



**MARINE FISHERIES ADVISORY COMMISSION  
BUSINESS MEETING AMENDED AGENDA**

**9:00AM**

**Thursday, December 18, 2025**

**Via Zoom**

**Link: <https://us02web.zoom.us/j/88347190604>**

**Call In: 1-646-931-3860**

**Webinar ID: 883 4719 0604**

1. Call to Order and Routine Business (9:00 AM)
  - a. Introductions and Announcements
  - b. Review of December 2025 Business Meeting Agenda
  - c. Review and Approval of November 2025 Draft Business Meeting Minutes
2. Agency Updates (9:15 AM)
  - a. Office of Law Enforcement: Personnel, Recent Operations & Marine Fishery Incidents
  - b. Department of Fish and Game: Recent Meetings and Events and Department-wide Activities and Projects
  - c. Division of Marine Fisheries: Personnel, Recent Meetings and Events, and Agency Activities and Projects
3. Action Items (9:45 AM)
  - a. In-Season Adjustment to 2026 Period I Summer Flounder Trip Limit
  - b. Recommendation to Adopt Regulatory Framework for Derelict Gear Removal
4. Final Decision on Commercial Striped Bass Permitting Emergency Regulations (10:30AM)
5. Future Public Hearings Proposals (10:45AM)
  - a. Horseshoe Crab Quota Management
  - b. Sea Scallop Dredge Width Definition and Update on Potential North Shore Sea Scallop Pilot Program
  - c. Directed Commercial Scup Limits in June
  - d. Overview of Wintertime Public Hearing Agenda and Rule Making Schedule
6. Discussion Items (11:30AM)
  - a. Interstate Fisheries Management Update
    - i. American Lobster Stock Assessment
    - ii. Joint ASMFC-MAFMC on Black Sea Bass, Scup, and Summer Flounder
  - b. Federal Fisheries Management Update
    - i. NEFMC December 2025 Meeting Update
    - ii. MAFMC Decisions on Atlantic Mackerel
7. Other Business and Public Comment (12:30PM)
8. Adjourn (12:45PM)

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.

**Next Meeting Date**

**TBD**

# Marine Fisheries Advisory Commission Draft Business Meeting Minutes

November 18, 2025

1 Rabbit Hill Road, Westborough, MA

## Attendees

**Marine Fisheries Advisory Commission:** Shelley Edmundson, Clerk; Chris McGuire; Eric Nelson, Ray Jarvis; and Sooky Sawyer. Absent: Raymond Kane, Chair; Bill Amaru; Bill Doyle, Vice-Chair.

**Division of Marine Fisheries Staff:** Dan McKiernan, Director; Story Reed, Deputy Director; Jared Silva; Nichola Meserve; Anna Webb; Kelly Whitmore; Derek Perry; Micah Dean; Ben Gahagan; Bradlie Morgan.

**Department of Fish and Game Staff:** Commissioner Tom O'Shea; Sefatia Romeo-Theken, Deputy Commissioner

**Massachusetts Environmental Police:** Lieutenant Matt Bass

**Members of the Public:** David Meservey; Brett Hoffmeiser; Jamie Bassett; and Theodore Glenn.

## Call to Order and Routine Business

Chairman Ray Kane and Vice-Chair Bill Doyle were absent during the meeting. Shelley Edmundson assumed the duties of the Chair. Edmundson called the meeting to order.

## Review of November 2025 Business Meeting Agenda

Edmundson asked for amendments to the November 2025 MFAC business meeting agenda. Director Dan McKiernan requested that the discussion on the lobster stock assessment and the review of the Atlantic States Marine Fisheries Commission (ASMFC) Lobster Board meeting be postponed to the December meeting. There were no objections. **Edmundson called for a motion to approve the amended November 2025 business meeting agenda. Sooky Sawyer made the motion. Ray Jarvis seconded the motion. The motion passed unanimously.**

## Review and Approval of October 2025 Draft Business Meeting Minutes

Edmundson asked for amendments to the draft October 2025 Business Meeting Minutes. There were no amendments. **Edmundson called for a motion. Chris McGuire made a motion to approve the October 2025 business meeting minutes as drafted. Ray Jarvis seconded the motion. The motion passed unanimously.**

## Agency Updates

### Office of Law Enforcement: Personnel, Recent Operations & Marine Fishery Incidents

Lieutenant Matt Bass provided comments for the Massachusetts Environmental Police (MEP). On personnel, MEP anticipated that despite state-wide funding and hiring limitations, MEP should be able to backfill seven existing vacancies. Regarding marine fisheries enforcement, MEP was monitoring reported shore-based shark fishing activity along the Outer Cape and was addressing gear conflicts near Stellwagen Bank. Lastly, a deceased sperm whale recently washed up on a Nantucket beach — the cause of death was under investigation but was not thought to be entanglement related.

Sooky Sawyer asked for additional information on a recent lobster gear compliance issue in Ipswich Bay where a dual state-federal permit holder was found fishing untagged gear. Bass noted that this was a cooperative effort among DMF, MEP, and NOAA Office of Law Enforcement. Untagged traps were found and DMF subsequently required the permit holder haul-out their gear for MEP inspection. The case has been handed over to NOAA Fisheries Office of Law Enforcement.

### Department of Fish and Game: Recent Meetings and Events and Department-wide Activities and Projects

Commissioner Tom O'Shea provided an update on recent events relevant to the Department of Fish and Game (DFG). Seafood Day was held at the State House and Governor Healey was presented with an award from the Massachusetts Fishermen's Partnership. This past weekend, the Commissioner presented a TEDx Talk as part of a group speaking on extinction prevention and biodiversity. He also described other talks relevant to marine fisheries — including a presentation from the Executive Director of the Billion Oyster Project in New York Harbor and a presentation on toxicity in the food environment. Lastly, an event was held to celebrate the dedication of a boat ramp in Fall River to former State Representative Manuel Raposa.

The Commissioner then shared that DFG's Assistant Commissioner Jen Ryan, Mass Wildlife's Dave Puter, and DFG's Julia Hopkins received the Manuel Carballo

Governor's Award for Excellence in Public Service for their work executing on the Governor's executive order on biodiversity through the development of DFG's Biodiversity Report and Strategic Plan. He applauded their hard work and appreciated the administration's recognition of this initiative.

Tom anticipated state-wide budget issues as a result of revenues falling short of projections and reduced federal funding. This has led to a hiring freeze across the executive branch, including DFG and its agencies. However, the development of DMF's Marine Restoration Center at its Cat Cove Marine Laboratory in Salem continues through funding from the capital budget. Commissioner O'Shea advocated for a presentation on this effort at a future MFAC meeting.

Sooky Sawyer noted that while many expected lower than normal lobster prices this year due to limitations on international trade, the industry was experiencing prices that were even lower than expected. He was interested in what DMF and DFG may be able to do to address this. Director McKiernan responded that DMF would investigate these concerns.

#### Division of Marine Fisheries: Personnel, Recent Meetings and Events, and Agency Activities and Projects

Director Dan McKiernan began by updating the MFAC on the status of various lawsuits involving state and interstate fishery management. The courts ruled against numerous charter boat organizations in a suit brought against the Atlantic States Marine Fisheries Commission (ASMFC and Atlantic coastal states (including Massachusetts) regarding the implementation of Addendum II to the Interstate Striped Bass Fishery Management Plan. Additionally, there are two ongoing lawsuits against DMF and the ASMFC regarding addenda to the Interstate Fishery Management Plan for Lobster and v-notch possession standards for the Outer Cape Cod (OCC) Lobster Conservation Management Area (LCMA). One case is in federal court and the other in state court. Lastly, there are three ongoing court cases involving vessel tracking in the lobster fishery — a case in federal court against the ASMFC and Maine, a case in Massachusetts' state court against DMF, and a case in Rhode Island (RI) state court against RI Department of Environmental Management.

The Shellfish Advisory Panel (SAP) recently met. Dan noted that Bill Doyle sits on the SAP as a member of the MFAC. The SAP does not have regulatory authority but is instrumental in advising DMF on shellfish issues, including municipal and public health concerns.

On recent events, Director McKiernan noted that Massachusetts' first Aquaculture Month was announced at an event in Boston.

Lastly, DMF is scheduled to hold two virtual public hearings in December. On December 2, DMF will take public testimony on emergency regulations implementing permitting changes for the commercial striped bass fishery in 2026, including limiting entry. These emergency regulations are likely the first in a series of regulatory changes affecting the striped bass fishery to enable DMF to implement a commercial harvester tagging program by 2029, as required by Addendum III to the Interstate Fishery Management Plan for Striped Bass. Then on December 15, DMF will hold a virtual public hearing on a draft framework to permit and authorize the removal and disposal of fishing gear debris. DMF will likely present final regulatory action on both items to the MFAC at their December business meeting.

## Discussion Items

### Striped Bass

#### *Review of ASMFC Board Meeting and Final Addendum III, and Outlook on State Rule Making and Convening MFAC Focus Groups*

Nichola Meserve provided an overview of the October ASMFC Striped Bass Management Board (“Board”) meeting. The Board reviewed and approved Addendum III to the Interstate Fishery Management Plan (FMP) for Striped Bass. The Board opted not to reduce fishery removals beginning in 2026 as part of the addendum. However, two coastwide measures were approved. First, a standard coastwide total length measurement definition was established for states to implement by January 1, 2027. Massachusetts is already compliant with the new total length definition and no regulatory change is required. Second, states are to adopt commercial harvester tagging by January 1, 2029. DMF will have to amend its tagging program to move it from dealer tagging to harvester tagging. This is a significant departure from current practices and will require substantial changes to how the fishery is permitted and the program is administered. The previously discussed emergency regulations are the first step in this exercise. However, additional action will be needed. Meserve anticipated the MFAC’s Striped Bass and Permitting Focus Groups will convene this winter to assist DMF in developing potential activity criteria to further reduce the number of permits issued for 2027. This will allow DMF to potentially implement the harvester tagging program by 2028, one year ahead of the ASMFC’s implementation deadline.

Meserve discussed why the Board did not approve proposed actions to reduce removals in the commercial or recreational fishery to support stock rebuilding. There were concerns that these actions would produce negative economic impacts and a hesitancy to pursue the actions due to uncertainty. Specifically, preliminary 2025 MRIP data seemingly indicate that harvest has continued to decline in contrast with the projections that suggested cuts were necessary; the 2027 benchmark stock assessment is on the horizon and management could benefit from its findings; and there was an

interest in doing additional outreach and investigations to ensure better management and science going into the benchmark assessment. To this last point, the Board established a working group to consider how to update the FMP's goals, enhance striped bass management moving forward, address reduced reproductive success in the Chesapeake Bay, and work with stock assessment scientists to address emerging data (e.g., MRIP recalibration, discard mortality assumptions).

Chris McGuire asked about the timing and content of the striped bass benchmark assessment. Meserve confirmed that the stock assessment is on track to be reviewed by the ASMFC Striped Bass Board in spring 2027 and released in 2028. Given this timeline, Meserve anticipated that it will not be used in management until 2029. Further, as the assessment will only include data through 2025, additional updates may be necessary to encourage management action. McGuire and Meserve discussed the inclusion of new data (e.g., discard mortality, MRIP recalibration, year-class strength and spawning stock productivity). Meserve noted that the stock assessment committee and Board's working group will discuss the stock assessment model and how to best incorporate these emerging elements.

Commissioner O'Shea asked how conflicting findings—such as lower harvest estimates and reduced release mortality rates—may impact modeling. Director McKiernan and Meserve remarked that there was substantial uncertainty on how these new elements will impact the assessment and it was difficult to project outcomes until the model is run.

Eric Nelson commented on the various challenges to rebuilding the striped bass population particularly given year-class strength and spawning stock productivity is largely influenced by environment. He expressed some disappointment in the decision not to reduce removals and voiced concern for the stock. Meserve echoed Nelson's concerns and acknowledged that the prevailing challenge facing striped bass is continued low recruitment from Chesapeake Bay. Meserve was hopeful that this additional time would allow the ASMFC to respond to the various concerns and sources of uncertainty that came up in the public process for Addendum III.

Nelson and Meserve discussed the influence of different sectors in management decisions and the wider socioeconomic impacts on communities.

Edmundson asked to clarify the target number of striped bass commercial permits to implement harvester tagging. Jared Silva responded that DMF anticipated the target number of permits to be around 500 based on experience with harvester tagging in the tautog fishery. Director McKiernan emphasized the importance of working with the MFAC and stakeholders to determine renewal criteria to achieve this substantial reduction.

### *Presentation on Recreational Release Mortality*

Micah Dean presented on DMF research on striped bass release mortality. In 1996, a study led by DMF researchers showed that the release mortality of striped bass was ~9%. However, DMF wanted to revisit this study given changes in the fishery, improvements in scientific techniques, and the importance of better understanding the factors influencing release mortality as it was recently modeled to be the single largest source of fishing mortality. In response, DMF and its partners developed a three-phased study design: (1) use acoustic telemetry to monitor and estimate mortality of caught and released fish according to release condition of the fish, (2) pair release conditions with different environmental or fishing variables through citizen science, and (3) assemble fishery scale datasets to represent different predictors.

Phase one used acoustic telemetry to understand how mortality rate vary based on release condition and hook types. Telemetry tags were attached to released fish throughout Salem Sound to monitor swimming speed. This phase found a correlation between the condition of fish released and their mortality, but there was no significant difference in mortality across hook types.

Ben Gahagan noted that circle hooks may have conservation benefits in other fishing settings beyond what was examined in this phase of the study. Nelson echoed Gahagan's comment, noting that he has experienced greater survivorship using circle hooks. Nelson, Dean, and Gahagan discussed the study's protocol for gut-hooked fish and the use of anglers with a range of experience. Dean explained that the size of the gape in circle hooks has increased in the years since the preliminary research suggested lower mortality rates using circle hooks and these larger gape hooks may not provide the same conservation benefits. Dean opined that additional research into terminal tackle was warranted.

Lieutenant Matt Bass asked about the range of acoustic receivers used in the study. Dean explained that their range was about 1 km, and fish were either released in the range of the receivers or would likely be brought close to one in the surf.

Phase two incorporated citizen's science to understand which variables influence release condition and mortality (e.g., tackle, fight time, handling time). Across New England, 362 anglers participated and 8,349 fish were caught. Results showed that handling time was the most influential predictor of release mortality.

Phase three then used a coastwide angler survey on angling behavior and experience. DMF received nearly 5,000 responses.

The data from these three phases was then modeled and it was determined that the release mortality in the recreational striped bass fishery is about 4.2% — about half of what it was previously estimated. Dean noted that model found the rate varies across

region and is higher among larger fish (up to 6%) likely due to handling time. These findings have a variety of potential consequences. First, release mortality is likely contributing less to overall mortality than previously thought and removals likely remain the leading source of fishing mortality. Second, the higher release mortality rate among larger fish is of importance as recreational catch is likely concentrated on the 2015 and 2018 year classes due to year-class strength and poor recruitment from 2019 to present. These factors will likely impact the upcoming assessment, but the exact consequences are unclear.

Nelson and Jarvis applauded DMF and their partners for this work. Director McKiernan and Dean discussed how the research was funded.

McKiernan then asked about data sources for size distribution across years. Dean responded that this information comes from ASMFC compliance reports. Different states approach this in different ways, creating inherent assumptions.

McGuire asked whether charter boats record length of releases, and Nelson responded that they do not. Gahagan, Nelson, McGuire, Jarvis and Dean discussed potential efforts to increase reporting requirements to capture this information for charter vessels in Massachusetts and collect more comprehensive data. Director McKiernan and Jarvis discussed differences in Rhode Island's permitting and reporting process from Massachusetts.

Jarvis suggested additional angler education to further share best practices to increase survivorship. Gahagan and Dean discussed current outreach plans, such as collaborations with On the Water Magazine, and future education. McGuire suggested quantifying impacts of best practices, such as reduced handling time, on the overall population as an angler education strategy. Dean, McGuire, Nelson, and Gahagan discussed how this could be implemented in the future.

Sefatia Theken-Romeo applauded the presentation and asked that DMF make the presentation widely available. Silva noted it is on the agency's YouTube channel.

#### ASMFC Menhaden Board Decision

Meserve presented the results of the 2025 single-species and ecosystem reference point stock assessment for menhaden and the ASMFC Menhaden Board's management decisions.

The assessment revealed a significant change in menhaden natural mortality estimates, impacting the time series of biomass and decreasing overall biomass estimates. Meserve shared the ASMFC's FAQ page that had been released following the Board Meeting.

In considering how to set the total allowable catch (TAC) for 2026 – 2028, the Board ultimately opted to set the TAC for 2026 only and revisit the catch limits for 2027 and 2028 in the fall of 2026. The TAC for 2026 will be 186,840 metric tons (mt), a 20% reduction from the 2023 – 2025 level of 233,550 mt. This 20% reduction provides a TAC that has 0% risk of exceeding the ecosystem reference point fishing mortality threshold but falls short of achieving the ecosystem reference point fishing mortality target. Achieving the ecosystem reference point fishing mortality target would have required a near 50% cut in the TAC. As a result, Massachusetts' 2026 quota will be reduced from 10.8 million lbs. to 8.73 million lbs. However, DMF retains the ability to access additional quota through state-by-state transfers and the Episodic Event Set Aside.

The Board will meet again in October 2026 to determine coastwide quota for 2027 – 2028 and discuss potential reallocation. During the interim, Meserve expected there will be robust stakeholder engagement along the coast.

Sawyer asked if there are size restrictions in the menhaden fishery. Micah Dean described the practical and management challenges related to size restrictions in a high volume pelagic fishery. Further, menhaden typically mature around two years old and the fishery (on a coastwide basis) generally only harvests adults and fishery in New England (at the northern extent of the species range) tends to target older and larger fish due to life history and migratory patterns. Sawyer and Dean discussed the presence of smaller fish near the Commonwealth this year. Dean noted that the exact reasoning for this is unknown, but that the stock assessment does not suggest issues with age structure within the population.

McGuire asked about size distribution of menhaden in Chesapeake Bay. Dean responded that size distribution follows latitudinal patterns, and the Bay fishery likely targets adult populations of fish similar to fisheries occurring at similar latitudes (e.g., ocean fishery elsewhere in the mid-Atlantic).

McGuire and Meserve discussed the process for and impact of potential actions to reallocate quota. Meserve explained that states are allocated quota by the ASMFC, not fishery sectors (e.g., bait, reduction). The states then may manage their quotas among various sectors. As for process, changes to quota allocations requires an addendum process that would take a least six months. McKiernan and Meserve expected reallocation discussions would be challenging and complicated.

#### Recent Inshore Dragger Meeting

Director McKiernan shared that DMF recently invited the inshore dragger fleet to a meeting in New Bedford to discuss recent fishery performance, the pending quota increases for 2026 and 2027 and resulting management proposals.

Jared Silva presented background information on fishery performance and management. Silva then looked ahead to 2026 and 2027 and the pending 75% increase to the state's quota resulting in an expected ~1 million lb. quota for these years. To encourage quota utilization, DMF was proposing to:

1. Establish quota-based triggers for Period 1 and Period 2 allocations whereby if the quota exceeds 750,000 lbs., the split will be 30/70, but if quota is 750,000 lbs. or less, the split will be 15/85.
2. Establish quota-based trip limits for the Period 1 fishery whereby if the quota exceeds 750,000 lbs. trip limits will be 5,000 lbs., otherwise it will be 2,000 lbs.
3. For the Period 2 summertime fishery, DMF was proposing to roll back last year's amendments and reinstate Saturdays as an open fishing day and increase trip limits to 600 for net fishers and 400 for hook fishers.

Industry expressed overall support for these initiatives. There was some interest in increasing the lower limit for Period 1 trip limit to increase profitability, reinstating the multi-state program, and reducing the fall trip limits. While Massachusetts previously participated in the multi-state program—which allowed permit holders from New York, Rhode Island, Connecticut, and Massachusetts to land fish during multi-day trips in multiple states—the program was halted in the Commonwealth last year because of concerns that Massachusetts vessels were not adequately benefiting from it due to permit restrictions in other states. Dan noted his interest in speaking with his counterparts in the other northeast states about his concerns that their permitting programs may be overtly discriminatory based on state of residency.

