email or webinar before the end of 2020.

Red Drum Terms of Reference

Finally, the Board approved Terms of Reference for the Red Drum Simulation Assessment. The Simulation Assessment will simulate a population with the characteristics of red drum then apply and compare performance of multiple stock assessment models to determine the most appropriate model to be used in the next benchmark stock assessment. The Simulation Assessment will undergo a peer review specific to that project prior to the next benchmark assessment.

For more information, please contact Toni Kerns, ISFMP Director, at tkerns@asmfc.org or 703.842.0740.

Motions

Move to approve Cobia Draft Addendum I to Amendment 1 for public comment as modified today.

Motion made by Mr. Batsavage and seconded by Dr. Rhodes. Motion approved by consent.

Move to approve a Cobia Commercial Trigger of 135,422 pounds for 2020. If commercial harvest estimated through in-season monitoring meets or exceeds this amount, a coastwide commercial closure for the remainder of the year will begin 30 days later.

Motion made by Mr. Geer and seconded by Mr. Bell. Motion is approved by consensus.

Move to approve Terms of Reference for the Red Drum Simulation Assessment as presented.

Motion made by Mr. Bell and seconded by Mr. Estes. Motion stands approved by consensus.

SHAD & RIVER HERRING MANAGEMENT BOARD (AUGUST 4, 2020)

Press Release

American Shad Benchmark Stock Assessment and Peer Review Find Coastwide Abundance Remains Depleted

Arlington, VA – The 2020 American Shad Benchmark Stock Assessment and Peer Review Report indicate American shad remain depleted on a coastwide basis. Multiple factors, such as overfishing, inadequate fish passage at dams, predation, pollution, water withdrawals, channelization of rivers, changing ocean conditions, and climate change are likely responsible for shad decline from historic abundance levels. Additionally, the assessment finds that shad recovery is limited by restricted access to spawning habitat.

Current barriers partly or completely block 40% of historic shad spawning habitat, which may equate to a loss of more than a third of spawning adults. The “depleted” determination was used instead of “overfished” because the impact of fishing on American shad stocks cannot be separated from the impacts of all other factors responsible for changes in abundance. The benchmark assessment was endorsed by the Peer Review Panel and accepted by the Shad & River Herring Management Board (Board) for management use.

“On behalf of the Board, I want to commend the members of the Shad Technical Committee and Stock Assessment Subcommittee for their outstanding work on the 2020 Benchmark Stock Assessment Report,” stated Board Chair Dr. Michael Armstrong from Massachusetts. “This is a considerable body of work that substantially advances our understanding of the challenges facing American shad stocks along the Atlantic coast. It certainly has given the Board a lot to think about regarding next steps in management to improve population resiliency. Given the stock-specific nature of shad management, the Board has tasked the Technical Committee with identifying potential paths forward to improve shad stocks along the coast considering the assessment results.”

Coastwide adult mortality is unknown, but was determined to be unsustainable for some system-specific stocks, indicating the continued need for management action to reduce adult mortality. Specifically, adult mortality was determined to be unsustainable for three stocks – Connecticut, Delaware, and Potomac – and sustainable for five stocks – Hudson, Rappahannock, York, Albemarle

Summary of American Shad Stock & Habitat Conditions				
System	Historic Riverine Habitat Currently Unobstructed	Abundance Trends (2005-2017)	Adult Status*	
			Total Mortality Rate	Abundance
Merrymeeting Bay	50.02%	YOY: No trend Adults: No data	Unknown	Unknown
Merrimack	17.83%	YOY: No data Adults: Increasing trend	Unknown	Unknown
Pawcatuck	19.21%	YOY: No data Adults: Increasing trend	Unknown	Unknown
Connecticut	45.19%	YOY: No trend Adults: Conflicting trends between indices (1 increasing, 1 no trend)	Unsustainable	Unknown
Hudson	89.24%	YOY: No trend Adults: No trend	Sustainable	Depleted
Delaware	72.05%	YOY: No trends (2 indices) Adults: Conflicting trends between indices (1 increasing, 1 no trend)	Unsustainable	Unknown
Nanticoke	100%	YOY: Declining trend Adults: No trends (2 indices)	Unknown	Unknown
Susquehanna & Upper Chesapeake	4.38%	YOY: No trend Adults: No trends (2 indices)	Unknown	Unknown
Patuxent	100%	YOY: No data Adults: No trend	Unknown	Unknown
Potomac	90.02%	YOY: No trend Adults: No trends (2 indices)	Unsustainable	Unknown
Rappahannock	95.98%	YOY: Increasing trend Adults: No trends (2 indices)	Sustainable	Unknown
York	87.42%	YOY: Conflicting trends between indices (1 increasing, 2 no trends) Adults: No trend	Sustainable	Unknown
James	72.77%	YOY: No trend Adults: No trends (2 indices)	Unknown	Unknown
Albemarle Sound	58.92%	YOY: Increasing trend Adults: Conflicting trends between indices (2 no trends, 1 increasing)	Sustainable	Not overfished
Tar-Pamlico	75.68%	YOY: No data Adults: No trend	Unknown	Unknown
Neuse	90.05%	YOY: No data Adults: Conflicting trends between indices (1 increasing, 1 no trend)	Sustainable	Unknown
Cape Fear	46.59%	YOY: No data Adults: Increasing trends (2 indices)	Unknown	Unknown
Winyah Bay	73.13%	YOY: No data Adults: Conflicting trends (1 increasing, 2 no trend)	Unknown	Unknown
Santee-Cooper	20.95%	YOY: No data Adults: Conflicting trends between indices (1 increasing, 2 no trend)	Unknown	Unknown
ACE Basin	82.28%	YOY: No data Adults: No trend	Unknown	Unknown
Savannah	59.19%	YOY: No data Adults: No trends (2 indices)	Unknown	Unknown
Altamaha	82.24%	YOY: No data Adults: Conflicting trends between indices (1 increasing, 1 no trend)	Unknown	Unknown
St Johns	90.04%	YOY: No trend Adults: Increasing trend	Unknown	Unknown
Coastwide	55.42%	YOY: NA Adult: Conflicting trends between indices	Unknown	Depleted

* The status determinations identified in the table for total mortality and abundance are for adults only. System-specific data on juvenile American shad as they transition from young-of-the-year (YOY) to mature spawning adults are unavailable, which can impact overall status determinations.

