



## MA Marine Fisheries Advisory Commission December 2, 2021 Meeting Summary

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This document serves as a brief summary of the December 2, 2021 Marine Fisheries Advisory Commission (MFAC) business meeting. This business meeting was held virtually. All meeting materials are available on the [MFAC's past meeting website](#). The full meeting can be viewed on [DMF's YouTube channel](#).

### Action Items

2022 Winter I Scup Limits. The MFAC approved the Director to use his declaratory authority to set the state's 2022 Winter I (January 1 – April 30) scup possession and landing limit at 50,000 pounds. This is consistent with the federal catch limit for this period and will allow vessels fishing offshore to land scup in Massachusetts consistent with federal rules.

2022 Period I Summer Flounder Limits. The MFAC approved the Director to use his declaratory authority to increase the 2022 Period I (January 1 – April 22) summer flounder trip limit from 1,000 pounds to 2,500 pounds. This action was taken in response to an expected 37% increase in the annual commercial summer flounder quota from 2021 to 2022 and overall fishery performance in recent years. This should provide the wintertime offshore fishery with an enhanced ability to achieve their seasonal quota allocation.

### Items for Future Public Hearing

Commercial Summer Flounder Limits. In response to the expected 37% increase in the annual commercial summer flounder quota from 2021 and 2022 and fishery performance in recent years, DMF proposed numerous adjustments to the management of the summer flounder fishery to better utilize the available quota. These items will go to public hearing during the winter of 2022 for potential implementation by May 2022. The future public hearing proposals included:

- *Quota Allocation*: Adjusting the current 30/70 quota allocation split between the Period I (January 1 – April 22) and Period II (April 23 – December 31) fisheries by providing additional quota allocation, up to 50%, to the Period I fishery.
- *Period I*: Increasing the Period I trip limit from 1,000 pounds to at least 2,500 pounds. This will allow the wintertime offshore fishery with an enhanced ability to land their quota allocation, particularly if the quota allocation is increased. Additionally, DMF seeks to codify the Period I Multi-State Pilot Program in regulation. This pilot program was established in 2020 and was renewed for 2021 and 2022. It allows vessels permitted in multiple participating states (MA, RI, CT, and NY) to the limits for the states where they are permitted when fishing offshore in federal waters where there is no federal trip limit, and then possess these non-conforming quantities of fish when offloading their state limit in MA ports, provided fish destined for another state is properly labeled and remains onboard the vessel.
- *Period II*: Adjusting the seasons, open fishing days, and trip limits during the Period II Fishery. Under these proposals, the directed inshore fishery could open as soon as April 23 with no closed fishing days, and a trip limit increase from 400 pounds to 500 pounds for large mesh

trawlers and 250 pounds to 300 pounds for hook and line fishermen. DMF would additionally consider certain trip limit or open fishing day adjustments based on quota utilization at a date certain. It was also proposed the fall fishery (currently November 1 – December 31) could open as soon as October 10 at a trip limit that is higher (currently 1,000 pounds) based on the remaining available quota.

Commercial Black Sea Bass. Similar to summer flounder, DMF proposed a series of changes to the management of the commercial black sea bass fishery in response to recent fishery performance and an expected 26% increase to the annual quota from 2021 to 2022. The proposals included: (1) moving the open season start date from July 8 to July 1; (2) increasing the possession and landing limit from 400 pounds to 500 pounds for potters and 200 pounds to 250 pounds for other gears (principally hook and line); (3) adding Mondays and Wednesdays as open fishing days to make it a five-day per week (Sunday – Thursday) fishery through September 30 and then going to a seven-day per week fishery on October 1; (4) adopting a provision that would increase the possession and landing limits to 600 pounds for potters and 300 pounds for hook and line fishermen should more than 10% of the quota remain on October 1; (5) and adjusting the open fishing seasons and fishing days for trawlers contingent on the above described proposed changes to the Period II summer flounder trawl fishery limits to reduce regulatory discarding. These items will go to public hearing during the winter of 2022 for potential implementation by May 2022.