Dan added that there was some interest in reducing the standard of fishing activity to transfer limited entry permits such as the Coastal Access Permit for mobile gear (e.g., fishing two of the past five years rather than four of the last five). He noted he is interested in this approach, as it would benefit permit holders of this fishery who participate in multiple fisheries and allow for greater opportunities for participants. Silva added that a similar approach was taken in rod and reel fisheries to increase ease of permit transferability.

Sawyer asked about the number of fluke permit holders that are inactive. DMF did not have this information on hand.

#### Update on Horseshoe Crab Fishery Management

Silva then provided an update on horseshoe crab fishery management. He outlined the House Bill 898 – An Act to End the Taking of Horseshoe Crabs for Bait – and DMF's analysis that found: (1) the claims in support of the action are not supported by the best available science; (2) the fishery is strictly managed at the state and interstate level; (3)

populations are generally increasing in Massachusetts; and (4) banning bait harvest will have direct and cumulative indirect impacts on the state's working waterfront.

Silva then reminded the MFAC that representatives from the biomedical fishery have requested DMF consider reallocating quota from the bait fishery to the biomedical fishery. DMF was in the process of analyzing this request and would likely provide the MFAC with a memorandum for the December 2025 business meeting.

Jarvis expressed support for the current management practices in reflection of the good standing of the fishery's stock. Director McKiernan and Jarvis discussed the importance of interstate and state management efforts.

Sawyer asked about migration patterns of horseshoe crabs. Dan explained that there is some known migration, but he hopes to better understand this through tagging studies.

Nelson thanked DMF for providing background information to the MFAC on this issue.

Silva and Edmundson discussed research into alternative bait options for the whelk fishery. Edmundson explained that alternative baits like clams and green crabs showed some success but were less preferred than horseshoe crabs. Propeller clams showed promise as a potential alternative; however, these are native to Canada and present potential cost and supply issues.

Edmundson asked about the quantity of horseshoe crabs being exported to other states. DMF does not collect this data.

A discussion followed between Silva, Edmundson, and Sawyer on the mismatch in demand between the biomedical and bait quotas.

McGuire and Director McKiernan discussed bills similar to this.

### Other Business and Public Comment

Sawyer asked about addressing gear conflict between buoyed and on-demand gear when whale closures reopen. Dan said that DMF will look into the issue and perhaps discuss it with the industry at the Massachusetts Lobstermen Association's Annual Weekend in January.

With no further business from MFAC members, Edmundson invited public comment.

David Meservey cautioned against reallocating bait quota to the biomedical quota in order to protect the future of the conch fishery. Instead, he preferred DMF taking an adaptive approach to reallocating available quota between the bait and biomedical fisheries on an annual as needed basis towards the end of the season.

Director McKiernan commented on the significant decline of conch pots landed in Massachusetts since the fishery's peak in 2012. He did not anticipate the fishery would

soon return to peak levels due to declining abundance and macroeconomic issues impacting markets.

Brett Hoffmeister, from the Associates of Cape Cod, Inc., voiced support for an adaptive management approach and increased dealer control in determining whether horseshoe crabs are used for bait or biomedical quota for each vessel trip. He was concerned about increased fishing pressure over a shorter season and suggested reopening the fishery in April – June. Director McKiernan voiced concern that allowing dealers this control could risk using the biomedical quota early in the season, leaving bait fishermen with less stability later in the season.

Jamie Bassett echoed the points raised by Meservey and Hoffmeister and the desire to see DMF consider an adaptive management approach to quota allocation.

**Edmundson sought a motion to adjourn the meeting. Sooky Sawyer made the motion to adjourn the November business meeting. Ray Jarvis seconded the motion. The meeting was adjourned.**

### Meeting Documents

- November 18, 2025 MFAC Business Meeting Agenda
- October 21, 2025 MFAC Draft Business Meeting Minutes
- ASMFC 2025 Annual Meeting Summary
- Memorandum on Next Steps for Striped Bass Management after the Approval of Addendum III
- DMF Presentation on Revisiting Recreational Release Mortality of Striped Bass
- Memorandum on 2026 Commercial Menhaden Fishery
- Memorandum on Analysis of House Bill 898 — An Act to End the Taking of Horseshoe Crabs for Bait
- DMF Presentation on 2025 Nantucket Sound Inshore Dragger Fleet Meeting

### Next Meeting Date

December 18, 2025

Via Zoom



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

(617) 626-1520 | [www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)



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Lt. Governor

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Secretary

THOMAS O'SHEA  
Commissioner

DANIEL J. MCKIERNAN  
Director

### MEMORANDUM

**TO:** Marine Fisheries Advisory Commission (MFAC)

**FROM:** Daniel J. McKiernan, Director *Daniel J. McKiernan*

**DATE:** December 12, 2025

**SUBJECT:** Recommendation to Enact In-Season Adjustment to Increase Period I Summer Flounder Trip Limits for 2026

#### Recommendation

I recommend the MFAC vote in favor an in-season adjustment that would increase the Period I (January 1 – April 22) summer flounder trip limit from 2,000 pounds to 4,000 pounds for 2026.

#### Rationale

The Commonwealth's commercial summer flounder quota will increase by 75% for 2026, moving from roughly 600,000 pounds in 2025 to just over 1 million pounds. This responds to the most stock assessment's indication of increasing biomass, as well as a larger share of the coastwide quota for Massachusetts<sup>1</sup>. DMF is moving forward proposed regulatory adjustments<sup>2</sup> to enhance quota utilization for 2026 and 2027. However, these adjustments will not likely proceed to public hearing until late-winter 2026 and DMF does not expect final rules to be promulgated in time to affect the 2026 Period I fishery. Therefore, in order to enhance quota

<sup>1</sup> State-by-state quota shares are established in the Mid-Atlantic Fishery Management Council's federal fishery management plan for summer flounder. The historic quota shares are based on state landings during the period of 1980 – 1989, and under this allocative program, Massachusetts receives 6.82% of the annual coastwide quota. This was modified under Amendment 21, which sought to increase equity across state quota allocations when stock conditions are strong, by allocating all additional quota about a 9.55 million pounds in equal shares of 12.375%. With the 2026 and 2027 coastwide quota being set at 12.78 million pounds (a 45% increase from 2025 coastwide), Massachusetts will receive a higher annual quota share resulting in state quota increase of 75%.

<sup>2</sup> This includes proposals for Period I and Period II. For Period I, DMF is proposing a quota-based threshold of 750,000 pounds whereby if the quota is above that level the Period I fishery receives 30% of the quota and has a trip limit of up to 5,000 pounds, however, if the quota is at or below that threshold the Period I fishery receives 15% of the quota and has a trip limit of 2,000 pounds. For the Period II summertime fishery, DMF is proposing to reinstate Saturdays as an open fishing day increase summertime trip limits from 500 pounds for net fishers and 325 pounds for hook fishers to 600 pounds and 400 pounds respectively. Lastly, for the Period II fall fishery, DMF is proposing to adjust the trip limit to 3,500 pounds should more than 10% of the quota remain available on October 1. See DMF's [September 12, 2025 memorandum](#) to the MFAC for more details.

utilization this coming year, DMF is seeking to use its in-season adjustment authority to increase the 2026 Period I trip limit. Using this process to adjust the coming year's Period I trip limit in response to pending quota changes, which DMF cannot timely respond to through the normal rule-making process, is consistent with what has occurred in recent years.

At a 1-million pound quota, the Period I fishery will be allocated about 150,000 pounds (15%). In 2025, under a 2,000-lb trip limit, the Period I fishery landed about 45,000 pounds. Therefore, if this trip limit is maintained, it is likely that the Period I quota allocation will be underutilized. Further, if past performance is indicative of future performance, the Period II fishery (April 23 – December 31) is not likely to land more than 500,000 pounds, resulting in a likely underage of the annual quota. Such an underage would be to the detriment of Massachusetts seafood industry and should be avoided. By increasing the trip limit to 4,000 pounds<sup>3</sup>, larger vessels fishing offshore in federal waters during the winter period will have greater access to the available quota. This should increase the utilization of the Period I fishery's quota allocation, leave sufficient quota for the Period II fishery (particularly the inshore summertime small boat component), and benefit our seafood industry at large.

Nearly all of the written public comments received to date<sup>4</sup> have come from recreational fishing interests who oppose this action. Their rationale is two-fold. First, poor local fishing conditions suggest a stock condition that does not support a substantial quota. Second, commercial effort both inshore and offshore is contributing to poor local stock conditions. While I understand the frustration that inshore summertime recreational fishing conditions for this species have become diminished over the past twenty years, I do not think this is a simple cause and effect attributable to commercial fishing activity and support moving this action forward. However, in acknowledgement that this public comment period remains ongoing, I reserve the authority to adjust this recommendation should DMF receive compelling testimony in support of such an action.

The quota adjustments are supported by the most recent stock assessment, and therefore, the best available science. Other states will take advantage of these quota increases, diminishing the potential conservation benefit of Massachusetts taking any unilateral action to limit access to our state's quota while putting our seafood and fishing industry at a distinct competitive advantage. Further, local fishing conditions may not be indicative of broader-scale stock trends. Poor recreational fishing conditions in Buzzards Bay and the Sounds may instead be driven by environmental factors (e.g., water temperature and quality) along with the documented north and eastward shift of the range of this species affecting the times and areas where these fish occur.

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<sup>3</sup> This 4,000-pound limit will also match the anticipated bi-weekly trip limit for neighboring Rhode Island.

<sup>4</sup> Note DMF regulations at 322 CMR 6.41 provide the agency with the authority to make in-season regulatory adjustments. This authority affords DMF and the MFAC the ability to take such an action concurrent with a public comment period, rather than at its conclusion. This is done to provide the flexibility to make these adjustments in a timely fashion based on our collective experience managing fisheries. Therefore, while the public comment period remains open through December 19, 2025, I am making this recommendation now.

**Enclosed:**

Public comment as of December 12, 2025

**From:** [Mark Mattson](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Comment on commercial summer flounder limits  
**Date:** Sunday, December 7, 2025 8:53:21 AM

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Dear Director McKiernan,

I have written several comments in the past asking Fisheries to reduce, not increase commercial limits on various species. Each time you choose to stay with limits even if stock is projected to be overfished or you increase the limits. Summer flounder used to be abundant around Marthas Vineyard. Twenty years ago I would take my children out and catch many fish within 1/2 mile of the dock. Now, and for the past 5 years I have caught only 1 or 2 legal fish all season long! Even the black sea bass are hard to find legal size. Please stop the slaughter.

Sincerely,

Mark D. Mattson PhD

**From:** [Paul Gasek](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Fluke quota increase for 2026 is too big.  
**Date:** Saturday, December 6, 2025 4:22:03 PM

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Just a year ago, we had a 50% reduction in the fluke quota, the assumption being the stock was smaller than it was thought to be.

Next year we have a 75% increase, because the stock is larger than we thought it was (?)

Which is it? The huge increase for next year doesn't make sense - no stock rebounds like that in one year.

Can we increase the 2026 quota by just 25% and see how we go at first?

That feels more realistic - err on the side of caution.

Thank you - Paul Gasek



**From:** [Richard Pouder](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Summer flounder regulations  
**Date:** Saturday, December 6, 2025 1:12:46 PM

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I was shocked to read that commercial summer flounder harvests may increase. As an avid fluke fisherman on Cape Cod for many years, I have seen a steady decline in legal sized fluke over the past ten years. The population of fluke does indeed appear to be increasing, but so few fish landed are keepers. This suggests to me and many of my fellow fishermen that the commercial fleet is harvesting a high proportion of legal fish, leaving few for the recreational fishery. I suspect that the commercial fleet is harvesting larger fish offshore before they migrate inshore for the summer. If regulatory changes are made, I would argue for a reduction in commercial quotas to help rebuild the recreational fishery.

**From:** [Joseph Gomes](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Date:** Saturday, December 6, 2025 8:26:52 AM

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Regarding the raising of the flounder limit, I STRONGLY disagree with the move. We have a historic and persistent habit of abusing our resources and OVERFISHING, basically All of our fisheries and species. So now by your perceived recruitment success and alleged population increase you have decided to SLAM the flounder recovery by massively increasing the harvest. Do we NEVER learn.

I often wonder, when I walk through a supermarket seafood department, how much that fish in the case Doesn't get sold and WHAT happens to it? I assume that a Shameful amount of it gets thrown out.

So, I stand FIRMLY in the camp of keeping the catch limits the same for the upcoming season and taking a serious look at the harvest, the recreational catch and finally the END USE of this fine resource .

I suspect the only reason flounder may be increasing is because they generally do not rely on MENHADEN, which you are also allowing for the EXTREME OVERFISHING of that CRUCIAL food source for many species.

Joe Gomes

**From:** [Richard Vincunas](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Director mckiernan fluke limit increase  
**Date:** Friday, December 5, 2025 8:37:05 PM

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I think the increase in commercial fluke limit should be delayed for 2-3 years to confirm an increase in biomass. I also think that an increase in revenue for fluke should be offset by a decrease in revenue for cod since that species has been under “management” for 50 years and has not recovered enough for a reasonable recreational fishery . Less commercial pressure on cod could improve the recovery of this species

**From:** [WILLIAM GRAHN](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Summer flounder.  
**Date:** Friday, December 5, 2025 6:47:44 PM

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With the additional commercial limits on summer flounder, the recreational fishery for fluke would be eliminated totally. there will be no inshore fluke left to blame recreationals for the shortfall. May as well eliminate striped bass, tautog black sea bass recreational fishing for the same reason. I'm sure that the state won't miss the millions of dollars lost from men and women fishing with their kids and grandkids. I think bait and tackle stores would close due to lack of customers buying their products. Personally, I have stopped saltwater fishing 2 years ago because of the state's indifference of recreationals and have given all of my fishing gear away. Thousands of dollars of gear and I will not spend 1 cent in tackle stores anymore. ( Red Top, Goose Hummock. Bass Pro and Cabala's )Good luck explaining what has happened to all of the stocks, WITHOUT LYING through your teeth!

**From:** [Paul Tokarz](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Summer flow adjust  
**Date:** Friday, December 5, 2025 5:54:08 PM

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With the recent closures of some of our fisheries in the limits in some of our fisheries, I think it would be an excellent opportunity to open up the permitting process on a limited basis to attract new commercial fisherman to this industry who been kept out of business due to the high monopolized fishing boat  
Sent from my iPhone

**From:** [Clegganman](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Proposals Affecting Period 1 Flounder Fishing Quotas  
**Date:** Friday, December 5, 2025 5:17:42 PM

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Dear Director McKieran,  
I strongly urge you not to allow this Quota increase. We need to conserve this resource and push back against unbridled consumption.

**From:** [Ken Frasier](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Summer flounder quota increase  
**Date:** Friday, December 5, 2025 5:12:34 PM

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I don't agree with a quota increase because of a possible slight increase in biomass given that there have been significant increases in biomass catch allotment at the same time I would think a possible multi year reassessment would be more prudent as a local fisherman and the allotment increase that was allowed in manhadden catch and now the lack of these fishes in the coastal area I typically fish is very concerning. I also understand people make a living off fishing.

[Yahoo Mail: Search, Organize, Conquer](#)

**From:** [Phyllis Bly](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Increase in flounder fishing  
**Date:** Friday, December 5, 2025 2:18:15 PM

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What does this do to the everyday sport fishermen , have you tried flounder fishing lately it's impossible to catch a limit.

Dennis **Bly**

**From:** [Dan Pope](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Re: Proposals Affecting the Period I Commercial Summer Flounder Fishery  
**Date:** Friday, December 5, 2025 2:16:24 PM

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You people should be removed from managing this fishery...

Dan Pope  
USCGAUX  
Flotilla 65  
DSO-VE District 1 NR past  
Chief of Staff 06 past  
Division Vice Commander 06 past

On Dec 5, 2025, at 1:39 PM, MA Division of Marine Fisheries <[marine.fish@notice.mass.gov](mailto:marine.fish@notice.mass.gov)> wrote:

**Massachusetts Division of Marine Fisheries**

December 5, 2025

## DMF Proposals Affecting the Period I Commercial Summer Flounder Fishery

The Division of Marine Fisheries is accepting written public comment on a proposal to use the agency's in-season adjustment authority to increase the 2026 Period I (January 1 – April 23) commercial summer flounder trip limit from 2,000 pounds up to 4,000 pounds. **Please submit written comment by e-mail ([marine.fish@mass.gov](mailto:marine.fish@mass.gov)) to the attention of Director McKiernan. DMF will accept written comment through 5PM on Friday, December 19, 2025.**

The Commonwealth's commercial summer flounder quota will increase by 75% for 2026, moving from roughly 600,000 pounds in 2025 to just over 1 million pounds. This responds to the most stock assessment's indication of increasing biomass, as well as a larger share of the coastwide quota for Massachusetts. At this quota level, the Period I fishery will be allocated about 150,000 pounds (15%) in

2026. In 2025, under a 2,000-lb trip limit, the Period I fishery landed about 45,000 pounds. Accordingly, the proposed trip limit increase will provide larger vessels fishing offshore in federal waters during the winter period with greater access to the available quota and support its utilization to the benefit of our seafood industry at large.

For more information, please visit our website:  
[www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)

[Visit our Website](#)

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MA 01930 US



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# The Commonwealth of Massachusetts

## Division of Marine Fisheries

(617) 626-1520 | [www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)



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Secretary

THOMAS O'SHEA  
Commissioner

DANIEL J. MCKIERNAN  
Director

### MEMORANDUM

**TO:** Marine Fisheries Advisory Commission (MFAC)

**FROM:** Daniel J. McKiernan, Director *Daniel J. McKiernan*

**DATE:** December 17, 2025

**SUBJECT:** Recommendation on Framework to Authorize Clean Up of Fishing Gear Debris

#### Recommendation

I recommend the MFAC vote in favor of the following framework

1. Definitions:
  - a. Fishing gear is distinguished from fishing gear debris if it is "intact". Intact will be generally defined as "whole, undamaged, and functions as intended to take, hold, or capture fish."
  - b. Specific to trap/pot gear, "intact" will be furthered defined based on certain regulatory elements.
    - i. Commercial trap gear is intact if it has at least three of the following for four components: (1) compliant surface buoy; (2) compliant buoy line; (3) current year's trap tag; and (4) compliant ghost panels and escape vents.
    - ii. Recreational trap gear is intact if it has at least three of the following for four components: (1) compliant surface buoy; (2) compliant buoy line; (3) synthetic plate or wooden lath on or in trap marked with permit holder information; and (4) compliant ghost panels and escape vents.
2. Authorizations to Remove, Possess, or Dispose of Fishing Gear Debris:
  - a. DMF and the Massachusetts Environmental Police may remove, possess, and dispose of any fishing gear debris on the shore or in Massachusetts waters.
  - b. Any person may remove, possess, or dispose of fishing gear debris taken from above mean-low tide without a permit or authorization from DMF.
  - c. Mobile gear fishers may retain, possess, and dispose of fishing gear debris incidentally encountered when lawfully fishing.
  - d. DMF may permit entities to remove, possess, or dispose of fishing gear debris below mean-low tide under certain circumstances that ensure the project is

likely to be successful and will not impact fishing gear. Accordingly, this category of activity will require proponents submit an application to DMF. The application should minimally include a description of when, where, and how the project will be conducted; how the gear will be disposed of; how gear and user group conflicts will be avoided; and the relevant expertise of the applicant or their contractors.

3. Marking of aquaculture gear:

- a. New state regulations will reinforce municipal requirements that all aquaculture gear be sufficiently tagged and marked with information that makes the gear identifiable to the permit holder and enables municipal authorities to assist in the recovery of derelict aquaculture gear.

This final recommendation does not differ from my public hearing proposal as presented to the MFAC in May 2025. Please refer to my [May 23 memorandum](#) for additional information.