Sound, and Neuse (see table on page 2 for information by system). The terms “sustainable” and “unsustainable” were used instead of “not overfishing” and “overfishing” because fishing mortality cannot be separated from other components contributing to total mortality. Though adult mortality was determined to be sustainable for some system-specific stocks, it is important to note that maintaining sustainable adult mortality will not result in favorable abundance status if juvenile mortality is unsustainable. Unfortunately, juvenile mortality status cannot be determined due to insufficient data collection in all systems; without these determinations, significant uncertainty remains in assessment advice for management of American shad. Thus, the recovery of American shad will need to address multiple factors including anthropogenic (human-caused) habitat alterations, predation by non-native predators, and exploitation by fisheries. The assessment also highlights the need for stock composition monitoring data in order to separate the impacts of fishing from other factors driving American shad population dynamics in future stock assessments.

In evaluating the stock assessment, the Peer Review Panel stated, “It is noteworthy that the amount of new data, particularly following recommendations of the last benchmark assessment, and the level of new analyses takes the assessment up a significant level from prior benchmarks, and reflects a culmination of understanding of the species and attempts to manage it.” Further, the Panel noted two systems (Potomac and Albemarle Sound) had sufficient data for use in data-rich statistical catch-at-age models and, for the first time, a coastwide habitat assessment of continental waters was undertaken, with specific reference to dams and passage as impediments to sustainable stocks. Finally, the Panel stated, “there is growing recognition that the suite of in-river predators on juvenile shad is shifting, due to introductions/invasions of non-native species such as various catfishes, pike, black bass, snakeheads, etc. Predators can have a disproportionately large impact on year class success when fish populations are at such low levels, as is currently the case, threatening resilience.”

A more detailed overview of the stock assessment, as well as the Benchmark Stock Assessment and Peer Review Report will be available on the Commission website, www.asmfc.org, on the Shad and River Herring webpage under stock assessment reports. For more information, please contact Caitlin Starks, Fishery Management Coordinator, at cstarks@asmfc.org or 703.842.0740.

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PR20-14

Meeting Summary

The Shad and River Herring Management Board (Board) met to consider acceptance of the 2020 American Shad Benchmark Stock Assessment and Peer Review Report (see above press release), consider state proposals to resolve management inconsistencies with Amendments 2 and 3 to the Interstate Fishery Management Plan (FMP), receive updates on the Technical Expert Working Group for River Herring (TEWG) and the status of shad habitat plan updates, and elect a Vice Chair to the Board.

After considering and accepting the 2020 American Shad Benchmark Assessment and Peer Review Report, the Board also considered a number of proposals to resolve management inconsistencies with Amendments 2 (river herring) and 3 (shad), which were identified by the Technical Committee (TC) in October 2019. These inconsistencies included tributaries not being explicitly addressed in existing sustainable fishery management plans (SFMPs), rivers remaining open to harvest with an SFMP but without sufficient monitoring, and rivers open to recreational harvest without an SFMP and/or monitoring, but where little or no harvest is suspected. Proposals to update existing SFMPs, implement new SFMPs or alternative management plans (AMPs), and/or modify harvest regulations were

presented for Maine, New Hampshire, the Delaware River Basin, the State of Delaware, North Carolina, South Carolina, Georgia, and Florida. Consistent with the TC recommendations and Advisory Panel support for the proposed management programs, the Board approved all proposals presented. The TC will continue to develop recommendations for improvements to the FMP to provide additional guidance for sustainability metrics, SFMP and AMP requirements, and incorporating stock assessment information.

In addition to the state proposals, New Hampshire informed the Board that low river herring passage in 2019 and 2020 has resulted in noncompliance with the SFMP fishery-independent sustainability target of a 3-year average return to New Hampshire coastal rivers of 72,450 river herring. New Hampshire reported that the target was not met due to fish counter malfunctions and other variables resulting in gross underestimations of run counts at the Cocheco River Fishway and Pickpocket Dam on the Exeter River. Based on this information, New Hampshire requested an exemption from their River Herring SFMP requirement to close the fishery in 2020. The state plans to close the river herring season in 2021 and remain closed until the 3-year average reaches the target for river herring returns. The TC supported this approach, and the Board agreed to grant the exemption for the 2020 fishery.

Next, staff provided two updates on the River Herring Technical Expert Working Group (TEWG) activities. First, NOAA Fisheries has secured funding for a contractor to work on revising the River Herring Conservation Plan produced by the TEWG in 2015. The goal of this work will be to update and synthesize information on river herring threats, data and research needs, and recommended conservation actions into one document to support management, conservation, and restoration efforts for river herring along the Atlantic coast. Second, a new name for the TEWG is under consideration to better reflect the change in the group's function from a work-based group to an information exchange forum.

Staff also updated the Board on the status of the American shad habitat plans, which are required by Amendment 3. In October 2019, the Board requested the states update existing plans and produce new plans for the Hudson and Merrimac Rivers, however, the states have encountered delays due to COVID-19. Therefore, the Board agreed to delay the review of updated plans to the ASMFC 2021 Winter Meeting.

Finally, the Board elected Dr. Justin Davis from Connecticut to the role of Vice Chair. For more information, please contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org or 703.842.0740.

Motions

Move to accept the 2020 American Shad Benchmark Stock Assessment and Peer Review Report for management use.

Motion made by Mr. Keliher and seconded by Ms. Patterson. Motion accepted by consensus.

Move to task the Technical Committee with identifying for the Board potential paths forward to improve shad stocks given the results of the stock assessment.

Motion made by Mr. Keliher and seconded by Mr. Hasbrouck. Motion passes by consensus.