Commercial Menhaden. DMF proposed adopting a June 1 start date to the commercial menhaden fishery to better align the state’s harvest of menhaden with summertime bait demand. This change could also potentially reduce reliance on the Episodic Event Set-Aside and quota transfers from other states to keep the fishery open throughout the summertime period when bait demand is high.

#### **Discussion Items**

Shellfish Advisory Panel Meeting. DMF briefed the MFAC on the Shellfish Advisory Panel. This body was initially formed in 2014 on an ad-hoc basis by DMF but was more formally established as a public body by the Legislature as part of the Acts of 2021. DMF reviewed the enabling statute and statutorily describe purpose and composition. The newly constituted SAP met for the first time on November 18, 2021 in Plymouth. The meeting was largely information with DMF providing an overview of the public body and why it was formed and briefing them on ongoing issues DMF’s Shellfish Program has been working on. Lastly, the DMF appointed members discussed their priority issues they would like the SAP to address. DMF anticipates the next meeting will be in February 2022.

Law Enforcement Sub-Committee Meeting. The MFAC’s Law Enforcement Sub-Committee met on November 17, 2021. DMF briefed the full MFAC on the various items discussed, which ranged from ongoing enforcement challenges to potential regulatory adjustments to enhance enforcement and compliance, and the emerging need to develop enhanced protocol for the hauling, seizing, and storing of non-compliant or abandoned gear. DMF noted it would provide a more substantive memorandum in early 2022 to cover potential regulatory amendments supported by the Sub-Committee.

Review of the Atlantic Mackerel Sub-Committee Meeting. The MFAC’s Atlantic Mackerel Sub-Committee met on December 1, 2021. The purpose of the meeting was to begin to discuss expected management challenges that may emerge as part of the MAFMC’s mackerel rebuilding plan. This included the potential need to develop recreational fishery management measures in New England, including within state waters. DMF was working on an extensive memo on the subject, which the Sub-Committee reviewed, and this memo would be shared with the full MFAC in early 2022. Additionally, the states of ME, NH, and MA were expected to write a joint letter to the MAFMC expressing shared concerns

regarding the potential challenges posed by the rebuilding plan. Sub-Committee members also expressed concerns about the quantitative basis for taking a management action, including the use of MRIP data to estimate recreational catch; the seeming lack of tools to account for and managing the shifting geographic distribution of stocks based on climatic shifts; unprecedented levels of local availability contrary to the overall assessment of the coastwide stock; and the MAFMC's rapid time for implementation and the lack of outreach to stakeholders including formal engagement with the NEFMC and New England states.

Updates from the Atlantic States Marine Fisheries Commission. DMF provided a brief update on ASMFC related issues. This focused on an ongoing Executive Board meeting, which addressed the in-person meeting format and COVID protocols for the January ASMFC meeting. Additionally, the ASMFC's Lobster Board is scheduled to meet virtually on December 6 to finalize Draft Addendum XXIX for public comment. This addendum seeks to require cellular trackers on the offshore lobster and Jonah crab fleet to enhance spatial data regarding where this fishery occurs.

### **Presentations**

DMF staff provided the MFAC with two brief presentations. The first reviewed 2021 seafood value trends for sea scallops, lobster, oysters, and summer flounder comparing 2021 levels to recent value trends. The second presentation was a virtual tour of DMF's new field office and wet lab facility at Cat Cove in Salem.

### **Upcoming Meetings**

The MFAC will be meeting again on January 20, 2022. Information regarding the meeting will be published on the [MFAC's website](#). If you would like to obtain any materials regarding past or upcoming MFAC business meetings, please contact Jared Silva at DMF (617-634-9573 or [jared.silva@mass.gov](mailto:jared.silva@mass.gov)).