### **Background and Rationale**

Historically, state law at G.L. c. 130, §§ 31 and 32 did not distinguish between fishing gear and fishing gear debris and private property rights were bestowed to all gear regardless of condition. The law dated back to the 1940s when there was far less commercial fishing effort and most trap/pot gear was comprised of biodegradable components (wood traps and jute rope) that could be salvageable. Our fisheries have evolved considerably since then. Fishing effort has greatly increased and most trap/pot gear is currently made of environmentally persistent components such as polyvinyl coated steel and synthetic buoy lines. Accordingly, the gear fished today poses significant marine debris and ghost fishing challenges when it is lost or abandoned and efforts to clean this up were hindered by state law extending private property rights to fishing gear debris.

In 2022, I established the Massachusetts Derelict Gear Task Force<sup>1</sup> to investigate problems related to abandoned, lost, and derelict fishing gear in Massachusetts and propose solutions to enhance clean up efforts. The task force released a [white paper](#) in 2024 that provided a detailed description of the problem and advocated for state law to be amended to differentiate fishing gear from fishing gear debris; maintain private property rights for fishing gear but not fishing gear debris; and authorize DMF to authorize the removal, possession, and dispose of fishing gear debris.

This white paper was presented by DMF to the Legislature's Coastal Caucus who championed the cause and sponsored statutory amendments to G.L. c. 130, §§ 1, 31 and 32 consistent with

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<sup>1</sup> The Task Force was chaired by DMF Deputy Director Bob Glenn and included industry representatives (Sooky Sawyer and Beth Casoni from the Massachusetts Lobstermen's Association and Ray Kane from the Cape Cod Commercial Fishermen's Alliance); representatives from the NGO community involved in derelict gear clean up (Larua Ludwig from the Provincetown Center for Coastal Studies; the Massachusetts Environmental Police (Lt. Colonel Chris Baker); DFG Legal Counsel (Deputy General Counsel Tori Labate); and DMF staffers (Jared Silva, David Chosid, and Julia Kaplan).

the Task Force's recommendations. Governor Healey then signed these amendments into law in early 2025.

This regulatory framework is the final product of this exercise. If adopted, these regulations enable the clean-up of fishing gear debris from our coastline and waters. Further, based on extensive industry input, DMF does not anticipate this will create user group or gear conflicts that may lead to the unlawful molestation of fishing gear. DMF recognizes that while this framework is in place, substantial networking needs to be conducted to ensure this work proceeds smoothly. To this end, there is a significant need to accommodate the disposal of fishing gear debris, which includes working with municipal officials to accommodate disposal (including access to dumpsters at ports) and connecting clean-up efforts with entities capable of disposing or salvaging fishing gear debris. Further, DMF will encourage folks involved in clean up efforts to attempt to return gear to prior owners in instances when it is identifiable and potentially salvageable.

#### **Public Comment**

The written public comment received, as well as the verbal testimony at the December 15 public hearing, is largely supportive of this effort and the framework DMF seeks to implement. The most common comment received favored DMF taking an even more liberal approach to allow recreational divers and fishers to bring in fishing gear debris encountered at sea. While DMF understands the interest in this, we think it is best for interested parties to apply to DMF for an authorization to conduct this activity. This ensures that the exercise is being conducted in a manner that will limit conflicts with other user groups and that the fishing gear debris will be properly disposed of. This will lend legitimacy to the project and likely benefit gear clean-up efforts over the long term without imposing a substantial regulatory imposition.

#### **Enclosed**

Written public comments

To: Director Dan McKiernan via [marine.fish@mass.gov](mailto:marine.fish@mass.gov)

From: Laura Ludwig, Center for Coastal Studies

Date: December 16, 2025

Re: Draft regulations for fishing gear debris removal

The Center for Coastal Studies' Marine Debris & Plastics Program strongly supports MA DMF's proposed Draft Regulations to Establish a Framework to Permit and Regulate the Removal, Possession, and Disposal of Fishing Gear Debris (Framework 322 CMR 4.01).

Since 2013, the Center has requested and received authorization from the MA DMF to conduct removals of abandoned, lost or otherwise discarded fishing gear (known as ALDFG or “ghost gear”) from the waters of Cape Cod Bay and Massachusetts Bay during the Right Whale Closure Period when no active fishing is allowed, as well as from shorelines in Massachusetts. These efforts have resulted in the removal and proper disposition of over 100 tons of ALDFG, as well as an extensive ALDFG database regarding condition, bycatch, location and ownership of gear.

The associated ALDFG data collected by the Center show that lobster traps on the ocean floor continue to fish long after being lost: in ALDFG removal efforts between 2013 and 2025, 43% of intact traps had closed (non-functional) escape vents and 1,125 live lobsters were released from recovered traps. From ID tag information we have documented traps which have been found up to 24 years after being lost with bycatch trapped inside.

Shoreline ALDFG also presents problems to wildlife which can become entrapped inside wire traps, snagged in netting or entangled in line. Tidal and maritime habitats are also impacted by the microplastics which result from mechanical or UV degradation of rope, net and PVC-coated wire traps, contributing to the plastic load in the marine ecosystem.

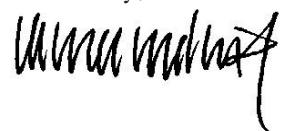
Earlier regulations prohibited removal of ALDFG by anyone other than the owner, or without prior authorization obtained from enforcement or the managing agency. The refinement of the regulations as promulgated in Framework 322 CMR 4.01 will allow for retrieval and proper disposal of ALDFG found above mean low tide along

shorelines by any individual, and will facilitate the lawful retrieval and disposal of ALDFG that is accidentally acquired by fishermen during normal fishing operations at sea. These two regulation changes alone will drastically reduce the amount of lost fishing gear allowed to degrade into microplastics and wire shards on Massachusetts shorelines or be discarded back into the ocean after an incidental fishing interaction at sea.

We appreciate the opportunity to have contributed our data in service of this milestone regulation change, and to have had a presence on the fishing gear working group you convened. We stand by to assist in any outreach efforts that might be useful for sharing the fine print with the industry - commercial, recreational, aquaculture, or otherwise.

Congratulations to the agency on its leadership and vision to update the language to meet the issue. We look forward to continuing our work with MA DMF in the field of marine debris and fishing gear disposal, knowing that the new regulations will ease all aspects of the work.

Sincerely,



Laura Ludwig  
Director, Marine Debris & Plastics Program  
Center for Coastal Studies

Cc: Anne-Marie Runfola  
Fritz McGirr  
Bob Glenn



## Massachusetts Lobstermen's Association

8 Otis Place ~ Scituate, MA 02066

781.545.6984

December 9, 2025

Daniel McKiernan, Director  
Massachusetts Division of Marine Fisheries  
South Coast Field Station  
836 S. Rodney French Blvd.  
New Bedford, MA 02744

Sent via email: [marine.fish@mass.gov](mailto:marine.fish@mass.gov)

RE: Establish a framework to permit and regulate the removal, possession, and disposal of fishing gear debris.

Dear Director McKiernan,

On behalf of its approximately 1,800 members, the Massachusetts Lobstermen's Association (MLA) respectfully submits this letter in strong support of establishing a framework to permit and regulate the removal, possession, and disposal of fishing gear debris. The MLA has been engaged in this initiative since its inception and looks forward to continuing its work to remove fishing gear debris from our marine environment and shorelines.

Established in 1963, the MLA is a member-driven organization that recognizes the vital balance between species conservation and the collective economic interests of its members. Our membership spans from Maryland to Canada and represents a wide range of fishing practices, including both fixed and mobile gear.

The MLA works diligently within the management process alongside the Massachusetts Division of Marine Fisheries, the Atlantic States Marine Fisheries Commission, the Atlantic Large Whale Take Reduction Team, and the New England Fishery Management Council. Together, we strive to ensure the long-term sustainability, safety, and profitability of the marine resources on which our commercial fishermen depend.

### **The MLA Supports the Regulatory Proposal**

#### *1. Regulatory Framework (322 CMR 4.01).*

*a. Adopt relevant definitions, including "fishing gear", "fishing gear debris", "intact", "intact commercial trap/pot gear", and "intact recreational trap pot gear" to differentiate between fishing gear subject to private property rights and fishing gear debris that may be handled and disposed of through the proposed regulatory framework.*

*b. Authorize the Division of Marine Fisheries and the Massachusetts Environmental Police to — at any time — remove, possess, and dispose of any fishing gear debris.*

*c. Authorize any person or entity to — at any time — remove, possess, and dispose of fishing gear debris occurring above mean low-tide.*

*d. Allow any commercial fisher using mobile gear to possess and remove of fishing gear debris incidentally taken during lawful fishing operations while maintaining the existing prohibition on these fishers destroying, injuring, or otherwise molesting fishing gear.*

*e. Provide DMF discretionary authority to issue a Special Project Permit to a qualified person or entity to remove, possess, and dispose of fishing gear debris found below mean low-tide subject to an application that demonstrates the expertise of the applicant, the likelihood of the project's success, and the ability for the project to avoid gear conflicts and prevent interactions with fishing gear.*

*2. Special Project Permit (322 CMR 7.01). Update the regulatory language for the Special Project Permit to include the removal and disposal of fishing gear debris.*

*3. Aquaculture Gear Marking (322 CMR 15.08). Reinforce municipal requirements that all aquaculture gear be sufficiently tagged and marked with information that makes the aquaculture gear identifiable to a permit holder to enable municipal authorities to address the recovery of derelict aquaculture gear.*

This positive change will give individuals the ability to remove, possess, and dispose of fishing gear debris.

Thank you for your continued efforts and support of the Massachusetts commercial lobster industry. If you have any further questions, please feel free to contact me to discuss this further.

Kind regards,

*Beth Casoni*

Executive Director

**From:** [stephen mcevoy](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Public Comment-Fishing Gear Debris Public Hearing  
**Date:** Wednesday, December 10, 2025 5:31:45 PM

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Hello,

I have registered for the Fishing Gear Debris Hearing.

I have been lobstering with a non-commercial lobstering license for approximately 15 years. I typically lobster on the north side of the Cape Cod Canal near the west jetty. My lobster pots frequently get entangled with other lobster pots (both active and abandoned). I usually have to go down with scuba tanks (I am PADI certified to dive) once or twice a summer to untangle and recover my lobster pots. I also pull up other people's lobster pots (active and abandoned) that have become entangled with my lobster pots when pulling up my pots.

I am a retired lawyer who practiced law in Massachusetts for 33 years and I understand the law and how regulations work and the importance of wording being clear.

I have read the draft language contained in the email and I believe that I would be covered as a "licensed fisher", but I would request that this be made more clear (ie specifically list non-commercial lobster licenses as well as the fishing licenses that Massachusetts issues to the public, etc).

I have been lobstering in the area that I have described above for many years and I have generally become known to many of the other lobstermen (commercial and non-commercial) as a friendly and harmless guy, but lobstering and diving, etc can be a stressful and confrontational world. I have witnessed confrontations over diving and contact with other people's pots. I would like to see it made clear that the type of activity that I have described is permitted.

Thank you.

-Steve McEvoy

**From:** Adam Traina  
**To:** Marine Fish (FWE)  
**Subject:** Re: REMINDER: Public Hearing on Draft Framework to Permit and Authorize Removal, Possession, and Disposal of Fishing Gear Debris  
**Date:** Wednesday, December 10, 2025 3:08:13 PM

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I scuba dive recreationally in Boston harbor frequently. There are abandoned traps all over the bottom. I'd like to be able to remove derelict equipment below mean low tide without a permit, or have a reporting channel so a permitted entity can pick them up. How will permits be issued?

On Wed, Dec 10, 2025 at 10:16 AM MA Division of Marine Fisheries <[marine.fish@notice.mass.gov](mailto:marine.fish@notice.mass.gov)> wrote:

## Massachusetts Division of Marine Fisheries



December 10, 2025

# REMINDER: Public Hearing on Draft Framework to Permit and Authorize Removal, Possession, and Disposal of Fishing Gear Debris

This serves as a reminder that this coming Monday — December 15 — at 6PM, DMF will host a virtual public hearing to take comment on a draft regulatory framework that will permit and authorize the removal, possession and disposal of fishing gear debris from the Commonwealth's coasts and waters.

To attend this public hearing please register using this [link](#). Written public comment will be accepted through 5PM on Tuesday, December 16. Please submit written comments by e-mail ([marine.fish@mass.gov](mailto:marine.fish@mass.gov)) to the attention of Director Daniel McKiernan. A recording of the virtual public hearing will be published to DMF's [YouTube Channel](#) and all materials relevant to this public hearing proposal have been published to DMF's [proposed regulations webpage](#).

The draft regulatory framework proposes to allow: (1) DMF and the Massachusetts Environmental Police to remove, possess, and dispose of any and all fishing gear debris encountered; (2) any persons to remove, possess, and dispose of fishing gear debris located above mean-low tide; (3) commercial fishers to remove, possess, and dispose of fishing gear debris incidentally encountered when lawfully fishing; and (4) DMF to permit entities to remove, possess, and dispose of fishing gear debris below mean-low tide under certain circumstances that ensure the project is likely to be successful and will not impact intact fishing gear. Additionally, it will reinforce municipal requirements that all aquaculture gear be sufficiently tagged and marked with information that makes the aquaculture gear identifiable to a permit holder to enable municipal authorities to address the recovery of

derelict aquaculture gear.

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~\_/)~

Adam Traina

**From:** [Gradeigh Mack](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Re: Public Hearing and Comment Notice: Fishing Gear Debris Disposal Regulations  
**Date:** Saturday, November 22, 2025 11:11:58 AM

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Director McKiernan,

I agree with the changes below, but as a Rec Lobster permit holder I think there needs to be a couple additional parts.

This section should include rec lobster fishers.

*Allow any commercial fisher using mobile gear to possess and remove of fishing gear debris incidentally taken during lawful fishing operations while maintaining the existing prohibition on these fishers destroying, injuring, or otherwise molesting fishing gear*

The second thing, while I have my traps marked with my permit number, I don't think if one washed up intact a general member of the public is aware they can't remove it or know to call with the permit number to DMF. I think DMF should be issuing tags for rec permit like you do for commercial with information on if found what to do. Our traps are more likely to wash up, they're typically smaller and closer to shore than commercial.

Thanks,  
Gradeigh Mack

Sent from my iPhone

On Nov 21, 2025, at 11:30 AM, MA Division of Marine Fisheries <[marine.fish@notice.mass.gov](mailto:marine.fish@notice.mass.gov)> wrote:

## Massachusetts Division of Marine Fisheries



November 21, 2025

## Notice of Public Hearing and Comment

# **Period: Draft Regulations to Establish a Framework to Permit and Regulate the Removal, Possession, and Disposal of Fishing Gear Debris**

Under the provisions of G.L. c. 30A, and pursuant to the authority found at G.L. c. 130 § 31, the Division of Marine Fisheries (DMF) is taking public comment on a series of draft regulations to amend 322 CMR 4.01, 7.01, and 15.08 to establish a framework to permit and regulate the removal, possession, and disposal of fishing gear debris.

## **Public Hearing and Comment Schedule**

DMF will accept written public comment through 5PM on Tuesday, December 16, 2025. Please submit written comments to Director Daniel McKiernan by e-mail ([marine.fish@mass.gov](mailto:marine.fish@mass.gov)). Additionally, DMF will host a virtual public hearing on Monday, December 15, 2025 at 6PM via Zoom. You can register to attend this public hearing via this [Zoom registration link](#).

## **Regulatory Proposal**

- Regulatory Framework (322 CMR 4.01).
  - Adopt relevant definitions, including “fishing gear”, “fishing gear debris”, “intact”, “intact commercial trap/pot gear”, and “intact recreational trap pot gear” so as to differentiate between fishing gear subject to private property rights and fishing gear debris that may be handled and disposed of through the proposed regulatory framework.
  - Authorize the Division of Marine Fisheries and the Massachusetts Environmental Police to — at any time — remove, possess, and dispose of any fishing gear debris.
  - Authorize any person or entity to — at any time — remove, possess, and dispose of fishing gear debris occurring above mean low-tide.
  - Allow any commercial fisher using mobile gear to possess and remove of fishing gear debris incidentally taken during lawful fishing operations while maintaining the existing prohibition on these fishers destroying, injuring, or otherwise molesting fishing gear.
  - Provide DMF discretionary authority to issue a Special Project Permit to a qualified person or entity to remove, possess, and dispose of fishing gear debris found below mean low-tide subject to an application that demonstrates

the expertise of the applicant, the likelihood of the project's success, and the ability for the project to avoid gear conflicts and prevent interactions with fishing gear.

- Special Project Permit (322 CMR 7.01). Update the regulatory language for the Special Project Permit to include the removal and disposal of fishing gear debris.
- Aquaculture Gear Marking (322 CMR 15.08). Reinforce municipal requirements that all aquaculture gear be sufficiently tagged and marked with information that makes the aquaculture gear identifiable to a permit holder so as to enable municipal authorities to address the recovery of derelict aquaculture gear.

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Constant Contact



**From:** Deborah Callenberg  
**To:** Marine Fish (FWE)  
**Subject:** Re: Public Hearing and Comment Notice: Fishing Gear Debris Disposal Regulations  
**Date:** Friday, November 21, 2025 9:47:23 PM

Regulations are clear. I've lost gear in the waters. I've also found wash-ups. I've also come across blatant disregard of most regs. Thinking I better read up and get better at knot tying

Debbie

On Fri, Nov 21, 2025, 11:30 AM MA Division of Marine Fisheries <[marine.fish@notice.mass.gov](mailto:marine.fish@notice.mass.gov)> wrote:

## Massachusetts Division of Marine Fisheries

November 21, 2025

# Notice of Public Hearing and Comment Period: Draft Regulations to Establish a Framework to Permit and Regulate the Removal, Possession, and Disposal of Fishing Gear Debris

Under the provisions of G.L. c. 30A, and pursuant to the authority found at G.L. c. 130 § 31, the Division of Marine Fisheries (DMF) is taking public comment on a series of draft regulations to amend 322 CMR 4.01, 7.01, and 15.08 to establish a framework to permit and regulate the removal, possession, and disposal of fishing gear debris.

### Public Hearing and Comment Schedule

DMF will accept written public comment through 5PM on Tuesday, December 16, 2025. Please submit written comments to Director Daniel McKiernan by e-mail ([marine.fish@mass.gov](mailto:marine.fish@mass.gov)). Additionally, DMF will host a virtual public hearing on Monday, December 15, 2025 at 6PM via Zoom. You can register to attend this public hearing via this [Zoom registration link](#).

### Regulatory Proposal

- Regulatory Framework (322 CMR 4.01).
  - Adopt relevant definitions, including “fishing gear”, “fishing gear debris”, “intact”, “intact commercial trap/pot gear”, and “intact recreational trap pot gear” so as to differentiate between fishing gear subject to private property rights and fishing gear debris that may be handled and disposed of through the proposed regulatory framework.
  - Authorize the Division of Marine Fisheries and the Massachusetts Environmental Police to — at any time — remove, possess, and dispose of

any fishing gear debris.

- Authorize any person or entity to — at any time — remove, possess, and dispose of fishing gear debris occurring above mean low-tide.
- Allow any commercial fisher using mobile gear to possess and remove of fishing gear debris incidentally taken during lawful fishing operations while maintaining the existing prohibition on these fishers destroying, injuring, or otherwise molesting fishing gear.
- Provide DMF discretionary authority to issue a Special Project Permit to a qualified person or entity to remove, possess, and dispose of fishing gear debris found below mean low-tide subject to an application that demonstrates the expertise of the applicant, the likelihood of the project's success, and the ability for the project to avoid gear conflicts and prevent interactions with fishing gear.

- Special Project Permit (322 CMR 7.01). Update the regulatory language for the Special Project Permit to include the removal and disposal of fishing gear debris.
- Aquaculture Gear Marking (322 CMR 15.08). Reinforce municipal requirements that all aquaculture gear be sufficiently tagged and marked with information that makes the aquaculture gear identifiable to a permit holder so as to enable municipal authorities to address the recovery of derelict aquaculture gear.