Move to approve the state proposals for shad and river herring management as presented today.

Motion made by Ms. Fegley and seconded by Mr. Woodward. Motion passes by consensus.

Move to approve New Hampshire’s request for an exemption from their River Herring SFMP requirement to close the fishery in 2020 based on data indicating that passage counts for the most recent three-year average did not meet the sustainability target of 72,450 fish. This exemption is based on explanatory information supporting the claim that passage counts are low due to equipment failure and other variables, rather than true fish passage numbers.

Motion made by Ms. Patterson and seconded by Mr. Miller. Motion passes by consensus.

Move to elect Dr. Justin Davis as Vice Chair of the Shad and River Herring Management Board.

Motion made by Mr. Kane and seconded by Mr. Abbott. Motion carries by consensus.

ATLANTIC MENHADEN MANAGEMENT BOARD (AUGUST 4 & 5, 2020)

Press Release

ASMFC Atlantic Menhaden Board Adopts Ecological Reference Points

Arlington, VA – The Atlantic Menhaden Management Board approved the use of ecological reference points (ERPs) in the management of Atlantic menhaden. By adopting ERPs, the Board will be accounting for the species’ role as an important forage fish. The 2020 Atlantic menhaden benchmark assessments, which were endorsed by an independent panel of fisheries scientists, used the Northwest Atlantic Coastal Shelf Model of Intermediate Complexity for Ecosystems (NWACS-MICE) in combination with the single-species model (Beaufort Assessment Model or BAM) to develop Atlantic menhaden ERPs by evaluating trade-offs between menhaden harvest and predator biomass.

“The Board took another important step in managing Atlantic menhaden in a broader ecosystem context,” stated Board Chair Spud Woodward of Georgia. “It’s the culmination of more than a decade of effort by state, federal, and academic scientists to develop ERPs that reflect menhaden’s role as a key food source for several fish species. These ERPs are not a silver bullet to resolve all our fisheries management issues, and the models on which they are based will continue to evolve. However, the use of ERPs for menhaden management will enhance the success of predator management by providing a more abundant forage base for rebuilding predator fish populations. It is important for us to keep those rebuilding efforts on track through the use of proven management tools such as controls on fishing mortality.”

In February and May, the Board tasked the ERP Work Group with additional analyses to explore the ERPs sensitivity to a range of ecosystem scenarios (different assumptions about fishing mortality for other key predator and prey species) and Atlantic herring biomass. These analyses suggested the original scenario (ERP target and threshold outlined below) most closely approximates short-term conditions for the ecosystem. As a result, the ERP Work Group recommended using the original scenario ERPs presented in the assessment report. Moving forward, the ERPs for Atlantic menhaden are:

ERP target: the maximum fishing mortality rate (F) on Atlantic menhaden that sustains Atlantic striped bass at their biomass target when striped bass are fished at their F target

ERP threshold: the maximum F on Atlantic menhaden that keeps Atlantic striped bass at their biomass threshold when striped bass are fished at their F target

Atlantic striped bass was the focal species for the ERP definitions because it was the most sensitive predator fish species to Atlantic menhaden harvest in the model, so an ERP target and threshold that sustained striped bass would likely provide sufficient forage for other predators under current ecosystem conditions. For the development of the ERPS, all other focal species in the model (bluefish, weakfish, spiny dogfish, and Atlantic herring) were assumed to be fished at 2017 levels.

In addition to adopting ERPs, the Board discussed setting fishery specifications for 2021-2022. In 2017, the Board set the total allowable catch (TAC) at 216,000 metric tons for 2018-2019, and then maintained that TAC for 2020 with the expectation that it would be set in future years using ERPs. With the adoption of ERPs, the Board tasked the Atlantic Menhaden Technical Committee to run a projection analysis to provide a variety of TAC scenarios and their risk of exceeding the ERP F target to compare in setting specifications for 2021-2022. The Board will review the projection analysis at the Annual Meeting in October and then determine a TAC for 2021-2022. As stated in Amendment 3, if a TAC is not set at the Annual Meeting, the TAC from the previous year will be maintained.

For more information, please contact Kirby Rootes-Murdy, Fishery Management Plan Coordinator, at krootes-murdy@asmfc.org or 703.842.0740.

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PR20-15

Motions

Postponed Motions from February 2020

An Atlantic menhaden ecological reference point fishing mortality rate (F) target equal to the maximum F on Atlantic menhaden that maintains Atlantic striped bass at its biomass target when striped bass is fished at its F target and all other ERP species as defined in the NWACS-MICE model are fished at their status quo F rates.

An Atlantic menhaden ecological reference point F threshold equal to the maximum F on Atlantic menhaden that maintains Atlantic striped bass at its biomass threshold when striped bass is fished at its F target and other ERP species as defined in the NWACS-MICE model are fished at their status quo F rates.

Motions approved unanimously (18 in favor).

Move to elect Mel Bell as Vice-chair to the Atlantic Menhaden Management Board.

Motion made by Mr. Rhodes and seconded by Mr. Murphey. Motion approved unanimously.

EXECUTIVE COMMITTEE (AUGUST 5, 2020)

Meeting Summary

The Executive Committee met to discuss a number of issues, including the FY21 Budget; a proposed policy on ASMFC contracts; a CARES Act update; Management & Science Committee (MSC) recommendations regarding improvements to Advisory Panel (AP) and Public Input process; Pennsylvania's participation on the Atlantic Menhaden Management Board and consideration of dividing the South Atlantic State/Federal Fisheries Management Board. The following action items resulted from the Committee's discussions:

- FY21 Budget – The Budget was reviewed by the Administrative Oversight Committee (AOC) and forwarded to the Executive Committee with a recommendation for approval. The motion to approve passed unanimously.
- Policy on Commission Contracts – The AOC discussed proposed Policy on Commission Contracts and forwarded to the Executive Committee with a recommendation for approval. The motion to approve passed unanimously.
- Mr. Beal gave an update on the CARES Act, and Ms. Kelly Denit from NMFS fielded questions about the CARES Act. The states posed a number of questions to Ms. Denit and she will provide the responses to Mr. Beal and he will provide the responses to the member of the Executive Committee.
- The Executive Committee received a report on the MSC recommendations regarding AP and the public input process; after much discussion the MSC was asked to continue working on their recommendations, in light of the discussion.
- Mr. Beal gave an update on the status of the Pennsylvania’s membership on the Atlantic Menhaden Management Board. The Commission’s legal counsel Sean Donahue, is in the process of writing a letter to Pennsylvania with his opinion regarding their participation on the Board.
- The discussion regarding dividing the South Atlantic Board was postponed to a subsequent meeting.
- The Executive Committee conducted the annual performance review of the Commission’s Executive Director in a closed session.