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Constant Contact



**From:** [Brett Stone](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Public Comment on Proposed Gear Debris Regulations  
**Date:** Friday, November 21, 2025 1:02:00 PM

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Dear Division of Marine Fisheries

I am writing as a recreational scuba diver to provide input on the proposed regulations regarding gear debris. While diving, I often encounter lost or abandoned fishing gear, particularly lobster and fish pots. In many cases, these ghost traps continue to catch and hold marine life long after being lost.

Currently, there is no legal way for a diver to intervene. Opening a ghost trap to release trapped wildlife is considered tampering with fishing gear under existing regulations. I urge the Division to consider a provision that would allow divers to lawfully open ghost traps solely to release trapped animals. The goal is not to recover lost gear or interfere with active fishing, but simply to reduce unnecessary mortality of marine wildlife caught in abandoned traps.

To prevent misuse, this action could be limited to divers who hold a permit issued by the state. A simple online training course or affidavit could ensure that only authorized divers are allowed to perform this task.

Allowing this action under a permit system would support conservation and responsible recreational diving practices, while mitigating the impacts of lost fishing gear.

Thank you for your consideration.

Brett Stone

**From:** [Nancy Civetta](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Attention: Director Daniel McKiernan  
**Date:** Tuesday, December 16, 2025 3:21:04 PM

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This is to express the Wellfleet Shellfish Department's full support of the proposed new state regulation for the universal statewide, requirement for aquaculture gear tagging.

Wellfleet is the largest aquaculture Town in the state with 123 independent shellfish farms. That translates into a lot of gear in the water.

Wellfleet has a regulation requiring that all aquaculture gear is tagged, and by and large, growers are good about tagging their gear. However, given winter weather and storms and wind, we still encounter lost gear on the flats, in deep water and in the marshes without tags. This gear can pose a hazard to our dragger fleet, our neighbors and the marine ecosystem as a whole.

Having this state regulation will reinforce our Town regulation, giving it more teeth as it were. In simple terms, it is always appreciated when the state Division of Marine Fisheries supports municipal efforts because this helps us do a more effective job.

Furthermore, the fact that the regulation states that the tagging just needs to be identifiable to the permit holder in accordance with municipal rules makes it easy for each town to enforce. The state requirement for consistent tagging will help ensure that lost gear is returned to its owner.

We'd like to thank the MADMF for taking this on and helping us all keep our marine environments free of aquaculture debris.

Sincerely,  
Nancy Civetta  
Shellfish Constable  
Town of Wellfleet  
O: [508-349-0325](tel:508-349-0325)  
C: [617-901-7193](tel:617-901-7193)  
E: [nancy.civetta@wellfleet-ma.gov](mailto:nancy.civetta@wellfleet-ma.gov)  
300 Main St.  
Wellfleet, MA 02667

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December 16, 2025

TO:  
Dan McKiernan  
Director; MA Division of Marine Fisheries

**RE: Draft Regulations to Establish a Framework to Regulate and Permit Removal, Possession, and Disposal of Fishing Gear Debris**

Dear Director McKiernan

I want to applaud the efforts of yourself, MA DMF and the working group for finding a path out of the antiquated laws that have prevented removal of derelict fishing gear from both the ocean and beaches of the Commonwealth for decades.

As a past president of both the Massachusetts Beach Buggy Assn (MBBA) and Massachusetts Striped Bass Assn (MSBA), I have been involved in the planning, administration, and execution of hundreds of beach clean-up and conservation project events on over twenty beaches along the MA coastline.

During every single one of these events, the inability to remove derelict fishing gear from the beach has caused both a concern that a volunteer could unknowingly break the law and even worse, that a future visitor, vehicle and/or wildlife; in the act of living, recreating, or fishing on that beach could be injured as the derelict gear breaks apart and settles in the sand.

Additionally, in the moment on the beach, these outdated laws often appear opposite reasonable common sense, resulting in antigovernment conversation amongst members of the public who are giving of their personal time to be good stewards and clean up our beaches/environment.

Unfortunately, this proposal almost slipped by my watchful eye, and I am not aware that either MBBA or MSBA will be submitting a letter. That being said, I am confident that if the MA DMF proposal made during the public hearing on 12/15 was presented at a MBBA or MSBA BOD meeting; it would be met with smiles, applause and full-throated support.

The proposal appears to have considered the many complicated underlying issues and found a balance in order to modernize these outdated laws and regulations. I fully support the proposal as written and urge the proposal be formalized.

With Gratitude  
Patrick Paquette  
Hyannis MA





'The Commonwealth of Massachusetts  
**Division of Marine Fisheries**  
(617) 626-1520 | mass.gov/MarineFisheries



Maura T. Healey  
*Governor*

Kimberly Driscoll  
*Lt. Governor*

Rebecca L. Tepper  
*Secretary*

Thomas K. O'Shea  
*Commissioner*

Daniel J. McKiernan  
*Director*

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## MEMORANDUM

**TO:** Marine Fisheries Advisory Commission (MFAC)

**FROM:** Daniel J. McKiernan, Director 

**DATE:** December 15, 2025

**SUBJECT:** Commercial Striped Bass Permitting Decisions

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### Overview

This memorandum provides my decision for final regulations to restrict access to the commercial striped bass fishery for 2026. Based on the public comment received on the emergency regulations, I intend to move forward as final rules all but one of the measures adopted as emergency regulations. This includes: (1) limiting entry in 2026 to only those persons who held a permit in 2024 or 2025; (2) establishing the striped bass endorsement as non-transferable while DMF works to develop and implement an exit:entry program for 2027; and (3) updating the control date from June 14, 2022 to December 31, 2025. The one component that I am rescinding is the owner-operator requirement; however, I plan to re-evaluate the need for such a requirement in a forthcoming proposal to further reduce striped bass permit endorsement issuance in 2027.

### Background

DMF implemented 90-day emergency regulations effective November 21 that: (1) established the striped bass permit endorsement as limited entry, available through renewals only, except that in 2026, eligible renewals include both 2024 or 2025 endorsement holders; (2) require the named permit holder to be present when commercial striped bass fishing is occurring ("owner-operator"); (3) established the striped bass permit endorsement as non-transferable; and (4) updated the striped bass permit endorsement Control Date from June 14, 2022 to December 31, 2025.

The rationale for these emergency regulations is laid out in my September 12, 2025 memo to the MFAC in your September [meeting materials](#). In brief, these emergency regulations were enacted to preserve commercial fishing opportunities for existing participants amidst current and forecasted stock conditions; enhance compliance and enforcement; and prepare for rule-making to achieve an additional reduction in fishery participation, especially if the Atlantic States Marine Fisheries Commission (ASMFC) adopted a harvester tagging mandate. Since that memo was written, the ASMFC did adopt a harvester tagging mandate in Addendum III with a 2029 implementation deadline.

## **Public Comment**

A public comment period was held from October 28–December 12, with a virtual public hearing held on December 2, a [recording](#) of which can be found on the Division's YouTube channel. The written public comments received on the emergency regulations are attached.

## **Decision and Rationale**

Reducing the number of striped bass permit endorsements is now a necessity with the harvester tagging mandate. Additionally, the Division's reasons for limiting entry had ample support among the commenting public. Accordingly, the emergency action to stop issuing new permits in 2026 will be carried forward unchanged in the final regulations. It is likely that 4,000-5,000 endorsements will still be issued in 2026. Consequently, this is only the first step to reducing permit issuance, to be followed up with an additional proposal to further limit entry in 2027 to get to a number of permittees for which the Division can effectively administer an ASMFC-compliant harvester tagging program.

Where there was opposition to limiting entry, much of it was centered around concerns for how future access would be managed, with particular interest in ensuring some level of new and affordable access for the next generation and/or active participants of other commercial/for-hire fisheries. The high cost associated with the transfer of limited entry permits is precisely the reason that the emergency regulations established the endorsement as non-transferable and why DMF is committed to exploring alternative approaches to new access in the next round of rule-making for 2027 which maintain a lower barrier to entry and will be more consistent with the open access history of this small-scale, entry-level fishery. DMF will incorporate the input of the relevant MFAC focus groups and the ad hoc industry advisory panel in the development of these exit:entry approaches. Therefore, the final regulations will uphold the non-transferability aspect of the endorsement.

However, I have reconsidered the need to make the endorsement owner-operator (at this time in 2026). DMF had proposed this to prevent activation of latent effort (should an individual denied a permit in 2026 seek to participate in the fishery through the use of another person's previously unused permit), to uphold permit sanctions (such that an individual whose permit is suspended or revoked cannot continue to be active in the fishery through the use of another person's permit), and because we felt it reflected most participation in this near-shore, small-boat fishery. However, the public comment surfaced many situations of an individual's fishing activity occurring under a permit issued in another person's name. Often this involved relatives who would be covered under the owner-operator exception for immediate family members,<sup>1</sup> but other situations included cousins, in-laws, and friends—often associated with co-ownership of a vessel—which do not fall under the umbrella of existing owner-operator exceptions.

Based on these comments, I find it prudent to give the application of the owner-operator requirement more consideration. Any newly activated latent permits will be short-lived with the planned proposal to apply the control date with activity criteria to further limit access in 2027. Limiting entry and non-transferability will help to uphold any permit sanctions. I would also like to spare my permitting staff

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<sup>1</sup> Immediate Family Member is defined as a spouse, child, step child, adopted child, sibling, step sibling, adopted sibling, parent, step parent, adopted parent, grandparent, or grandchild.

the workload associated with issuing what could be hundreds of Letters of Authorizations (LOAs) under the owner-operator exemptions while over 4,000 permittees remain. If we decide to make the endorsements owner-operator in 2027, it will be with a reduced number of permits issued (and therefore less owner-operator LOA requests expected as well). Staff time would be better spent in 2026 developing the proposals for use of the control date, new access, and harvester tagging.

Lastly, regarding the control date, I plan to continue with the newly updated date of December 31, 2025. This was largely supported in public comment, with limited opposition from long-time fishery participants. The update of the control date does not preclude us from considering activity prior to the old date of June 14, 2022 in future plans to reduce permits. However, I am mindful of not developing activity criteria that would retain formerly-active-but-now latent permits or remove from the fishery individuals that have been highly engaged in the commercial fishery for the most recent years.

**Enc:**

Written Public Comment on Emergency Regulations

**From:** [Michael Matulaitis](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Fwd: Public comment on emergency striped bass regs.  
**Date:** Sunday, December 7, 2025 8:31:16 AM

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-----Director DMF  
From: **Michael Matulaitis** <[matulaitism@gmail.com](mailto:matulaitism@gmail.com)>  
Date: Thu, Dec 4, 2025 at 10:06 AM  
Subject: Public comment on emergency striped bass regs.  
To: <[marine.fish@mass.gov](mailto:marine.fish@mass.gov)>

Hi Daniel McKiernan,

My name is Michael Matulaitis, Brewster, MA

I am in favor of limiting access into the Striped Bass fishery.  
There are too many permits out there.  
20% of the so-called active permits is still too many!  
There should be some qualifying criteria to prove you are a commercial fisherman.  
The small quota should be reserved for true commercial fishermen that make their living from fishing.

I agree with the owner operator requirement, and transferability moratorium.

The earliest control date, not the latest control date, should be used to help manage the influx of new entrants to the fishery. It was established for this very purpose to manage the out of control derby style fishery.

Thanks for bringing this emergency action to the table.  
I think it is a step in the right direction.  
Also steps should be taken to ensure environmental viability of the spawning areas.

Michael Matulaitis  
508-280-0490

**From:** Vaughn Wedge  
**To:** Marine Fish (FWE)  
**Subject:** Re: Reminder – Comment Period Open on Commercial Striped Bass Permitting Modifications  
**Date:** Wednesday, December 3, 2025 1:02:54 PM

I think it should be no different from the other endorsements that are close in in  
Favor of the changes but think they should be transferable as the other endorsements are

On Tue, Nov 25, 2025, 11:17 AM MA Division of Marine Fisheries <[marine.fish@notice.mass.gov](mailto:marine.fish@notice.mass.gov)> wrote:

**Massachusetts Division of Marine Fisheries**

November 25, 2025

## Reminder – Comment Period Open on Commercial Striped Bass Permitting Modifications

### *Virtual Public Hearing on December 2*

The Division of Marine Fisheries is accepting public comment on recently announced emergency regulations affecting the issuance and use of commercial striped bass permit endorsements beginning in 2026. A virtual public hearing is scheduled for Tuesday, December 2 at 6PM ([Zoom Registration Link](#)). Written public comment is due by 5PM on Friday, December 12 (submit by [email](#) to Director McKiernan).

The emergency regulations established the following:

- Commercial striped bass permit endorsements are **limited entry**. For 2026, the issuance of commercial striped bass permit endorsements will be restricted to those who held an endorsement in 2024 or 2025. (Eligibility criteria for 2027 and beyond will be determined through a subsequent rule-making process next year.)
- The named permit holder must be present when commercial striped bass fishing is occurring under the authority of their endorsement (a.k.a. “**owner-operator**”). Exceptions apply, including for immediate family members, active military duty, and for up to two years following death, disability, or other good cause as determined by the Director.
- Commercial striped bass permit endorsements are **non-transferable**.
- The commercial striped bass **control date** is updated from June 14, 2022 to December 31, 2025. This means that commercial fishing activity through the end of the 2025 commercial fishing season (rather than the end of the 2021 commercial fishing season) may be considered as part of eligibility criteria to further reduce the issuance of permits in the future.

These changes were implemented by emergency regulation, effective November 21, in time to make permitting changes for 2026. Emergency regulations may only be valid for up to 90 days because they are implemented without public comment. This public comment process enables the permanent adoption of these changes as final regulations. Final regulations may differ from emergency regulations in consideration of the public comment received.

**From:** [Alvin Williams](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Striped Bass endorsement / limited entry  
**Date:** Wednesday, December 3, 2025 10:17:32 AM

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Attn: Dan McKiernan

I am submitting my support for the 4 emergency actions regarding limiting entry into the commercial striped bass fishery.

1). Establishing the endorsement as limited access.

This is long overdue. The next challenge becomes criteria for new entrants and exits to and from the fishery.

2). Owner operator mandate.

I support this, acknowledging that there will be a lot of supporting exceptions added.

3). Moratorium on transferability.

This is necessary for the near term but warrants further discussion after the number of endorsements is reduced to target levels

4). Control Date.

I support the new control date only because it serves as a hard stop when establishing historical performance criteria.

But as a long time participant in this fishery I have found it frustrating that this date was continuously kicked forward and not previously used to manage the expansion of the fishery.

Additional comments relating to future discussions:

I am a federal reporting vessel, and as such, I report via eVTR for every trip prior to landing. It's reasonable to assume that a harvester tagging program will involve some documented accounting of tag#s used each trip. Please give attention to this as it applies to Fed. eVTR reporting.

As participation filters are discussed for this fishery, is history equally accessible for Federal reporting vessels and state reporting vessels?

Once a harvester tagging program is in place, is there still need for the requirement to have a dealer representative present at time of landing?

I thank you for considering these comments, and will offer further input as these concepts evolve.

Al Williams  
Gloucester

Sent from my iPad

**From:** [Nicholas Kowaleski](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Striped Bass Restrictions  
**Date:** Tuesday, December 2, 2025 8:29:34 PM

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Good evening Division of Marine Fisheries,

I would like to extend my thoughts and concerns regarding the restriction of yet another commercial fishery. I am an 18 year old from Harwich, Massachusetts, and since I was about four years old, I've been immersed in the fishing industry. From offshore trips to the canyons to working as a mate on my dad's 26-foot Regulator tuna fishing, the ocean has always been at the center of my life.

During the pandemic, my dad and I turned to commercial fishing for fun, relief, and livelihood. Recently, I've been trying to make money on the water any way I can. I obtained a student lobster license to catch and sell lobsters and a commercial permit endorsed for mackerel, striped bass, dogfish, scup, and more. Last year, I earned just enough to buy an old wooden lobster boat from the 1970s and completely rebuild it for commercial fishing. I take a great deal of pride in commercial fishing and lobstering and don't want to see either fishery restricted even more.

I am currently studying economics at Tufts University and hope to someday combine my education with my practical fishing experience to build a profitable business within the blue economy. The ability to participate in commercial fisheries now is essential for gaining the hands on knowledge, connections, and financial footing that will make that future possible. From commercial fishing alone I make more money than anyone I know my age does working a regular job.

In the summer, I work at the Chatham Fish Pier unloading gillnet boats, I commercially lobster, go giant tuna fishing, and commercial bass fish on my dad's boat. I also try to striped bass fish on my own vessel any day I can. My dad has the striped bass fishery down to a science at this point and can repeatedly land a successful catch. I have only recently entered the industry and hope to one day reach his level of expertise. That cannot happen if I am stripped of my permit. I was only able to go on five trips under my own permit this summer which was my first real opportunity to use it. In total, I was able to catch just six commercial striped bass. Even though 5/6 of the fish were well over 40 inches I still have a lot to learn. I am deeply concerned that these new limited-entry regulations will prevent me from having the chance to access the commercial fishery I've worked so long and hard to be part of. I made countless commercial trips with my dad growing up, which ironically prevented me from being able to use my own permit earlier.

I've tried to fish commercially in every category available, but now only a handful remain open to someone like me. I've spent more time on the water than most my age—just last weekend, I went commercial mackerel fishing to catch lobster bait for the summer. I don't believe it is fair to remove the opportunity for young people who are just starting out in the industry to make a living on the water.

I would also like to suggest that the Division look at the successful redfish management

program in Texas, where recreational regulations were restructured to dramatically reduce mortality and rebuild the stock. A similar approach for striped bass here could be far more effective than further limiting commercial participation. The data consistently show that the recreational fishery mortality accounts for roughly 90% of total striped bass deaths. Implementing commercial tags or tightening commercial access will not meaningfully impact a problem that overwhelmingly stems from the recreational side not the commercial. A management model modeled after Texas and focused on recreational accountability and conservation regulations could offer a more balanced and effective solution rather than barring entrepreneurs like me from entering the industry.

Thank you for your time and consideration and the opportunity to provide my input.

Sincerely,

Nicholas Kowaleski

Harwich, MA

**From:** [John Fitzgerald](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Attention: Daniel McKiernan Striped BassFishery  
**Date:** Tuesday, December 2, 2025 12:11:46 PM

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Dear Mr . McKiernan,

I recently read about the proposed changes to the commercial striped bass management plan and I would like to share my thoughts on the matter.

Given the environmental changes that have had led to a significant deterioration in the spawning success of striped bass in the Chesapeake Bay I can't help but wonder why MA still allows a commercial season for stripers at all. I believe that it is the responsibility of those managing the fishery to put the sustainability of the Striped Bass fishery above the interest of any commercial group. From everything I have read it does not appear that it is reasonable to believe that spawning success is going to improve over the near or long term and that steps should be taken to preserve the remaining biomass. I can't help but think back to the days when commercial cod fishing was allowed to continue when it was obvious to all that the fishery was failing. I would hate to see the striped bass fishery follow that path and result in a complete closure for both recreational and commercial fisherman.

Regards,

John Fitzgerald

**From:** [David Kiser](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Striped Bass virtual public hearing - written comment  
**Date:** Tuesday, December 2, 2025 11:27:24 AM

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All commercial striped bass fishing should be paused while the biomass is below the rebuilding plan threshold, which it currently is.

No one should be able to exploit the resource for profit at the expense of all others. Pause commercial bass fishing until the stock has been rebuilt!

Dave K.

**From:** [Brendan McManus](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Commercial bass regulation change  
**Date:** Tuesday, December 2, 2025 11:15:53 AM

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Hello,

I think the permits should remain the way they have been over previous years. As the son of the owner of the vessel that planned on joining the commercial fishery I feel it is unfair to limit the license to only certain members of the community. One way you can fix the issue of the owner not being there is to have a database that lists registered operators of the vessel to prevent overfishing.

Thank you,  
Brendan McManus  
Sent from my iPhone

**From:** [McKiernan, Dan \(FWE\)](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** FW: Thought on striped Bass commercial endorsement  
**Date:** Tuesday, December 2, 2025 9:44:14 AM

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Daniel J. McKiernan, Director  
MA Division of Marine Fisheries  
836 South Rodney French Blvd  
New Bedford MA 02740  
617 626-1536  
[dan.mckiernan@mass.gov](mailto:dan.mckiernan@mass.gov)

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

From: Paul Tokarz <[tok67@verizon.net](mailto:tok67@verizon.net)>  
Sent: Saturday, November 29, 2025 2:30 PM  
To: McKiernan, Dan (FWE) <[dan.mckiernan@mass.gov](mailto:dan.mckiernan@mass.gov)>  
Subject: Thought on striped Bass commercial endorsement

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My personal thoughts are regardless of a catch ratio. It should be decided by a lottery system or all current endorsements are acknowledged. And once one leaves the market it cannot be replaced.  
Not all fisherman have the luxury of fishing multiple days in one location because of the migration of most fish ;most fisherman trailer of their boats have a lot of fisherman have been fishing for striped bass for many years, but over the last 5 to 6 years have not been catching commercial size fish due to the location in area that they fish . For example, older fisherman that have restrictions due to their health eyesight, etc. etc. I'm not going to travel very far to chase fish like the younger generation is but they should not be punished because of their disabilities.

Hence they should not be punished for losing their license because they have not caught sable fish.  
To make it fair in not a monopoly, we should leave the license and process alone with no new licensing in the near future unless the system rebound, but to take away a license because a person has not caught a sable fish now will p the individual did not catch a silver has no impact on the quota whatsoever.  
Thanks for reading, Paul

Sent from my iPhone

**From:** [McKiernan, Dan \(FWE\)](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** FW: Commercial Striped Bass Permiting Regulation comment  
**Date:** Tuesday, December 2, 2025 9:43:53 AM

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Daniel J. McKiernan, Director  
MA Division of Marine Fisheries  
836 South Rodney French Blvd  
New Bedford MA 02740  
617 626-1536  
dan.mckiernan@mass.gov

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**From:** Randy Sigler <[randy@striper.com](mailto:randy@striper.com)>  
**Sent:** Sunday, November 30, 2025 2:45 PM  
**To:** McKiernan, Dan (FWE) <[dan.mckiernan@mass.gov](mailto:dan.mckiernan@mass.gov)>  
**Subject:** Commercial Striped Bass Permiting Regulation comment

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Hey Dan,

Hope you had a wonderful Thanksgiving! I was disappointed to have missed the commercial striped bass focus group, but I would love to share some thoughts regarding how best to manage the commercial fishery going forward ... both in regards to the current emergency regulations, as well as moving forward.

My personal feeling is that our current commercial striped bass fishery does not represent the essence of a "traditional" New England commercial fishery. With an outrageous level of latent (or unreported) permits, and a large number of "recreational" fishermen dabbling in the "commercial" fishery, there are relatively few participants in our current commercial fishery who actually make their living from the water in a "legacy" fashion.

As such, with a need to reduce access to the commercial striped bass fishery, the DMF should target providing access to those fishermen who can demonstrate a historical dependence on fishing for the bulk of their income, along with a history of commercial striped bass landings.

I am highly aware of, and agree with, the argument that a small number of individuals should not be granted the lion-share of a public resource simply because they derive their livelihood from it. However, with the striped bass fishery, the commercial harvest is far smaller than the recreational harvest, and the public still has exceptional access to the resource. (unlike with our Atlantic Cod stocks)

Ultimately, and for a number of reasons, I feel that harvester tagging is the way to align the commercial striped bass fishery with the idea of legacy/traditional commercial fishery. The question becomes, how do you get there?

In terms of the items currently being discussed:

**Limited Entry Eligibility Criteria:** I feel that our goal should be to reduce participation to a point at which harvester level tagging is attainable. For 2026, I agree with limiting to '24/'25 participants. However, if possible for 2026 (certainly '27 and beyond), I would go further and suggest that access to the commercial fishery should be directed to those participants who have demonstrated an appropriately high level of harvest (> 2,000 lbs/year?), and ideally can demonstrate that the bulk of their income is derived from fishing activities.

**Owner Operator:** Although I agree with O/O status in concept, I am not sure I agree with the exceptions. These exceptions may be the norm in other fisheries where the capital investment is significantly larger, with employees and large carrying costs. However, this fishery is predominantly a small boat fishery (from 10' tin boats to 26' center consoles), often fished alone or with maybe one crew. I don't see the justification to let the O/O send a family member in their place? Or to have the boat/permit fished while they are on military duty? Or to have the permit fished after a death? I would agree to maintaining permit eligibility if fishing were interrupted due to military service, but other than that, this is a short duration (25 days?) fishery utilizing low capital and no employees. It doesn't need an exception if the O/O can't fish the permit.

**Non-Transferable Permits:** YES!!! This goes along with my earlier argument that individuals should not "own" a public resource, or the right to benefit from a public resource. Limited entry permits should not be an asset that can be sold ... the permit, like the fish stock, is a public resource.

**New Control Date:** Yes, moving the control date to 2025 makes future moves more fair to all players.

In terms of other issues I feel are important:

**Personal Use:** Until we can implement harvester tagging, I feel strongly that we should eliminate the “personal use” exemption. This “allowance” is the loop hole that lets many people use their commercial permit to simply retain large fish “recreationally”. We have a large number of supposedly latent permits, but I would argue that many of these “latent” permits are not actually latent. They are actively harvesting fish ... but the fish go unreported because they are not sold to a dealer, and unless the fisherman is in the groove with reporting, it is FAR easier to report a swath of negative fishing days than to actually, accurately report these personally retained fish.

I am personally acquainted with two different individuals who have commercial permits, they fish out of million dollar center consoles, on days away from their high 6-figure income jobs/businesses, and they routinely harvested multiple fish for their neighborhood-famous fish chowder, which they share abundantly amongst their neighborhood. I have chatted with these guys, and am certain that these fish go unreported. This is anything but legacy commercial fishing.

**Harvest level requirement:** If we have any interest in retaining a “legacy/traditional” aspect to this fishery, or to better account for the true number of fish harvested, we HAVE to base commercial permit eligibility on some historical level of harvest. Aside from the folks I know who use the permit to harvest “personal” fish, I know easily two dozen people who have commercial striped bass permits who harvest very few fish. Their primary objective is that it provides them cover to claim their boat is used for commercial fishing for tax purposes.

If we limit permit eligibility to only those fishermen who demonstrate a certain level of harvest, we would quickly get down to a number of permits that would allow for harvester tagging. And requiring harvester tagging would help eliminate problems with underreporting, high-grading, over limit sales, etc.

Sorry this is so long, but hope it helps a little and can be considered.

Please don’t hesitate to reach out with any thoughts questions, and hope you have a wonderful holiday season!

All the best

Randy

Randy Sigler  
Sigler Guide Service  
1 Peabody Ln  
Marblehead, MA, 01945  
617-459-1798  
[randy@striper.com](mailto:randy@striper.com)

**From:** Ryan F Cook  
**To:** Marine Fish (FWE); RYAN COOK  
**Subject:** Fwd: Emergency Regulations to Establish Commercial Striped Bass Fishery as Limited Entry and Owner Operator  
**Date:** Monday, December 1, 2025 12:56:11 PM  
**Importance:** High

---

**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 Attention of Director Dan McKiernan

I am writing in regards to the proposed "owner-operator" requirement.

I own a boat with my brother in law

We have both been on title to the boat since we purchased it in 2008.

We have held a boat striped bass permit since 2008. (and we both had other bass permits before this date tied to other vessels or individual permits)

Since DMF does not allow two people to be listed on the license, the license only shows his name on it.

Under the proposed rule, I would not be able to bass fish without him onboard even though I am an owner of the boat.

If this new rule passes, can the DMF allow two names be printed on our license if we show the title issued in 2008?

Please advise.

Thank you

Best Regards,

Ryan F. Cook

MLO Lic#5563, NMLS ID#5563

Derby Street Mortgage, Inc.

MA Lic#MB5547, NMLS ID#5547

NH Lic#5547MBR, NMLS ID#5547

Phone: (508) 224-6210

Fax: (508) 224-6222

Mobile: (508) 364-7571

Email: [Ryan.Cook@derbystreetmtg.com](mailto:Ryan.Cook@derbystreetmtg.com)

[derbystreetmtg@comcast.net](mailto:derbystreetmtg@comcast.net)

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

From: Massachusetts Division of Marine Fisheries <[marine.fish@notice.mass.gov](mailto:marine.fish@notice.mass.gov)>

To: [derbystreetmtg@comcast.net](mailto:derbystreetmtg@comcast.net)

Date: 10/28/2025 4:40 PM EDT

Subject: Emergency Regulations to Establish Commercial Striped Bass Fishery as Limited Entry and Owner Operator

**Massachusetts Division of Marine Fisheries**

**From:** [Ken Baughman](#)  
**To:** [McKiernan, Dan \(FWE\)](#); [Gahagan, Ben \(FWE\)](#); [Marine Fish \(FWE\)](#)  
**Subject:** Comment Period Open on Commercial Striped Bass Permitting Modifications: Virtual Public Hearing on December 2  
**Date:** Monday, December 1, 2025 12:39:27 PM

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Hi Ben and Dan,

Here are my comments for Striped Bass tomorrow:

“The moral quandary of whether sport-fishing for stripers constitutes sociopathic behavior aside (eg deriving pleasure from harming small animals), I would like to make sure that the historic and cultural significance of the commercial stripers rod and reel fishery be recorded. Today’s recreational stripers lobby seems unaware that their favorite pastime only exists because of the hard work, innovation, and techniques that arose from generations of guys selling fish. An additional point: there is no other viable biomass in Massachusetts that is as amenable to entry-level commercial rod and reel fishermen. So many of today’s commercial and charter captains, myself included, got their start with stripers; pulling up the ladder now seems like a bad idea. Thus, while I support all 4 emergency regulations to amend 322 CMR 6.07, 7.01, and 7.04 by MA DMF highlighted in this public hearing, I look forward to working with everyone (except? especially? the sociopaths) to keep commercial stripers viable, particularly for the new guys.”

Thanks.

—  
best,  
Ken

**From:** [Pat](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** STB regulation changes  
**Date:** Saturday, November 29, 2025 10:09:47 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.

Dear Director,

Request DMF to please allow the transfer of Striped Bass Permits among immediate family members, reason being, boat licenses are in boat owners names, some boats are in fathers, wives, sons and daughters names. The Bass license goes to boat. The way it is set up now is waivers for immediate family works, what happens when they die? Thank you!

Sincerely,  
Jean Mahoney  
Mass Commercial #162014

**From:** [Pat](#)  
**To:** [Marine Fish \(FWE\)](#); [toDirectorDanielMcKiernan@aol.com](mailto:toDirectorDanielMcKiernan@aol.com)  
**Subject:** STB New rules  
**Date:** Saturday, November 29, 2025 9:45:59 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.

Dear Daniel McKiernan,

Request DMF to please allow the transfer of Striped Bass Permits among immediate family members. The reason being, boat licenses are in boat owners names, some boats are in fathers, wives, sons and daughters names. The Bass license goes to the boat. The way it is set up now is waivers for immediate family members works, what happens when they die? Thank you!

Sincerely,

Jean Mahoney  
Mass Commercial #162014

**From:** [djplaster@gmail.com](mailto:djplaster@gmail.com)  
**To:** [McKiernan, Dan \(FWE\)](#)  
**Subject:** Comment on Commercial Striped Bass Permitting Modifications  
**Date:** Wednesday, November 26, 2025 6:23:09 AM

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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 have fished recreationally for Striped Bass for over 50 years; I have lived through the decimation of the species in the late 70s through the 80s and there is no doubt we are headed down the same path. Reducing the quota by only 20% will only provide minimal positive impact at best. Harvesting 600K lbs. of breeding fish when the root cause of current problem is reproduction makes no logical sense. What is really needed now is a total moratorium of harvesting Striped Bass both recreationally and commercially.

Thank you for your consideration on this matter.

Regards,

Dennis Plaster  
Email: [djplaster@gmail.com](mailto:djplaster@gmail.com)  
Cell: 585-813-4162

**From:** [Tom Bolinder](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Striped Bass  
**Date:** Tuesday, November 25, 2025 6:56:58 PM

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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 have made comments on this. Just think all commercial stripers fishing should be stopped. Recreational season. And perhaps catch and release for all stripers. 2025 was the worst season for stripers ever. I'm 77 and have fished for them since I was 10. It is up to us to save this magnificent fish.

Thanks

Tom Bolinder  
242 Shore Rd  
Buzzards Bay, Ma 02532

PS I have mesothelioma, so may not be here for next spring. Hoping you all love thus fish as much as me.  
Sent from my iPhone

**From:** [Jay Goodwin](#)  
**To:** [McKiernan, Dan \(FWE\)](#)  
**Subject:** Comment Period Open on Commercial Striped Bass Permitting Modifications  
**Date:** Tuesday, November 25, 2025 3:35:32 PM

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Hi, I was disappointed to see the rule that vessel owners had to be present when commercial striped bass fishing was occurring. My son grew up commercial Bass Fishing with me and now that he is in high school he fishes on our family boats himself as his summer job. Paid crew or at the very least family members should be able to fish a vessel with a permit. These are boat permits not individual permits and should be managed accordingly.

Sincerely,

James Goodwin  
21 Scotlin Way  
East Harwich, MA 02645

**From:** [Bill Furtado](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Striped bass fishing permits  
**Date:** Tuesday, November 25, 2025 3:13:05 PM

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I have mine attached to my lobster license. They should be transferable if you cannot get anymore just like the lobster permit so if somebody wants one, they can get it off a person that already has one if you have any questions my phone number is 617-688-7026.

Sent from my iPhone

**From:** [David Sullivan](#)  
**To:** [McKiernan, Dan \(FWE\)](#)  
**Subject:** Commercial striped bass regulation  
**Date:** Tuesday, November 25, 2025 2:17:20 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.

Hi Dan,

My input is to please do whatever is necessary to preserve the striped bass.

My experience this year has been that there is a significant decline the stiper population. I think we all need to recognize the seriousness of the situation.

I generally fish cape cod bay on an almost daily basis spring, summer and fall.

I think that blue fish might be even more desperate. That population appears to disappearing in the bay.

Thanks for listening!

David Sullivan

Sent from my iPhone

**From:** [bonitobob@aol.com](mailto:bonitobob@aol.com)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Re: Reminder – Comment Period Open on Commercial Striped Bass Permitting Modifications  
**Date:** Tuesday, November 25, 2025 1:41:09 PM

Can some tell me WHY we ever have a commercial season on Striped Bass - you're killing the large breeders just to keep a few people happy - if people want to eat bass their farm raised - the way you people think a few years from now a thousand boats will be fishing for the LAST bass - Are you sure you know what you're doing - been fishing for over 50 years and have never seen it this bad.

R. Rogers

On Tuesday, November 25, 2025 at 11:17:41 AM EST, MA Division of Marine Fisheries <[marine.fish@notice.mass.gov](mailto:marine.fish@notice.mass.gov)> wrote:

## Massachusetts Division of Marine Fisheries

November 25, 2025

### Reminder – Comment Period Open on Commercial Striped Bass Permitting Modifications

#### *Virtual Public Hearing on December 2*

The Division of Marine Fisheries is accepting public comment on recently announced emergency regulations affecting the issuance and use of commercial striped bass permit endorsements beginning in 2026. A virtual public hearing is scheduled for Tuesday, December 2 at 6PM ([Zoom Registration Link](#)). Written public comment is due by 5PM on Friday, December 12 (submit by [email](#) to Director McKiernan).

The emergency regulations established the following:

- Commercial striped bass permit endorsements are **limited entry**. For 2026, the issuance of commercial striped bass permit endorsements will be restricted to those who held an endorsement in 2024 or 2025. (Eligibility criteria for 2027 and beyond will be determined through a subsequent rule-making process next year.)
- The named permit holder must be present when commercial striped bass fishing is occurring under the authority of their endorsement (a.k.a. "**owner-operator**"). Exceptions apply, including for immediate family members, active military duty, and for up to two years following death, disability, or other good cause as determined by the Director.
- Commercial striped bass permit endorsements are **non-transferable**.
- The commercial striped bass **control date** is updated from June 14, 2022 to December 31, 2025. This means that commercial fishing activity through the end of the 2025

**From:** [Spiegelman, Bruce](#)  
**To:** [McKiernan, Dan \(FWE\)](#)  
**Cc:** [Jeff Saunders](#)  
**Subject:** Striped bass regulations comment  
**Date:** Tuesday, November 25, 2025 12:57:57 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 Dan-I am a non-commercial fisherman with a boat on the north side of Cape Cod. I strongly urge shutting down commercial stripers fishing completely. Although commercial fisherman have a quota, I see **constant incidental mortality** from commercial fisherman, with my own eyes. They usually use large live baits and of course, any fish that swallows that bait may not survive, regardless of size. I am quite sick of seeing many non-commercial sized dead fish floating where commercial folks are fishing. Everybody fishing the Cape waters sees this and I would like to know how you folks are quantitating, not just the reported catch, but the total kill from commercial fishing.

**Furthermore, all commercial sized fish are breeding females (sexual dimorphism).**

Why would we want those fish killed?

I think the commercial fishing for big stripers is a serious wound to your efforts to preserve the striped bass fishery.

Best, Bruce Spiegelman

Bruce M. Spiegelman, Ph.D.

Stanley J. Korsmeyer Professor of Cell Biology and Medicine  
Dana-Farber Cancer Institute and Harvard Medical School  
[bruce\\_spiegelman@dfci.harvard.edu](mailto:bruce_spiegelman@dfci.harvard.edu)

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**From:** [Cordy Swope](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Public Comment: Commercial Striped Bass  
**Date:** Tuesday, November 25, 2025 12:17:22 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 as a lifetime (63 year old) recreational angler in Massachusetts waters. It has long been my belief that commercial fishing for striped bass should be abolished permanently as no single state or federal entity has demonstrated the ability to regulate a sustainable fishery - ever. As to the commercial fisherman who will dispute this position, there are plenty of other, more sustainable and abundant species that are better served than striped bass for commercial exploitation.

Finally, I submit to you, Director McKiernan, that commercial striped bass fishing in 2026 and beyond is an environmentally and morally indefensible practice. It is no longer part of the name of the Martha's Vineyard Derby and is a species that should never be offered in restaurants or subject to any other commercial application. The fish should become solely a recreational pursuit that is highly regulated.

Thank you,

Cordy Swope  
349 Main Street  
Vineyard Haven, MA 02573

**From:** [Kowaleski, Michael P](#)  
**To:** [McKiernan, Dan \(FWE\)](#)  
**Subject:** Commercial Striped Bass Permitting Modifications  
**Date:** Tuesday, November 25, 2025 12:07:55 PM

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Hi Dan,

These modifications all seem to be common sense and very reasonable to me.

I am in full support.

Best regards,

Michael P. Kowaleski, DVM, Diplomate ACVS and ECVS  
Professor of Orthopedic Surgery  
Tufts Cummings School of Veterinary Medicine  
200 Westboro Road  
North Grafton, MA 01536

[mike.kowaleski@tufts.edu](mailto:mike.kowaleski@tufts.edu)

**From:** [Gary's](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Emergency regulations for striped bass.  
**Date:** Tuesday, November 25, 2025 11:57:46 AM

---

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Hello Mr. McKiernan,

I am a life long resident and fisherman in Massachusetts. I think the emergency regulation are a step in the right direction, perhaps if you had acted sooner we would have not needed emergency regulations. I think that in addition to the proposal limiting permits to those who had permits in 2024 and 2025, they should also be required to show that they actually sold fish in either year. This was a requirement when the state permit for codfish was changed to limited. This will remove many permits that are not being used and limit the number to those that are actually commercial fishing.