For more information, please contact Laura Leach, Director of Finance and Administration, at lleach@asmfc.org or 703.842.0740.

Motions

On behalf of the Administrative Oversight Committee, move approval of the FY21 Budget.

Motion made by Spud Woodward. Motion passed unanimously.

On behalf of the Administrative Oversight Committee, move approval of the Policy on Commission Contracts.

Motion by Spud Woodward. Motion passed unanimously.

INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD (AUGUST 5, 2020)

Meeting Summary

The ISFMP Policy Board met to receive an update from the Executive Committee; review progress on the Draft Risk and Uncertainty Policy; consider the revised stock assessment schedule; and receive reports from the Atlantic Coastal Fish Habitat Partnership (ACFHP) and Habitat Committee (HC).

The Commission Chair Pat Keliher presented the Executive Committee Report to the Board (see Executive Committee meeting summary earlier in this document).

Staff presented the Assessment Science Committee's recommended revisions to the stock assessment schedule, which were approved by the Board with one exception. The following changes were made: the benchmark assessments for Atlantic croaker, Atlantic sturgeon and spot were moved from 2022 to 2024, while the assessment update for river herring was moved from 2022 to 2023. Final approval for moving the date of the Atlantic sturgeon assessment is pending confirmation that the change will not affect Endangered Species Act status reviews. Jonah crab and the on-going horseshoe crab ARM revision were both added to 2023. The new schedule will be posted to the Commission's website on the Stock Assessments webpage (<http://www.asmfc.org/fisheries-science/stock-assessments>).

Jason McNamee presented a revised approach to the Commission's Draft Risk and Uncertainty Policy. The Board supported continued development of this approach, including working with the Management and Science Committee, Assessment Science Committee, and Committee on Economics and Social Sciences to refine the criteria for the Risk and Uncertainty Decision Tool. The Risk and Uncertainty Policy Work Group will also work with the Atlantic Striped Bass Technical Committee to revise the striped bass example.

Dr. Lisa Havel provided updates on ACFHP and HC. The ACFHP Steering Committee met and received updates on their current on-the-ground projects, the fish habitat conservation mapping project, and came to consensus on the 2020 Melissa Laser Fish Habitat Conservation Award recipient. The Committee also discussed outreach and communications initiatives and reviewed the 2020-2021 Action Plan. ACFHP recently received funding for multiple conservation projects along the coast. The FishAmerica Foundation is supporting a project in Florida Bay to restore sponge beds for gray snapper and spiny lobster. NOAA Recreational Fishing is supporting an oyster restoration project in the Lynnhaven River, Virginia. Finally, the USFWS-National Fish Habitat Action Plan FY2020 funding will support four projects this year: shoreline restoration on the Magothy River in Maryland; the County Line Dam removal in New Jersey; oyster reef restoration in Mosquito Lagoon, Florida; and Town Brook stream restoration in Massachusetts. ACFHP also endorsed one project recently: the Upper and Lower Kickemuit River Dam removal in Rhode Island.

HC met and received several updates. Michelle Bachman (NEFMC) and Jessica Coakley (MAFMC) reviewed the Northeast Regional Fish Habitat Assessment and Lisa Havel provided an ACFHP update. HC discussed the status and next steps for the following documents: Acoustic Impacts to Fisheries, Fish Habitats of Concern, and the 2020 Habitat Hotline Atlantic. There was also a discussion on clean water and ecological flows, as well as a discussion on the impacts of living shorelines on submerged aquatic vegetation (SAV) beds. The Policy Board was supportive of the HC's request to develop a draft policy on the impacts of living shoreline on SAV beds for review by the Board at a future meeting.

For more information, please contact Toni Kerns, ISFMP Director, at tkerns@asmfc.org or 703.842.0740.

Motions

No motions made.

ATLANTIC HERRING MANAGEMENT BOARD (AUGUST 5, 2020)

Meeting Summary

The Atlantic Herring Management Board met to review the 2020 Management Track Assessment, which was completed and peer-reviewed in June. The assessment is an update from the 2018 benchmark, and indicates the stock is overfished while overfishing is not occurring. While the traditional modeling framework (ASAP) is unchanged, the new assessment used different methods to produce biological reference points (BRPs) and short-term projections. The BRPs were estimated using only the selectivity from the U.S. mobile fleet because the proportion of catch from the fixed gear fleet has increased significantly in recent years. The fixed gear fleet, which is predominantly Canadian catch and not managed by catch quotas, harvests a higher proportion of younger fish than the mobile gear fishery, which influences the overall selectivity pattern and BRPs calculated using the method from the previous assessment. However, short-term projections include total harvest so that projected probabilities and stock status are informed by all stock removals. The assessment also indicates recruitment estimates are highly variable but have remained at low levels from 2013-2019, which introduces an additional source of uncertainty in short-term projections.

The New England Fishery Management Council (Council) is scheduled to review the 2020 assessment results in September. The Council will set fishery specifications for 2021-2023 based on overfishing limit and acceptable biological catch recommendations provided by its Scientific and Statistical Committee. Accordingly, the Board is expected to consider specifications for the 2021-2023 seasons once a final rule has been published by NOAA Fisheries.

The Board also received an update on 2020 Area 1A fishery performance. The quota for Season 1 (June-September) in Area 1A is 2,152 metric tons, or 72.8% of the sub-annual catch limit (ACL) after adjusting for the research and fixed gear set asides, and the fact that the Area 1A fishery closes at 92% of the sub-ACL. Effort controls for Season 1 were established in May. Weekly landings have been low relative to previous years, with only about 872 metric tons landed since the fishery opened (July 19 in Maine, and July 20 in Massachusetts and New Hampshire). As a result, the Board moved the next Days Out meeting to August 14th when the states of Maine, New Hampshire, and Massachusetts will revisit fishery performance in Area 1A and consider changing effort controls for Season 1.

Lastly, the Board elected Megan Ware as Vice Chair. For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at mappelman@asmfc.org or 703.842.0740.

Motions

Move to elect Megan Ware as Vice-chair to the Atlantic Herring Management Board.

Motion made by Mr. McKiernan and seconded by Mr. Abbott. Motion approved.

ASMFC BLUEFISH MANAGEMENT BOARD & MID-ATLANTIC FISHERY MANAGEMENT COUNCIL (AUGUST 6, 2020)

Meeting Summary

The Bluefish Management Board (Board) met jointly with the Mid-Atlantic Fishery Management Council (Council) to discuss draft alternatives for the Bluefish Allocation and Rebuilding Amendment and to consider the fishery management plan review and state compliance for the 2019 fishing year.

The Board and Council reviewed progress on the amendment and recommendations from the Plan Development Team/Fishery Management Action Team (PDT/FMAT). Consistent with the PDT/FMAT recommendation, the Board and Council removed trigger based sector allocation alternatives and the refereed transfer approach. The Board and Council also decided to remove recreational sector separation from the amendment. Board and Council members agreed that recreational sector separation could be considered more comprehensively in a multi-species action. The ongoing Recreational Reform Initiative will provide an opportunity for thorough consideration (see the Summer Flounder, Scup, and Black Sea Bass Meeting Summary for more details). Approaches retained for further consideration include fishery management plan goals and objectives, recreational/commercial allocations, commercial allocations to the states, commercial allocations to the states with minimum default allocations, regional commercial quotas, rebuilding plan, recreational/commercial sector transfers, sector specific management uncertainty, and *de minimis* provision to relieve states from having to adopt fishery regulations.

The Board and Council expect to approve a final range of alternatives during their December joint meeting, with a Draft Amendment expected to be considered for release for public comment by February 2021. Additional information regarding the amendment process and timeline can be found at the [bluefish amendment action page](#).

The Board also reviewed and approved the 2019 Fishery Management Plan Review and state compliance report. All states' regulations were found to be consistent with the FMP and *de minimis* requests were granted to Maine, South Carolina, and Georgia's commercial fisheries. Consistent with the Plan Review Team recommendations, the Board tasked the Technical Committee (TC) with reviewing the effectiveness of the Addendum I sampling design and reevaluating the optimal geographic range and sample size for bluefish age data. Additionally, the TC was tasked with reviewing the increased importance of recreational discards in stock assessments. Generating reliable discard length data from recreational anglers could improve the robustness of stock assessments moving forward.

For more information, please contact Dustin Colson Leaning, Fishery Management Plan Coordinator, at dleaning@asmfc.org.

Motions

Move to remove recreational for-hire sector separation from further development in the bluefish amendment. Further development of for-hire sector separations should be considered under comprehensive recreational reform initiatives.

Board: Motion made by Mr. Nowalsky and seconded by Mr. Reid. Motion passes (14 in favor, 1 opposed).

Council: Motion made by Mr. Nowalsky and seconded by Mr. Cimino. Motion carries by consensus.

Move to approve PRT recommendations, the Bluefish Fishery Management Plan Review of the 2019 fishing year, state compliance reports, and *de minimis* requests for Maine, South Carolina and Georgia's commercial fisheries.

Motion made by Ms. Meserve and seconded by Dr. Davis. Motion approved.

ASMFC SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD & MID-ATLANTIC FISHERY MANAGEMENT COUNCIL (AUGUST 6, 2020)

Meeting Summary

The Summer Flounder, Scup, and Black Sea Bass Management Board (Board) met jointly with the Mid-Atlantic Fishery Management Council (Council) to review and consider a public hearing document for Draft Addendum XXXIII and the Council's corresponding amendment on commercial black sea bass state allocations and to discuss next steps for the recreational reform initiative. The Board also considered a conservation equivalency proposal from Massachusetts.

Black Sea Bass Commercial State Allocation Amendment

The Board and Council reviewed draft management options included in Draft Addendum XXXIII and the Council's corresponding Amendment. The addendum and amendment will consider changes to the state allocations of the black sea bass commercial quota and potential changes to Federal management of commercial black sea bass fisheries. After considering the pros and cons of moving forward with this action concurrently with development of the joint recreational and commercial sector reallocation amendment, the Board and Council approved the document for public comment.

The Draft Addendum and Council hearing document includes a variety of management options for changes to the black sea bass commercial state allocations. These include status quo, increasing Connecticut's allocation to 5%, dynamic allocations partially based on regional stock distribution, a trigger-based approach, and distributing a percentage of coastwide quota using initial allocations and the remaining proportion differently. Options are also included to consider changes to federal management of commercial black sea bass, including adding state commercial allocations to the Council FMP, paybacks of state quota overages, and federal in-season closures.

A subsequent press release will announce the availability of Draft Addendum XXXIII and the Council's corresponding Amendment, as well as the public hearing schedule (expected to take place in fall 2020).

Recreational Reform Initiative

The Council and Board reviewed topics which may be addressed through the Recreational Reform Initiative. This initiative addresses recreational stability and flexibility for all four jointly managed recreational species, including summer flounder, scup, black sea bass, and bluefish. Staff provided information on what type of management action, if any, would be necessary to implement the ideas discussed. Most topics discussed could be addressed through an addendum/framework. However, some changes would likely be significant enough to require an amendment (e.g., private angler reporting, mandatory tournament reporting, and recreational sector separation).