Regards

Gary George

508-527-6956

16 Sparrow Lane Extension

Peabody Massachusetts 01960

**From:** [Peter Ashley](#)  
**To:** [McKiernan, Dan \(FWE\)](#)  
**Subject:** Striped bass rules  
**Date:** Tuesday, November 25, 2025 11:56:21 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.

Why not these rules on the Atlantic coast:

- fishing with single hook lure only (no treble hook)
- close commercial except for charter
- 1 slot per day per person if not charter
- stop menhaden strip mining

Value of rec fisherman on hotels, meals, tackle gas etc must exceed commercial profit

Cape cap canal and bay was terrible this year

**From:** [Jeff Clabault](#)  
**To:** [McKiernan, Dan \(FWE\)](#)  
**Subject:** Commercial Striped Bass  
**Date:** Tuesday, November 25, 2025 11:45:55 AM

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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- considering how poorly the striped bass management program has been going and knowing that the YOY surveys have been very poor of late, doesn't it seem like a no brainer to end the commercial harvesting of bass for the next few years? We may only get one shot at this. Let's not blow it by catering to a tiny, niche "industry" that is more of a hobby than a way of life.

Thanks. J Clabault  
Formerly of Forestdale Bait and Tackle

**From:** mike kohn  
**To:** Marine Fish (FWE)  
**Subject:** Re: Reminder – Comment Period Open on Commercial Striped Bass Permitting Modifications  
**Date:** Tuesday, November 25, 2025 11:20:35 AM

Why is it that there are so many absolutely crazy restrictions on recreational fishing when you let them just net them up down in the fricking Chesapeake it doesn't work unless everybody on the East Coast is on board you know what everybody says do what you did the first time to bring them back put a fucking moratorium on for a year or more

On Tue, Nov 25, 2025 at 11:16 AM MA Division of Marine Fisheries <[marine.fish@notice.mass.gov](mailto:marine.fish@notice.mass.gov)> wrote:

## Massachusetts Division of Marine Fisheries

November 25, 2025

# Reminder – Comment Period Open on Commercial Striped Bass Permitting Modifications

## *Virtual Public Hearing on December 2*

The Division of Marine Fisheries is accepting public comment on recently announced emergency regulations affecting the issuance and use of commercial striped bass permit endorsements beginning in 2026. A virtual public hearing is scheduled for Tuesday, December 2 at 6PM ([Zoom Registration Link](#)). Written public comment is due by 5PM on Friday, December 12 (submit by [email](#) to Director McKiernan).

The emergency regulations established the following:

- Commercial striped bass permit endorsements are **limited entry**. For 2026, the issuance of commercial striped bass permit endorsements will be restricted to those who held an endorsement in 2024 or 2025. (Eligibility criteria for 2027 and beyond will be determined through a subsequent rule-making process next year.)
- The named permit holder must be present when commercial striped bass fishing is occurring under the authority of their endorsement (a.k.a. "**owner-operator**"). Exceptions apply, including for immediate family members, active military duty, and for up to two years following death, disability, or other good cause as determined by the Director.
- Commercial striped bass permit endorsements are **non-transferable**.
- The commercial striped bass **control date** is updated from June 14, 2022 to December 31, 2025. This means that commercial fishing activity through the end of the 2025 commercial fishing season (rather than the end of the 2021 commercial fishing season) may be considered as part of eligibility criteria to further reduce the issuance of permits in the future.

These changes were implemented by emergency regulation, effective November 21, in time to make permitting changes for 2026. Emergency regulations may only be valid for up to 90 days because they are implemented without public comment. This public comment process enables the permanent adoption of these changes as final regulations. [Final regulations may differ from](#)

**From:** [Rob Savino](#)  
**To:** [Marine Fish \(FWE\)](#); [Meserve, Nichola \(FWE\)](#)  
**Cc:** [robsavino@cjvictoria.com](mailto:robsavino@cjvictoria.com)  
**Subject:** Re: Emergency Regulations to Establish Commercial Striped Bass Fishery as Limited Entry and Owner Operator  
**Date:** Tuesday, October 28, 2025 7:07:14 PM

---

Rob Savino (617) 283-5801

This is out of control.

On Oct 28, 2025, at 4:41 PM, Massachusetts Division of Marine Fisheries <[marine.fish@notice.mass.gov](mailto:marine.fish@notice.mass.gov)> wrote:

**Massachusetts Division of Marine Fisheries**



*October 28, 2025*

## **DMF Adopts Emergency Regulations to Establish Commercial Striped Bass Fishery as Limited Entry and Owner Operator**

The Division of Marine Fisheries (DMF) has adopted a series of emergency regulations affecting commercial striped bass permitting for 2026. First, the issuance of commercial striped bass regulated fishery permit endorsements will be restricted to only those people who held one in 2024 or 2025. Further instructions will be made available prior to the 2026 permit renewal period describing how the qualified permit holders can renew their commercial striped bass regulated fishery permit endorsement for 2026. Second, all commercial striped bass regulated fishery permit endorsements issued will be “owner-operator” thereby requiring the named permit holder be present when any commercial striped bass fishing activity is occurring under the authority of their permit. Third, the striped bass endorsements will not be transferable. Lastly, DMF has updated the control date for regulated striped bass fishery permit endorsements from June 14,

**From:** [Glenn Tracy](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Re: Emergency Regulations to Establish Commercial Striped Bass Fishery as Limited Entry and Owner Operator  
**Date:** Tuesday, October 28, 2025 6:36:14 PM

---

Just end striped bass fishing all for all

On Tue, Oct 28, 2025, 4:41 PM Massachusetts Division of Marine Fisheries <[marine.fish@notice.mass.gov](mailto:marine.fish@notice.mass.gov)> wrote:

**Massachusetts Division of Marine Fisheries**

October 28, 2025

**DMF Adopts Emergency Regulations to Establish Commercial Striped Bass Fishery as Limited Entry and Owner Operator**

The Division of Marine Fisheries (DMF) has adopted a series of emergency regulations affecting commercial striped bass permitting for 2026. First, the issuance of commercial striped bass regulated fishery permit endorsements will be restricted to only those people who held one in 2024 or 2025. Further instructions will be made available prior to the 2026 permit renewal period describing how the qualified permit holders can renew their commercial striped bass regulated fishery permit endorsement for 2026. Second, all commercial striped bass regulated fishery permit endorsements issued will be “owner-operator” thereby requiring the named permit holder be present when any commercial striped bass fishing activity is occurring under the authority of their permit. Third, the striped bass endorsements will not be transferable. Lastly, DMF has updated the control date for regulated striped bass fishery permit endorsements from June 14, 2022 to December 31, 2025.

DMF will host a virtual public hearing on these emergency regulations on Tuesday, December 2, 2025 at 6PM via Zoom. You can register to attend this public hearing via this [Zoom registration link](#). To access more information, please use this [link to the full public hearing notice](#) and this [link to DMF's webpage for proposed amendments to regulations](#).

The striped bass resource is currently assessed to be below its biomass threshold and is therefore subject to a rebuilding plan. The success of the rebuilding plan is challenged by environmentally driven recruitment failure. As a consequence, fishing mortality will need to be maintained at a low level for the foreseeable future. Massachusetts' striped bass commercial quota has already been reduced to roughly half of its peak level, contributing to a truncated season. These realities warrant a reconsideration of the open access approach to managing this fishery to preserve remaining commercial fishing opportunities for a smaller number of existing participants.

**From:** laurie.novak  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** RE: Emergency Regulations to Establish Commercial Striped Bass Fishery as Limited Entry and Owner Operator  
**Date:** Tuesday, October 28, 2025 5:02:28 PM

---

Good

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Massachusetts Division of Marine Fisheries <[marine.fish@notice.mass.gov](mailto:marine.fish@notice.mass.gov)>  
Date: 10/28/25 4:40 PM (GMT-05:00)  
To: [laurie.novak@comcast.net](mailto:laurie.novak@comcast.net)  
Subject: Emergency Regulations to Establish Commercial Striped Bass Fishery as Limited Entry and Owner Operator

**Massachusetts Division of Marine Fisheries**



October 28, 2025

## DMF Adopts Emergency Regulations to Establish Commercial Striped Bass Fishery as Limited Entry and Owner Operator

The Division of Marine Fisheries (DMF) has adopted a series of emergency regulations affecting commercial striped bass permitting for 2026. First, the issuance of commercial striped bass regulated fishery permit endorsements will be restricted to only those people who held one in 2024 or 2025. Further instructions will be made available prior to the 2026 permit renewal period describing how the qualified permit holders can renew their commercial striped bass regulated fishery permit endorsement for 2026. Second, all commercial striped bass regulated fishery permit endorsements issued will be "owner-operator" thereby requiring the named permit holder be present when any commercial striped bass fishing activity is occurring under the authority of their permit. Third, the striped bass endorsements will not be transferable. Lastly, DMF has updated the control date for regulated striped bass fishery permit endorsements from June 14, 2022 to December 31, 2025.

DMF will host a virtual public hearing on these emergency regulations on Tuesday, December 2, 2025 at 6PM via Zoom. You can register to attend this public hearing via this [Zoom registration](#)

**From:** [demello2008@aol.com](mailto:demello2008@aol.com)  
**To:** Marine Fish (FWE)  
**Subject:** Re: Emergency Regulations to Establish Commercial Striped Bass Fishery as Limited Entry and Owner Operator  
**Date:** Tuesday, October 28, 2025 4:42:47 PM

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Lawsuit forthcoming

[Sent from AOL on Android](#)

On Tue, Oct 28, 2025 at 4:40 PM, Massachusetts Division of Marine Fisheries <[marine.fish@notice.mass.gov](mailto:marine.fish@notice.mass.gov)> wrote:

**Massachusetts Division of Marine Fisheries**



*October 28, 2025*

## DMF Adopts Emergency Regulations to Establish Commercial Striped Bass Fishery as Limited Entry and Owner Operator

The Division of Marine Fisheries (DMF) has adopted a series of emergency regulations affecting commercial striped bass permitting for 2026. First, the issuance of commercial striped bass regulated fishery permit endorsements will be restricted to only those people who held one in 2024 or 2025. Further instructions will be made available prior to the 2026 permit renewal period describing how the qualified permit holders can renew their commercial striped bass regulated fishery permit endorsement for 2026. Second, all commercial striped bass regulated fishery permit endorsements issued will be “owner-operator” thereby requiring the named permit holder be present when any commercial striped bass fishing activity is occurring under the authority of their permit. Third, the striped bass endorsements will not be transferable. Lastly, DMF has updated the control date for regulated striped bass fishery permit endorsements from June 14, 2022 to December 31, 2025.

DMF will host a virtual public hearing on these emergency regulations on Tuesday, December 2, 2025 at 6PM via Zoom. You can register to attend this public hearing via this [Zoom registration link](#). To access more information, please use this [link to the full public hearing notice](#) and this [link to DMF's webpage for proposed amendments to regulations](#).

The striped bass resource is currently assessed to be below its biomass threshold and is therefore subject to a rebuilding plan. The success of the rebuilding plan is challenged by environmentally driven recruitment failure. As a consequence, fishing mortality will need to be maintained at a low level for the foreseeable future. Massachusetts' striped bass commercial quota has already been reduced to roughly half of its peak level, contributing to a truncated season. These realities warrant a reconsideration of the open access approach to managing this



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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Secretary

THOMAS O'SHEA  
Commissioner

DANIEL J. MCKIERNAN  
Director

### MEMORANDUM

**TO:** Marine Fisheries Advisory Commission (MFAC)

**FROM:** Daniel J. McKiernan, Director *Daniel J. McKiernan*

**DATE:** December 12, 2025

**SUBJECT:** Public Hearing Proposal on Horseshoe Crab Quota Management

#### Proposal

This memo serves to inform the MFAC that I intend to go out to public hearing later this winter to reduce the bait crab quota from 140,000 crabs to 100,000 crabs and reallocate these 40,000 crabs to the biomedical sector at a 1:2 ratio thereby increasing the biomedical quota from 200,000 crabs to 280,000 crabs.

#### Rationale

This proposal responds to increasing demand for horseshoe crabs from the biomedical sector coupled with decreasing effort in the state's conch pot fishery reducing the local demand for bait crabs. These dynamics have produced a situation whereby biomedical demand is driving bait harvest through the rent-a-crab program even when there is limited concurrent demand for bait crabs. This speaks to a misalignment in the quantity of horseshoe crabs allocated to each fishery that may be corrected by transferring quota between the sectors to better match demand. Further, this action will reduce overall mortality to the horseshoe crab stock.

DMF has analyzed effort trends in the state's conch pot fishery (Figure 1) and determined that the current local bait crab demand approximates 75,000 – 90,000 horseshoe crabs annually. Accordingly, reducing the bait quota from 140,000 crabs to 100,000 crabs will provide a more than sufficient supply of crabs for the state's conch pot fishery. Given the poor status of the channeled whelk resource in Massachusetts, DMF does not anticipate the conch pot fishery will rebound to prior peak effort levels (e.g., 2012), but it is conceivable this fishery could nominally rebound should market conditions improve and the proposed quota would provide bait at levels sufficient to meet such demand. See section below titled "Overview of the Conch Pot Fishery" for more information.

The 40,000 horseshoe crabs taken off the bait quota will be reallocated to the biomedical fishery at a ratio of 1:2. This will result in the biomedical quota increasing from 200,000 horseshoe crabs annually to 280,000 horseshoe crabs annually — a net increase of 40,000 horseshoe crabs potentially available to the biomedical industry<sup>1</sup>. When developing the biomedical quota in 2023, DMF used a 1:6 ratio when reallocating bait quota for biomedical purposes. This conversion factor was based on the estimated 15% mortality rate for the biomedical fishery. At present, I propose using the more conservative 1:2 conversion factor because there remains some uncertainty around the recapture<sup>2</sup> of these animals and the sublethal impacts of biomedical processing on horseshoe crabs. Finally, there is an undeniably strong public interest in managing horseshoe crabs for abundance, and if DMF is going to increase overall harvest, then it should be done in a manner that will not increase overall mortality. In this instance, the proposal will actually reduce overall mortality by about 28,000 crabs annually, assuming a 15% biomedical mortality rate.

DMF has heard from industry on a variety of potential alternative or additional management changes for 2026 and have spent the last several months engaging stakeholders in the interest of due diligence. Ultimately, I have decided to move forward to rulemaking with only the most straightforward option — the proposed quota reallocation — as it is the simplest way to address current market misalignment, is beneficial to conservation, and provides the various industries involved in the horseshoe crab fishery with the greatest amount of certainty for expectations in 2026. I worry that trying to address too many concerns or taking increasingly novel approaches to management will ultimately create additional issues. Instead, my preference is to make this single change and analyze its performance and then consider additional or alternative approaches only if warranted. See section titled “Additional Considerations” for more details.

## **Background**

### Development of Biomedical Quota

In 2023, DMF established a first ever biomedical horseshoe crab quota of 200,000 horseshoe crabs annually to be split evenly among permitted biomedical processors. This was done in response to concerns about increasing horseshoe crab mortality driven by growing biomedical demand in Massachusetts. The adoption of this quota effectively allowed DMF to cap overall mortality at 2022 levels, which the available data suggests would allow horseshoe crab abundance to continue to increase. Since the adoption of the biomedical quota, DMF has

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<sup>1</sup> At present, the biomedical industry has access to 340,000 horseshoe crabs annually through the 200,000 crab biomedical quota, as well as the 140,000 crab bait quota through the rent-a-crab program. The proposed adjustment would provide the biomedical industry access to 380,000 horseshoe crabs through a 280,000 crab biomedical quota and a 100,000 crab bait quota.

<sup>2</sup> Note that biomedical harvest is primarily occurring within the northeastern portion of Nantucket Sound by mobile gear vessels. Fishery participants have expressed concern to DMF that there may be an over-reliance on this small area. As the biomedical crabs are released alive and are marked to identify it as a bled crab in season, future at-sea monitoring to determine the recapture of bled crabs would tell us if removals from this area become excessive.

received persistent comments from biomedical processors, dealers, and fishers requesting DMF increase the biomedical quota.

#### Demand for Horseshoe Crabs as Bait

Horseshoe crabs are the preferred bait in the conch pot fishery. Therefore, bait demand is a function of bait use per pot haul. DMF's understanding is that conch pot fishers generally mix between one-quarter and one-third of a horseshoe crab<sup>3</sup> with other bait per pot haul. Accordingly, with the state's conch pot fishery conducting fewer than 300,000 pot hauls annually since 2020 (Figure 1), DMF estimates the bait need for this fishery to be in the range of 75,000 to 90,000 horseshoe crabs annually.

This level of estimated bait demand is substantially lower than the current bait quota of 140,000 horseshoe crabs. Despite this, Massachusetts' routinely approaches fully utilizing its horseshoe crab bait quota (Table 1). This is occurring because biomedical demand for these crabs —through the rent-a-crab program — is driving bait harvest. As a result, DMF is receiving reports that crabs harvested against the bait quota often do not have a viable bait market and several whelk processors who provide bait to their conch pot fishers already have an ample quantity of horseshoe crabs in frozen storage. This speaks to a misalignment that could be remedied through a reduced bait quota and enhanced biomedical quota.

#### Overview of Conch Pot Fishery Performance

Effort in the conch pot fishery increased in the mid 2000s — in response to environmental related declines in the abundance of Southern New England lobster and displacement from the that fishery — before peaking at about 600,000 pot hauls annually in 2012 (Figure 1). Effort has steadily declined since then and for the past six years (2019-2024) it has been at or below 300,000 pot hauls annually<sup>4</sup>. This decline is likely driven by several factors — reduced abundance of channeled whelk, regulations to raise the size-at-harvest to protect spawning stock biomass, and more recently, unstable domestic and international market conditions.

Even within the context of this recent period of reduced productivity, 2024 was an extremely challenging year for the conch pot fishery (Table 2). Market conditions constrained effort and landings and our fishery conducted just over 200,000 pot hauls and the fishery landed only about 700,000 pounds of channeled whelk valued at about \$2M. While market conditions reportedly remain tenuous, 2025 landings data suggest the fishery has nominally rebounded. As of December 11, 2025 almost 820,000 pounds of channeled whelk have been landed this year with an ex-vessel value of nearly \$2.6 million. Assuming fairly static catch per unit effort this year compared to the past five years, DMF estimates the fishery will likely conduct about 250,000 pot hauls in 2025.

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<sup>3</sup> The amount of horseshoe crab used per pot haul is generally dictated by the size of the horseshoe crab. This is informed by a 2015 DMF survey, observations of bait use while sea sampling, and informal conversations with bait dealers and conch pot fishers.

<sup>4</sup> 300,000 trap hauls annually is also consistent with where effort was in this fishery prior to the spike in the mid-2000s.

There is some tempered optimism among whelk dealers and processors that the market can support 2025-levels of effort and landings moving forward. However, I am skeptical that the fishery will soon return to prior peak levels — not just because of market conditions — but because the resource is depleted throughout its range within Massachusetts waters, as evidenced by a lack of larger whelk in the observed catches. Accordingly, I anticipate the conch pot fishery will continue to operate around (and more likely below) 300,000 pot hauls annually for the foreseeable future. The bait demand for this level of activity will be sufficiently met by the proposed quota, notwithstanding any improvements in the development and availability of alternative bait sources that may further reduce bait demand moving forward.

### **Additional Considerations**

As a matter of routine due diligence, DMF networks with stakeholders to inform the development of regulatory proposals. This fall, DMF heard extensive concerns regarding a variety of issues related to the performance of the horseshoe crab fishery and the bait market. I do not intend to address these concerns and frustrations through regulatory actions at this time. However, I do want to acknowledge these issues to benefit of the MFAC's deliberation on this subject.

#### Eliminating the Rent-A-Crab Program

It has been suggested that DMF should prohibit the rent-a-crab program. Proponents argue this program has evolved beyond its intended function (i.e., use crabs harvested as bait for biomedical purposes) and is now driving bait harvest and warping the relationship between bait demand and bait harvest. This is further complicated by the fact that the rent-a-crab program is primarily pursued during the early summer months<sup>5</sup> — a time of year when the conch pot fishery is less active. This creates a further disconnect between bait harvest and bait demand and results in product being placed in frozen storage.