It was noted that upcoming discussions on the ongoing recreational and commercial allocation amendment may produce additional topics to consider as part of this initiative. Therefore, the Board and Council agreed to postpone initiating an action for recreational issues until after their next joint meeting on August 11-12, 2020.

Consideration of Massachusetts Conservation Equivalency Proposal

The Board reviewed a conservation equivalency proposal from Massachusetts to adjust the 2020 for-hire black sea bass season to account for days closed to for-hire fishing at the beginning of the season due to the COVID-19 pandemic. The proposal included three options to add additional open days to

the state's for-hire season in Wave 5 (September and October), developed through different methods. Option A proposed adding an additional 53 days to the end of the season based on daily harvest rate comparisons between Waves 3 (May and June) and 5. Option B proposed adding an additional 13 days to the end of the season, using the Technical Committee (TC) recommended method of using average 2018-2019 Wave 4 (July and August) harvest rates as a proxy for Wave 5. Option C represented a middle-ground falling between Options A and B and proposing to add an additional 30 days to the for-hire season. After considering comments from the TC, Advisory Panel, and Law Enforcement Committee, the Board approved Option C to modify the Massachusetts for-hire season dates to May 25 through October 9. The Board recognized that some uncertainty in recreational harvest is inevitable, but was not concerned this change would cause significant overages of the 2020 recreational harvest limit.

For more information on summer flounder and scup management, contact Dustin Colson Leaning, Fishery Management Plan Coordinator, at dleaning@asmfc.org, and contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org for more information on black sea bass management.

Motions

Main Motion

Move to approve Draft Addendum XXXIII and Council public hearing document, as presented today, for public comment.

Motion to Postpone

Move to postpone further action on the Commission's Black Sea Bass Addendum XXXIII and the Council's amendment public hearing document until the August 2021 meeting to allow progress on the commercial/recreational reallocation amendment.

Board: Motion made by Ms. Bolen and seconded by Mr. Fote. Motion fails for lack of majority (5 in favor, 5 opposed, 2 abstentions)

Council: Motion made by Ms. Bolen and seconded by Mr. DiLernia.

Main Motion

Move to approve Draft Addendum XXXIII and Council public hearing document, as presented today, for public comment.

Council: Motion made by Ms. Davidson and seconded by Ms. Nolan. Motion passes (9 in favor, 8 opposed).

Board: Motion made by Dr. McNamee and seconded by Dr. Davis. Motion passes (7 in favor, 4 opposed, 1 abstention).

Move to approve Option C in the Massachusetts conservation equivalency proposal to modify the black sea bass recreational for-hire season for the dates May 25-October 9.

Motion made by Mr. Kane and seconded by Dr. Davis. Motion carries (6 in favor - MA, RI, CT, DE, MD, PRFC; 4 opposed - NY, NJ, VA, NC; 2 abstentions - NOAA, USFWS).



Atlantic States Marine Fisheries Commission

ASMFC & MAFMFC Joint Meeting Webinar

Sustainable and Cooperative Management of Atlantic Coastal Fisheries

ASMFC Bluefish Board and Summer Flounder, Scup and Black Sea Bass Board & MAFMFC Webinar
August 11 & 12, 2020

Toni Kerns, ISFMP, or
Tina Berger, Communications
For more information, please contact
the identified individual at
703.842.0740

Meeting Summaries, Press Releases and Motions

TABLE OF CONTENTS:

ASMFC BLUEFISH MANAGEMENT BOARD & MAFMC (AUGUST 11, 2020)	2
<i>Meeting Summary</i>	2
<i>Motions</i>	2
ASMFC SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD & MAFMC (AUGUST 11-12, 2020)	2
<i>Meeting Summary</i>	2
<i>Motions</i>	5

ASMFC BLUEFISH MANAGEMENT BOARD & MAFMC (August 11, 2020)

Meeting Summary

The Commission’s Bluefish Management Board (Board) met jointly with the Mid-Atlantic Fishery Management Council (Council) to review previously implemented 2021 specifications for bluefish. While the Council approved a new risk policy last year that could have impacted the 2021 specifications, the fact that bluefish is under a rebuilding plan led the Council’s Scientific and Statistical Committee (SSC) to recommend no change to the previously implemented specifications. Based on these recommendations and other considerations, the Council and Board voted for a status quo bluefish acceptable biological catch (ABC) of 16.28 million pounds for 2021.

For landings limits, the Board and Council used the 2019 estimate for recreational discards as opposed to the Monitoring Committee’s recommendation of an average discard estimate from 2017-2019, which results in an RHL of 8.34 million pounds. Commercial discards were considered negligible, resulting in a commercial quota of 2.77 million pounds. For 2021, no transfer was recommended from the recreational to commercial sector as the recreational sector is anticipated to harvest the entire RHL.

The table below summarizes 2021 commercial quotas and RHL for bluefish approved by the Board and recommended by the Council (2020 values are provided for comparison purposes).

	Commercial Quota <i>millions of pounds</i>		Recreational Harvest Limit <i>millions of pounds</i>	
	2020	2021	2020	2021
Bluefish	2.77	2.77	9.48	8.34

For more information on bluefish management contact Dustin Colson Leaning, Fishery Management Plan Coordinator, at dleaning@asmfc.org,

Motions

Move that the bluefish 2021 ABC=ACL=16.28 M lbs. Using MRIP discards from 2019 (5.17 M lbs.) and including no transfer to the commercial fishery, the RHL=8.34 M lbs. With commercial discards set to 0, the commercial quota=2.77 M lbs.

Board: Motion made by Ms. Meserve and seconded by Mr. Fote. Motion carries (Roll Call: In favor – ME, MA, RI, NY, DE, MD, PRFC, VA, NC, GA, FL, NMFS; Null – CT).

Council: Motion made by Mr. Clark and seconded by Mr. DiLernia. Motion passes without objection.

ASMFC SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD & MAFMC (August 11-12, 2020)

Meeting Summary

The Commission’s Summer Flounder, Scup, and Black Sea Bass Management Board (Board) met jointly with the Council to review previously implemented 2021 specifications for summer flounder, scup, and black sea bass. In December 2019, the Council approved a revised risk policy with the intent that 2021 specifications would be revised to reflect the new policy. As such, the Council’s Scientific and Statistical Committee (SSC) recommended new 2021 acceptable biological catch (ABC) limits for summer flounder, scup, and black sea bass. The Board approved and the Council recommended the revised 2021 specifications.

The following table summarizes the 2021 commercial quotas and recreational harvest limits (RHL) for summer flounder, scup, black sea bass approved by the Board and recommended by the Council (2020 values are provided for comparison purposes).

	Commercial Quota <i>millions of pounds</i>		Recreational Harvest Limit <i>millions of pounds</i>	
	2020	2021	2020	2021
Summer Flounder	11.53	12.49	7.69	8.32
Scup	22.23	20.50	6.51	6.07
Black Sea Bass	5.58	6.09	5.81	6.34

Summer Flounder Specifications

The Board and Council received a data update, including fishery landings and federal trawl survey indices through 2019, and reviewed recommendations from the SSC, Monitoring Committee, Advisory Panel, and Council staff. Based on the SSC’s recommendation to update measures based on the new risk policy, the Board and Council approved a revised ABC of 27.11 million pounds, which results in a commercial quota of 12.49 million pounds and an RHL of 8.32 million pounds for both years after accounting for expected discards. These revisions represent an approximately 8% increase from those currently implemented for 2020-2021.

Scup Specifications

The Board and Council received a data update, including fishery landings and federal trawl survey indices through 2019, and reviewed recommendations from the SSC, Monitoring Committee, Advisory Panel, and Council staff. Based on the SSC and Monitoring Committee recommendations to update measures based on the new risk policy, the Board and Council approved a revised ABC of 34.81 million pounds for 2021. This revised ABC represents a 13% increase from the currently implemented 2021 measures and results in a commercial quota of 20.50 million pounds and an RHL of 6.07 million pounds in 2021.

The Board and Council also reviewed an evaluation of scup discards by mesh size, calendar quarter, and statistical area in the commercial fishery. Discards decreased in 2019, but they remain well above average in recent years. The Board and Council agreed with the Monitoring Committee recommendation that no immediate management action was needed but that discards should continue to be monitored.

Black Sea Bass Specifications

The Board and Council reviewed recent trends in commercial and recreational catch and federal trawl survey indices, as well as recommendations from the SSC, the Monitoring Committee, the Advisory Panel, and Council staff. They had an in-depth discussion of discard projections and the increased risk of overfishing under the revised 2021 ABC due to the reduced buffer between the OFL and the ABC. Based on the SSC’s recommended ABC and the Monitoring Committee’s recommendation for revised discard projections, the Board and Council approved a revised 2021 ABC of 17.45 million pounds, a commercial quota of 6.09 million pounds, and an RHL of 6.34 million pounds. The revised ABC is 16% higher than the previously implemented 2020-2021 ABC. The commercial quota and RHL are 9% higher than those previously implemented for 2020-2021. These represent the highest landings limits ever implemented by the Board and Council for black sea bass.

The Board and Council also reviewed the black sea bass recreational opening during February 2018-2020 and considered if changes are needed for February 2021. Based on Monitoring Committee’s advice, they approved revised values for expected February recreational harvest by state. These values are used by the states that participate in this optional season to adjust their recreational management measures for the rest of the year as needed to account for expected February harvest. States also have the option of adjusting their measures after February to account for estimated February harvest based on monitoring, rather than the initial expected harvest. However, all states that participate in the February opening must first adopt measures to account for the initial expected February harvest estimate. The revised expected February harvest estimates reflect recent changes in the MRIP methodology.

North Carolina Proposal to Account for Black Sea Bass Harvest in the February 2020 Recreational Fishery

The Board considered a proposal from North Carolina to adjust their recreational season to account for harvest in the February 2020 black sea bass recreational fishery. The North Carolina season was closed for two additional days in May 2020 to account for a projected February recreational harvest of 62 pounds, as per the state proposal approved by the Board in January. However, the preliminary MRIP harvest estimate north of Cape Hatteras for February 2020 was much higher than expected at 50,692 pounds. The Technical Committee (TC) reviewed all available harvest, catch, and effort data for North Carolina for Wave 1 (January-February), and agreed that the February 2020 MRIP estimate is an outlier. Per the TC's recommendation, North Carolina proposed two season closures in Wave 6 (November-December) that would provide an approximate exchange of open fishing days and effort, rather than a pound-for-pound payback of the estimated harvest. The proposed closures include 1) December 1-31, 2020 (31 additional closed days) or 2) November 16-December 31, 2020 (46 additional closed days). Moving forward, the TC recommends that North Carolina and other states participating in this program should be required to use more tailored methods to estimate February harvest, such as mandatory logbook reporting and a call-in program. Consistent with the TC recommendation, the Board approved both options in the North Carolina proposal. North Carolina will choose and implement one of the proposed season closures later this year.

Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment

The Board and Council reviewed alternatives recommended by the Plan Development Team (PDT)/Fishery Management Action Team (FMAT) for inclusion in a draft amendment for the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment. This amendment considers potential modifications to the allocations of total allowable catch or landings between the commercial and recreational sectors for these three species. Based on guidance provided by the Board and Council in June, the [PDT/FMAT developed draft alternatives](#) for 1) revised commercial/recreational allocations, 2) recreational for-hire sector separation, 3) provisions for quota transfers between the commercial and recreational fisheries, and 4) provisions to allow future modifications to these measures via framework action instead of an amendment.