I support the continuation of the rent-a-crab program as it allows nearly all Massachusetts bait crab harvest to be repurposed for biomedical use thereby supplementing biomedical demand and optimizing the utility of each crab harvested. Eliminating this program would be wasteful and would likely also increase demand for additional biomedical quota. Further, biomedical demand has elevated the ex-vessel value of horseshoe crabs to the benefit of all bait fishers. If this value were to be lost, vessels may not target horseshoe crabs for bait purposes thereby reducing the overall supply of horseshoe crabs to market. Reduced profitability may lead to vessels leaving inshore mobile gear fisheries impacting the supply of other locally caught fish (e.g., squid, summer flounder, black sea bass, scup, quahogs).

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<sup>5</sup> DMF has observed that it is common for inshore draggers to pursue the bait quota during the summer months when other profitable species like summer flounder are targeted on the same trip. This allows these boats to make profitable trips combining their summer flounder limit with the 300 horseshoe crabs bait fishery trip limit. Then in the fall, when summer flounder migrate out of the Sounds, some draggers switch over to target the biomedical horseshoe crab quota at the higher 1,000 crab biomedical trip limit.

### Constraining Commercial Fisher Access to Participating in this Quota Managed Fishery

As the management and performance of the horseshoe crab fishery has evolved in recent years, there are persistent concerns about access. Historically, the fishery was prosecuted by hand harvesters and required limited capital investment. Over time, changes in management and fishery economics shifted harvest towards mobile gear fisheries. With the adoption of the spawning closures in 2025, hand harvest opportunities are now extremely limited, and bait harvest is almost exclusively conducted by mobile gear fishers. Additionally, the 2023 adoption of the biomedical processor quota further shifted the use of this resource towards more capitalized entities. These concerns persist as DMF is now proposing to allocate additional quota to the biomedical processors.

Given the biomedical fishery is catch and release, I think it is critical for participants to have working relationships with biomedical dealers and have their vessels outfitted in a manner that maximizes the survival of horseshoe crabs. I also recognize the logistical benefit provided to biomedical dealers and firms by working with a smaller number of reliable harvesters.

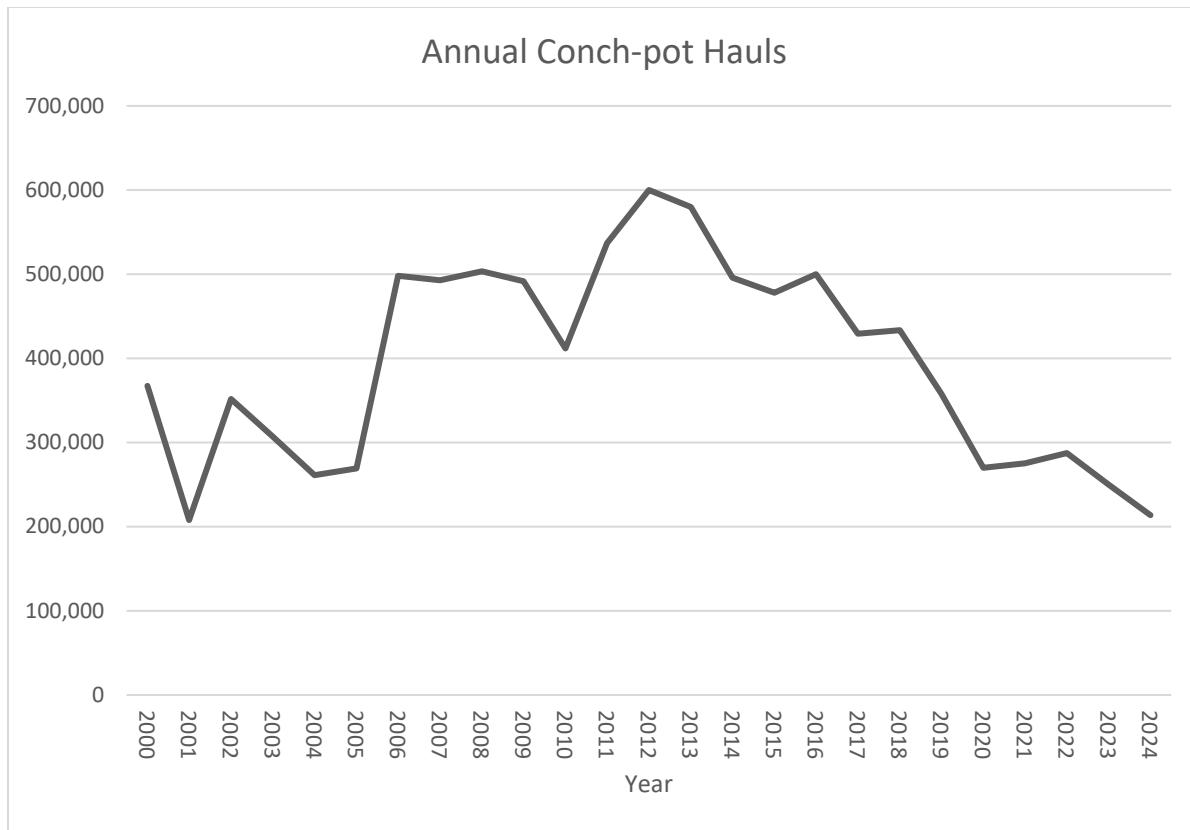
However, I do think it is beneficial to have the economic benefits derived from the biomedical use of horseshoe crabs extend along the waterfront. To this goal, I continue my support for the rent-a-crab program and encourage biomedical dealers and processors to accommodate the greatest number of harvesters as practical. However, access remains a concern, and I anticipate further rule making may be warranted in the future to address it.

### Dynamic Quota Adjustments and Trip Limit Management

As heard at the November MFAC business meeting, there is interest among the regulated community to have DMF adopt “dynamic management” program to address horseshoe crab quotas. My understanding is that there are several ways DMF could accommodate dynamic management. First, are in-season transfers of quota from the bait fishery to the biomedical fishery based on quota usage by a date certain. Alternatively, DMF could allow horseshoe crabs to be harvested for either purpose by any permitted commercial holder and then grant the purchasing dealer the discretion to determine their fate of each crab and which quota the crab counts against.

There has been some interest in reducing bait fishery trip limits or implementing additional in-season quota use triggers to reduce trip limits. The perceived benefits of these adjustments would be to slow bait quota usage to prevent market gluts. Lastly, there was some discussion of reducing the biomedical trip limit (particularly for trawlers) from 1,000 crabs to a lower number in line with the bait fishery limit. The argument for this is that it would force biomedical dealers to work with more vessels thereby addressing access concerns.

These are interesting concepts that may merit future analysis. However, at present, I worry they would introduce too many new variables to the management program for 2026, will further complicate management, and may contribute to or exacerbate existing fishery management challenges.



**Figure 1.** Annual Pot-Hauls in the Massachusetts Conch Pot Fishery, 2000 – 2024.

Data Source: Massachusetts commercial catch reports and federal vessel trip reports as of October 2025. Data for 2024 is preliminary and subject to change. Data for all years may be inflated as permit holders do not distinguish between conch pot and lobster trap hauls and lobster traps may produce some bycatch of channeled whelks.

Year	Bait Crabs Landed	Total Ex-Vessel Value	Average Ex-Vessel Price per Crab
2022	134,753	\$287,347	\$2.13
2023	139,846	\$335,386	\$2.40
2024	139,970	\$404,331	\$2.89
2025*	137,171	\$446,853	\$3.26

**Table 1.** Dealer reported Massachusetts horseshoe crabs landing by count, total annual ex-vessel value, and average price per crab, 2022 – 2025. Data source: SAFIS Dealer Database as of December 11, 2025. \*Data for 2025 is preliminary and subject to change. Only includes landings reported through December 11, 2025.

Year	Channeled Whelk Landings	Total Ex-Vessel Value	Average Ex-Vessel Price Per Pound
2022	917,700	\$3,803,336	\$4.14
2023	919,284	\$2,993,633	\$3.26
2024	718,156	\$2,041,735	\$2.84
2025*	818,906	\$2,599,282	\$3.17

**Table 2.** Dealer reported Massachusetts channeled whelk landings, total annual ex-vessel value, and average ex-vessel price per pound. Data source: SAFIS Dealer Database as of December 11, 2025. \*Data for 2025 is preliminary and subject to change. Only includes landings reported through December 11, 2025.



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Director

### MEMORANDUM

**TO:** Marine Fisheries Advisory Commission (MFAC)

**FROM:** Daniel J. McKiernan, Director *Daniel J. McKiernan*

**DATE:** December 12, 2025

**SUBJECT:** Public Hearing Proposal to Modify Sea Scallop Dredge Width Definition and Update on Potentially Opening Additional Areas South of Gloucester

#### Proposal

This memo serves to inform the MFAC that I intend to go out to public hearing later this winter to modify the state's maximum sea scallop dredge width from 10-feet to 10.5-feet. This minor technical amendment will bring the state regulation ([322 CMR 4.06\(6\)\(a\)](#)) in-line with the federal small-dredge gear requirements ([50 CFR 648\(D\)\(e\)\(1\)](#)).

#### Rationale

This proposal responds to comments made at an August 26, 2025 meeting<sup>1</sup> with North Shore sea scallop dredge fishers. Industry noted that DMF's rule was out of phase and more restrictive than the federal rule affecting the Limited Access General Category (LAGC) Northern Gulf of Maine (NGOM) and Individual Fishing Quota (IFQ) permit holders, and for small vessels participating in the Limited Access Small Dredge Program. As such, it complicates enforcement and compliance for dual state-federal permit holders who may be fishing in the same jurisdiction on a single trip, particularly when the NGOM fishery is open.

DMF reviewed these concerns and confirmed that there was a discrepancy between state and federal rules. The state regulation establishes a maximum effective fishing dredge width of 10-feet, whereas the federal maximum effective fishing dredge width is 10.5-feet for their small dredge and LAGC programs. I have determined that this regulatory discrepancy is unintended and it creates an unnecessary enforcement and compliance challenge. Therefore, I am moving forward this proposal to update state regulations to complement the federal rule.

<sup>1</sup> See DMF's September 2025 meeting materials for a [summary](#) of this industry meeting.

### **Update on Opening Additional Areas South of Gloucester**

At the same August 26 meeting, industry representatives encouraged DMF to consider seasonally opening areas within the year-round North Shore Region Mobile Gear Closure south and southwest of Gloucester. This proposed seasonal access would occur concurrent with the winter/early spring trap gear closure to protect right whales so as to prevent gear conflicts. Further, this would provide small scale scallopers (including some who fish lobster traps in the remainder of the year) with Coastal Access Permits additional seasonal fishing opportunity to pursue when state and adjacent federal waters are closed to trap fishing (Figure 2).

DMF has analyzed this request and supports the development of a pilot program to provide the requested access for February 2026. We are currently working with industry and other stakeholders — including scallop divers and the Bureau of Underwater Archaeology — to refine the spatial parameters for a potential access area and consider criteria for participation (e.g., scallop landings from state waters in recent years and installation of a cellular-based tracking device). At this juncture, my goal is to continue to communicate details of this pilot program with the MFAC and with your support announce a pilot program by mid-January and begin issuing Letters of Authorization to initiate the fishery by mid-February. DMF will then evaluate this program in 2026 to determine if it should be continued or modified for 2027 or adopted as a permanent regulatory allowance.



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Director

### MEMORANDUM

**TO:** Marine Fisheries Advisory Commission (MFAC)

**FROM:** Daniel J. McKiernan, Director *Daniel J. McKiernan*

**DATE:** December 17, 2025

**SUBJECT:** Public Hearing Proposal to Consider Increasing Commercial Scup Limits

#### Proposal

This memo serves to inform the MFAC that I intend to go out to public hearing later this winter to potentially liberalize the state's directed commercial hook and line and fish pot scup limits for 2026. This will be accomplished by increasing the trip limits during the month of June from 400 pounds to 800 pounds and moving to five open fishing days per week (Sundays – Thursdays) from three (Sundays, Tuesdays, Thursdays). These proposed June limits are consistent with the commercial fishing limits that are currently in effect during May.

#### Background and Rationale

In late-February 2025, DMF received correspondence from a commercial scup pot fisher requesting DMF amend the directed commercial fishery limit for scup during June. The argument was made that as the black sea bass fishery does not open until July 1, scup are a primary target species during the months of May and June for fish pot and rod and reel fishers. Yet, the June regulations (400-pound trip limit and three open fishing days per week) make it cost prohibitive to target scup, but if the rules for June were liberalized to match those that currently exist in May (800-pound trip limit and five open fishing days per week) a targeted fishery could profitably occur. Concurrent with this request, DMF received comments from several dealers advocating for DMF to provide greater access to the resource to allow for a stable supply of fish in order to build markets. Of particular interest was creating uniform rules across May and June that accommodate targeted scup fishing.

By way of background, the disparate limits in May and June were the product of an action taken more than a decade ago. NOAA Fisheries declared the scup resource rebuilt in 2009, and over the course of the next several years, commercial quotas began to increase. Then in response to quota underutilization from 2010 - 2012, DMF took action to relax commercial fishing limits in 2013. This included increasing trip limits and adding open fishing days during May, July, August,

and September. However, existing rules were maintained for June in recognition of it being the peak spawning period in Massachusetts and there being an interest in protecting spawning fish from harvest.

In the years since, Massachusetts' commercial scup quota has been consistently underutilized. Part of this underutilization is driven by the fact that our quota share was developed based on landings during a period when nighttime pair trawling was allowed. This activity has been prohibited for about 30-years. Further, there are other conservation and management objectives that have placed constraints on the ability for commercial fishers to harvest large quantities of scup (e.g., net mesh sizes, pot limits). While DMF could potentially increase scup landings through revising these controls, we have opted not to because the negative impacts outweigh the relative benefits. Further, this quota underutilization is not specific to Massachusetts and is occurring coastwide, which speaks to market issues constraining overall harvest, which DMF has attempted to address through our Seafood Marketing Program.

That said, the requested increase in access to scup is modest. I anticipate it may nominally increase targeted scup effort. This may benefit a small number of inshore fish pot and hook fishers who want to target this species in June, and may in turn provide a more reliable supply of scup that could help dealers build markets. Further, there is ample quota available to accommodate this increase in harvest. In 2025, the state's summertime commercial quota was about 1.3 million pounds and about 40% of that was landed; for 2026, the state quota is expected to increase to about 1.5 million pounds. The stock also remains in a robust condition. The 2025 scup management track assessment demonstrates the stock is not overfished and overfishing is not occurring, and in 2024, the spawning stock biomass was estimated to be 322% of its target and fishing mortality is only at 56% of its threshold. Accordingly, the relative benefits of maintaining more conservative limits in June to benefit spawning may be diminished as compared to the potential economic benefits providing additional access to the quota and it is worthwhile to take public comment on this industry-driven proposal.



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### MEMORANDUM

**TO:** Marine Fisheries Advisory Commission (MFAC)

**FROM:** Daniel J. McKiernan, Director *Daniel J. McKiernan*

**DATE:** December 12, 2025

**SUBJECT:** Rule Making Outlook for 2026

#### Overview

Over the past half of year, DMF and the MFAC have reviewed several draft regulatory proposals for public hearing. This memorandum serves to provide you with an update on the status of these proposals and the anticipated timeline for final rule making, as well as a preview of additional anticipated regulatory actions for 2026.

#### Ongoing Rule Making Initiatives

##### Commercial Striped Bass Permitting

On November 21, 2025, DMF filed emergency regulations affecting commercial striped bass permitting in 2026. Specifically, these regulations limit the issuance of the regulated fishery striped bass endorsement (“endorsement”) in 2026 to only individuals who held the endorsement in 2024 or 2025; establish the endorsement as non-transferable while DMF develops an exit-entry program; establish the endorsement as owner-operator, requiring the named permit holder be present when commercial fishing activity is occurring; and update the striped bass control date from June 14, 2022 to December 31, 2025. Limited exemptions apply to owner-operator rules for immediate family, military service, death or disability, or other good cause. See DMF’s [September 12 memo](#) for more details.

DMF held a public hearing on these emergency regulations on December 2, 2025. A final permitting memo is expected to be provided to the MFAC for their consideration and discussion at the December 18, 2025 MFAC business meeting. DMF anticipates filing final regulations before the expiration of the emergency regulations after 90-days in late February 2026.

### Framework to Authorize and Permit the Clean Up of Fishing Gear Debris

In early 2025, Governor Healey signed into law an amendment to G.L. c. 130, §31 that authorized DMF—through the MFAC and the Department of Fish and Game—to authorize and permit the clean-up of fishing gear debris from the Commonwealth’s shoreline and waters. In response, DMF developed draft regulations that would: (1) authorize DMF and OLE to remove and dispose of any and all fishing gear debris; (2) enable any person to remove, possess, or dispose of fishing gear debris located above mean-low tide; (3) allow commercial mobile gear fishers to possess and dispose of fishing gear debris incidentally taken during lawful fishing operation, while maintaining the existing prohibition on injuring fishing gear; (4) provide DMF the discretion to permit entities and persons to remove, possess, and dispense of fishing gear debris below mean-low tide under certain specific circumstances that ensure the project is likely to be successful and will not affect intact fishing gear; and (5) reinforce municipal requirements that all aquaculture gear be sufficiently tagged and marked with information that makes the aquaculture gear identifiable to a permit holder so as to enable municipal authorities to address the recovery of derelict aquaculture gear. See DMF’s [May 23 memo](#) for more details.

This draft regulatory proposal will go to public hearing on Monday, December 15, 2025. DMF anticipates providing the MFAC with a final recommendation for the permitting and management framework for a vote at its December 18, 2025 business meeting. If the vote is favorable, DMF anticipates final rules will be implemented by late-winter 2026.

### **Pending Rule Making Initiatives**

#### Modernizing Spatial Management of Surf Clam and Ocean Quahog Dredge Fishery

The 2017 decision in *Aqua King Fishery, LLC v Conservation Commission of Provincetown* determined that the surf clam and ocean quahog dredge fishery was subject to both DMF regulations, as well as those promulgated by the Department of Environmental Protection (DEP) and local conservation commissions under the Wetlands Protection Act. [Section 136 of the Acts of 2024](#) resolved this by amending [G.L. c. 130, §1A](#) and grant unilateral authority to the management of this fishery to DMF and preclude it (and other fishing activities authorized by DMF under Chapter 130) from being subject to DEP’s Notice of Intent requirements under the Wetlands Protection Act, licensing requirements under Chapter 91, and water certification requirements under Chapter 21.

In response, DMF worked with the industry to modernize the spatial management of the surf clam fishery. At present, DMF has proposed draft regulations that would eliminate contour line management in favor of a single boundary line that approximates the 12' contour and provides a 200-foot buffer zone around all eelgrass beds mapped by DEP. This boundary line creates a geofence that will be enforced through the mandatory use of vessel trackers and can be uploaded to chart plotters. Further, DMF is considering maintaining the existing seasonal (May 15–October 15) closure of Manomet to protect new shell lobsters and adopting a similar closure off Sandy Neck Beach; closing Herring Cove seasonally to prevent gear conflicts with the lobster fishery; allowing night fishing during the winter months; and creating a process to open up areas north of Hull (which have been historically closed).

DMF anticipates this will go out to public hearing this winter with the goal of implementing final regulations by May 1, 2026. See DMF's [May 23 memo](#) for more details.