The Board and Council approved the PDT/FMAT-recommended range of alternatives for commercial/recreational allocation options. The groups considered a motion to add options to increase the commercial allocations by 5%; however, they did not approve this motion as they could not identify a supportable justification for this increase, and it is not consistent with the goal of the amendment. They also considered but did not approve a motion to postpone development of this action indefinitely in response to concerns over data uncertainty and potential industry impacts.

The Board and Council voted to remove the alternatives related to recreational for-hire sector separation from further consideration in this action, consistent with the Bluefish Board and Council's decision to remove this issue from the Bluefish Allocation Amendment at their August 6 joint meeting. The intent of removing this issue from these actions is to allow exploration of sector separation through a broader process involving all four species, such as through the ongoing Recreational Reform Initiative. The Council and Board intend to discuss the Recreational Reform Initiative, including sector separation, at their next joint meeting. While the next joint meeting is presently scheduled for December, both bodies expressed the desire to formally initiate a Recreational Reform Initiative management document sooner. Consideration is being given to bringing together the Council, the Summer Flounder, Scup, and Black Sea Bass Board, and the Bluefish Board for that discussion in October.

For transfer provisions, the Board and Council approved most of the PDT/FMAT-recommended alternatives. They removed an alternative that would have allowed for annual quota transfers with limited pre-defined guidelines. They also approved the PDT/FMAT-recommended alternatives for framework provisions.

The Board and Council are expected to review and approve a draft amendment for public comment in December. For more information on summer flounder and scup management contact Dustin Colson Leaning, Fishery Management Plan Coordinator, at dleaning@asmfc.org, and contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org for more information on black sea bass management.

Motions

Move that, based on the SSC and MC recommendations, the summer flounder 2021 recreational ACL=ACT=12.48 mil lb and the commercial ACL = ACT =14.63 mil lb. The RHL = 8.32 mil lb and the commercial quota = 12.49 mil lb.

Board: Motion made by Mr. Hasbrouck and seconded by Mr. Clark. Motion passes without objection (Roll Call: In favor – MA, RI, CT, NY, NJ, DE, MD, PRFC, VA, NC, NMFS).

Council: Motion made by Mr. DiLernia and seconded by Mr. Cimino. Motion passes without objection.

Move that, based on the SSC, staff, and MC recommendations, the scup 2021 recreational ACL=ACT=7.66 mil lbs and the commercial ACL = ACT =27.15 mil lbs. The RHL = 6.07 mil lbs and the commercial quota = 20.50 mil lbs.

Board: Motion made by Mr. Hasbrouck and seconded by Dr. Davis. Motion passes (Roll Call: In favor –MA, RI, CT, NY, NJ, DE, MD, VA, NC, NMFS; Abstentions – PRFC).

Council: Motion made by Ms. Davidson and seconded by Ms. Wilke. Motion passes without objection.

Move that, based on the SSC, staff, and MC recommendations, the black sea bass 2021 recreational ACL=ACT=7.93 mil lb and the commercial ACL = ACT = 9.52 mil lb. The RHL = 6.34 mil lb and the commercial quota = 6.09 mil lb.

Board: Motion made by Mr. Batsavage and seconded by Mr. Clark. Motion passes (Roll Call: In favor –MA, RI, CT, NY, DE, MD, PRFC, VA, NC, NMFS; Opposed – NJ).

Council: Motion made by Mr. Batsavage and seconded by Mr. Clark. Motion carries (17 in favor, 3 opposed).

Move to update the values for initial expected February recreational harvest by state based on the Monitoring Committee recommendation presented today.

Board: Motion made by Ms. Meserve and seconded by Mr. Miller. Motion carries (10 in favor, 1 opposed)

Council: Motion made by Ms. Davidson and seconded by Mr. deFur. Motion carries (14 in favor, 4 opposed).

Move to approve the North Carolina proposal to account for black sea bass harvest in the NC February 2020 recreational fishery by closing either 31 or 46 additional days in Wave 6, 2020.

Motion made by Mr. Batsavage and seconded by Ms. Meserve. Motion carries (10 in favor, 1 abstention).

Move to remove recreational for-hire sector separation from further development in the summer flounder, scup, and black sea bass commercial/recreational allocation amendment. Further development of for-hire sector separations should be considered under comprehensive recreational reform initiatives.

Board: Motion made by Mr. Cimino and seconded by Mr. Clark. Motion carries (9 in favor, 1 opposed, 1 null).

Council: Motion made by Mr. Cimino and seconded by Mr. Clark. Motion carries (18 in favor, 2 opposed).

Move to postpone indefinitely further development of this amendment.

Board: Motion made by Mr. Reid and seconded by Dr. Davis.

Council: Motion made by Mr. Townsend and seconded by Mr. Gwin. (4 in favor, 15 opposed)

Motion fails for lack of Council majority.

Move to task the FMAT to analyze an option for increasing the commercial allocation by 5% in all six categories for commercial/recreational allocation.

Board: Motion made by Mr. Reid and seconded by Mr. Hasbrouck.

Council: Motion made by Mr. Farnham and seconded by Mr. Hughes. (1 in favor, 19 opposed)

Motion fails for lack of Council majority.

Move to remove option 3b-2 from the range of alternatives.

Board: Motion made by Ms. Meserve and seconded by Mr. Pentony. Motion passes without objection.

Council: Motion made by Ms. Bolen and seconded by Mr. DiLernia. Motion carries (20 in favor, 0 opposed).

Move to amend to add "and limit the alternative set to the scup fishery."

Board: Motion made by Dr. McNamee and seconded by Mr. Maniscalco. (5 in favor, 4 opposed, 1 null, 1 abstention)

Council: Motion made by Mr. Batsavage and seconded by Mr. DiLernia. (8 in favor, 12 opposed)

Motion fails for lack of Council majority.

Move to approve the range of alternatives for inclusion in a public hearing document, as modified today, with the exception of the trigger approach as recommended by the FMAT.

Board: Motion made by Dr. Davis and seconded by Mr. Clark. Motion carries (10 in favor, 1 null).

Council: Motion made by Mr. Clark and seconded by Mr. deFur. Motion passes without objection.