### Omnibus Amendments to Fishing Regulations for 2026

DMF annually adjusts fishing regulations in response to changes in quotas, new requirements of interstate or federal fishery management plans, recent fishery performance, enforcement and compliance challenges, and industry requests. For 2026, DMF is proposing to: (1) adjust recreational bluefish limits consistent with action by the Mid-Atlantic Fishery Management Council and Atlantic States Marine Fisheries Commission; (2) adjust commercial summer flounder and black sea bass limits in response to quota increases; (3) reallocate horseshoe crab quota from the bait fishery to the biomedical fishery in response to fishery performance; (4) update the effective dredge width definition for the state waters sea scallop fishery to better match the federal rule; (5) eliminate various sub-endorsements for the Coastal Access Permit and eliminate the sea scallop shucking endorsement to simplify permitting; and (5) allow Coastal Lobster Permit holders with an appurtenant federal lobster trap permit to permanently surrender their Coastal Lobster Permit for an Offshore Lobster Permit and convert their trap tags from dual "MA-EEZ" to "EEZ-Only" in response to industry requests. DMF anticipates this will go out to public hearing this winter with the goal of implementing final regulations by May 1, 2026. See the [May 2025 MFAC meeting materials](#), as well as this month's meeting materials for additional information.

### **Other Anticipated Rule Making Initiatives**

#### Recreational Black Sea Bass, Scup, and Summer Flounder

The Mid-Atlantic Fishery Management Council and Atlantic States Marine Fisheries Commission will meet in mid-December to establish the approach for setting recreational summer flounder, scup, and black sea bass measures for 2026-2027 (i.e., harvest liberalization, reduction, or status quo). Additional state proposal development guidance may not be established until the February 2026 ASMFC meeting. Accordingly, DMF anticipates using emergency regulations to adjust these species' recreational fishing limits if needed. A stakeholder comment period and virtual public meeting may be held during the late winter to discuss potential management options. More information will be made available to the MFAC over the course of its December 2025 and early 2026 business meetings.

#### Striped Bass Permitting

Over the course of the next year, DMF will be working on developing two regulatory proposals regarding access to the commercial striped bass fishery. First, DMF seeks to develop an exit:entry program for the commercial striped bass fishery. At present, DMF intends to use this opportunity to diverge from its long-standing permit transferability program and look to develop a new program (for this fishery) that could potentially force the turnover of latent permits and allow new entrants based on exit:entry ratios and eligibility criteria. This is being considered to prevent high costs of entry into the striped bass fishery and allow it to maintain some of its historic cultural aspects as a gateway to the marine economy. Second, in order to

execute a harvester tagging program for the commercial fishery by 2029, DMF is considering action to further limit entry into this fishery using performance criteria and the new December 31, 2025 control date. Over the course of this winter, DMF intends to convene the MFAC's Striped Bass and Permitting Focus Groups (as well as industry advisors) to provide their initial guidance on the development of these proposals. DMF anticipates summertime or early fall public hearings on each item with the goal of having new rules on the book prior to the start of the 2027 permitting season in late 2026.

# An Overview of the 2025 U.S. Lobster Stock Assessment



**Full presentation to the Board:**

<https://www.youtube.com/watch?v=GrNrlA460GM>

October 2025



Sustainable and Cooperative Management of Atlantic Coastal Fisheries

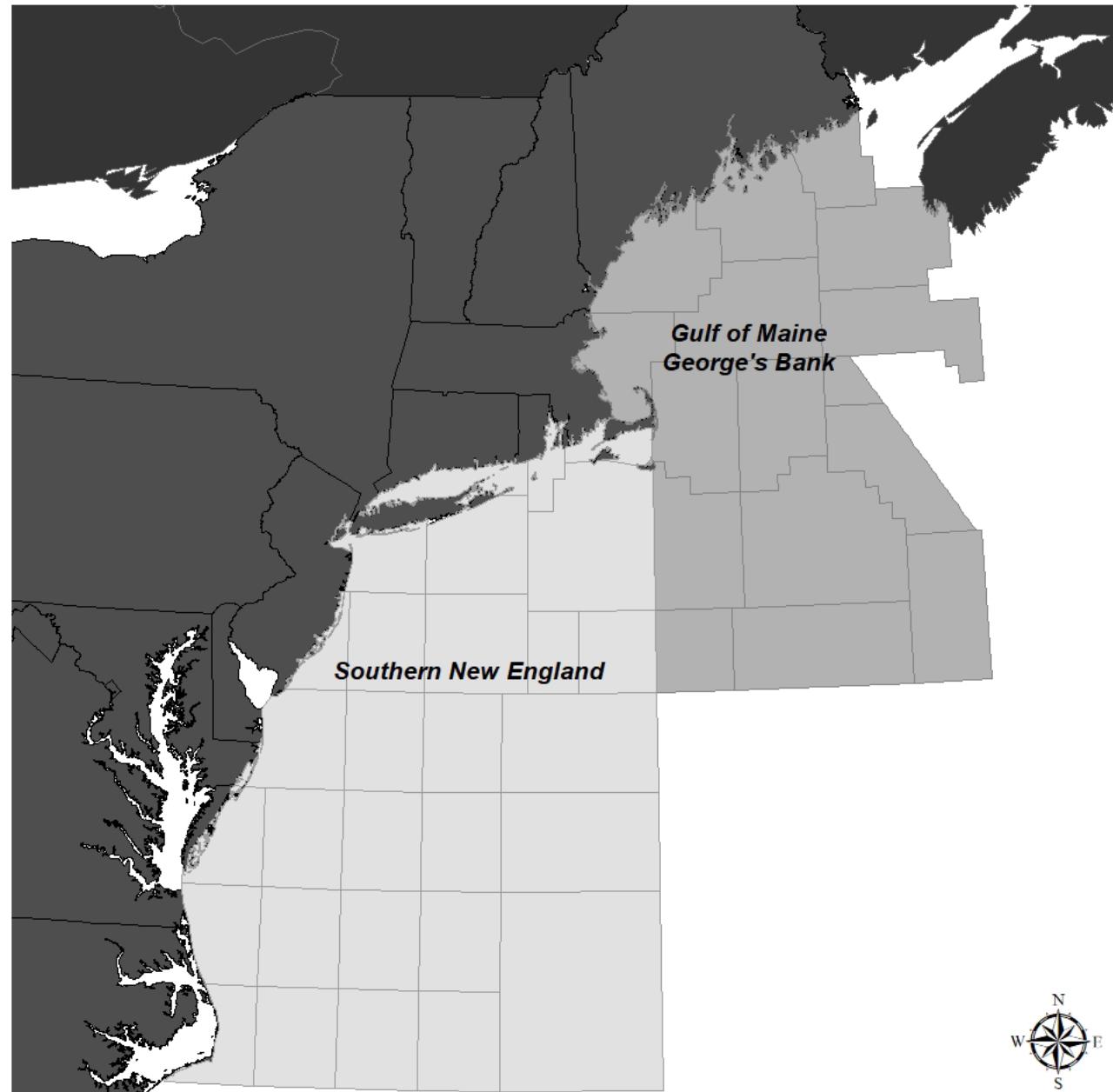
# Components of the stock assessment

- Review of assessment and regulatory history
- Review life history information available
  - Vital rates (growth, maturity, natural mortality)
  - Updated research on diet, movement, disease, genetics, environmental impacts, etc.
- Review of the fishery – history of catch and effort
- Identification, description, and evaluation of data sources
  - Fishery-dependent data (landings, effort, sea and port sampling data, etc)
  - Fishery-independent data (surveys and other monitoring programs)
- Stock indicators
  - Empirical indicators (“model-free”)
- Population model
  - Including basecase runs, sensitivity runs, and projections
- Reference points and stock status determination
- Research recommendations



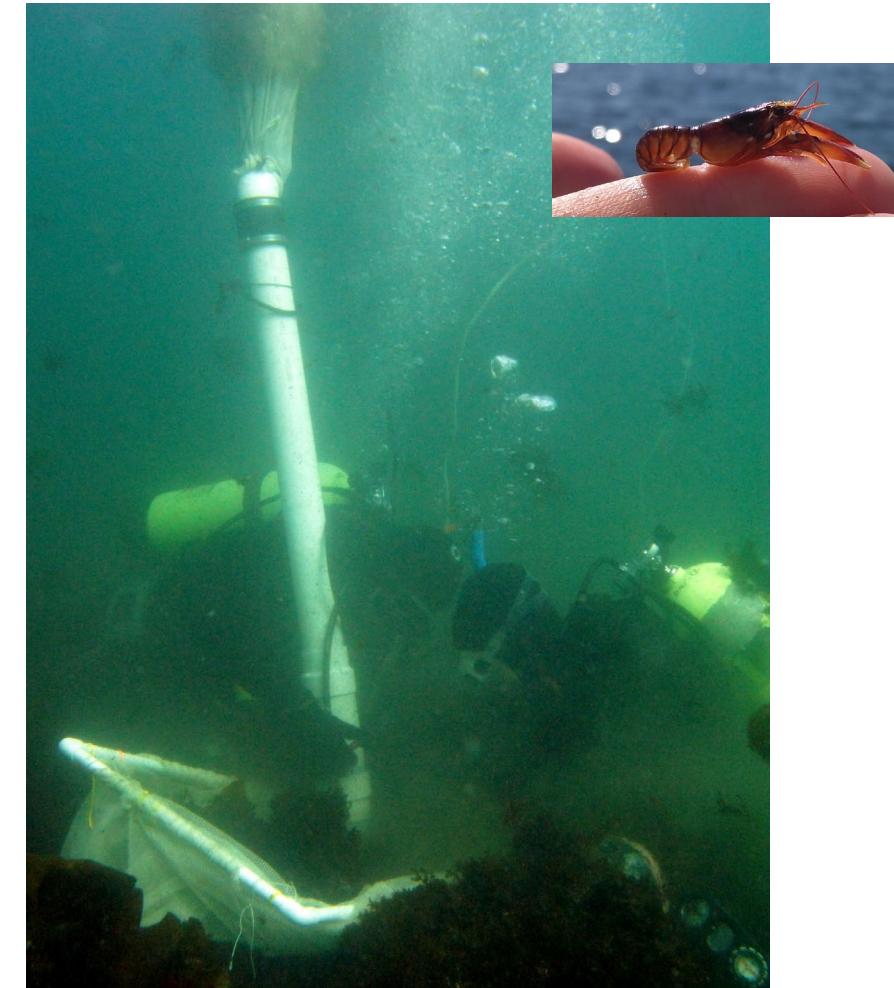
# Two U.S. Lobster Stocks

- Gulf of Maine / Georges Bank (GOMGBK)
- Southern New England (SNE)
- Defined based on
  - Maturity and growth patterns
  - Movement patterns
  - Size structure
  - Patterns of larval dispersal
- Each stock is assessed separately
- Focus is understanding how the stocks have changed over time
  - Trend-based assessment of stock status
  - **Don't** use biological reference points (F10%)
- Stock status is evaluated based on abundance and exploitation reference points

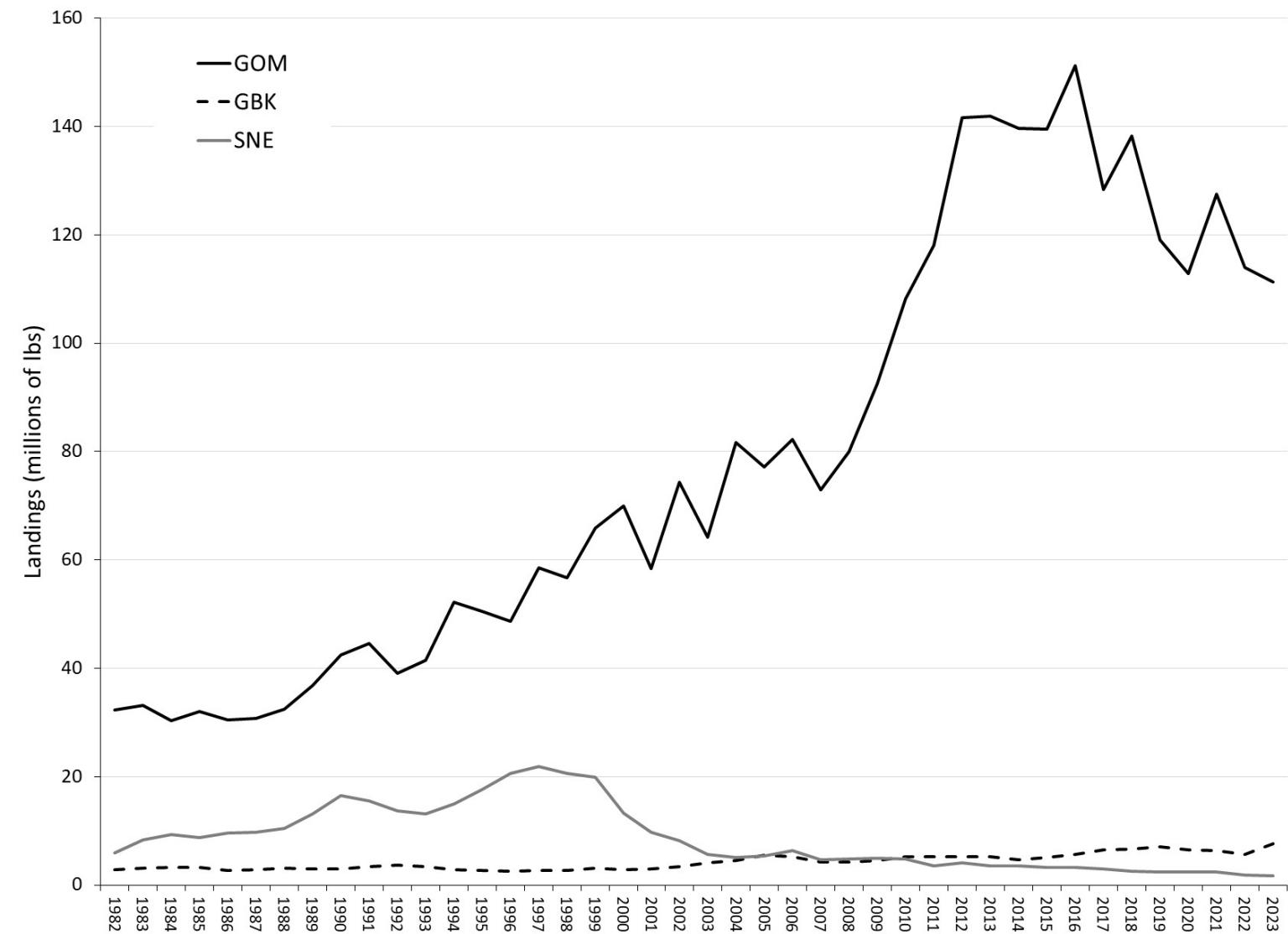


# Data Sources

- Random stratified surveys for relative abundance
  - Trawl surveys
  - Ventless trap surveys
- Other monitoring surveys
  - Early benthic phase suction sampling (density estimates)
  - Larval surveys
    - Seabrook power plant
    - Millstone power plant
  - Fixed-station trawl surveys
    - URI GSO trawls
    - Millstone power plant
- Fishery-dependent data
  - Harvester reported landings & effort
  - Sea and port sampling programs
    - State agencies
    - NOAA fisheries
    - CFRF Study Fleet



# Landings by sub-stock 1982 - 2023



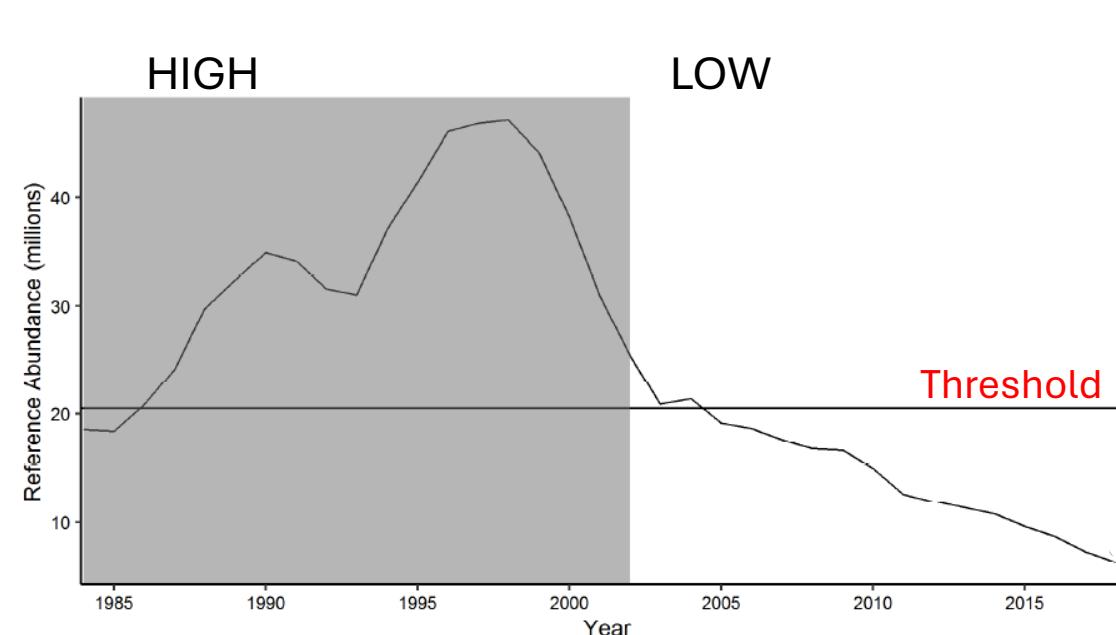
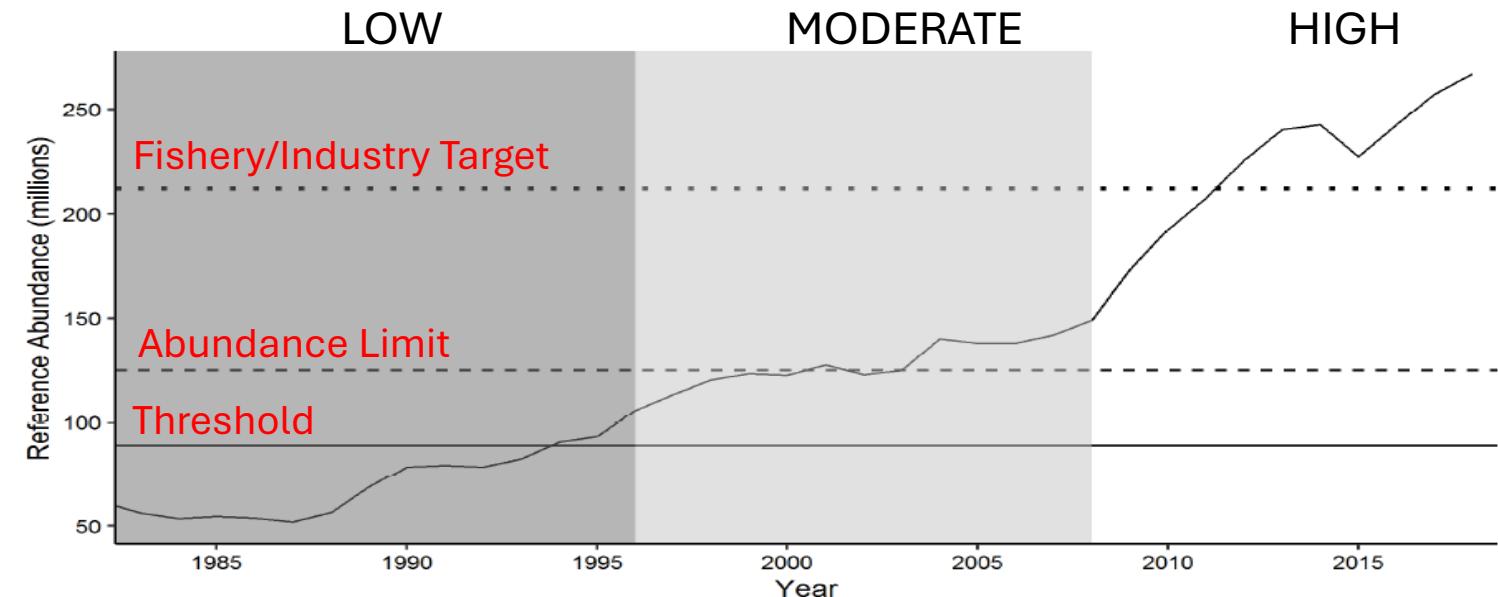
- Most US landings come from GOM sub-stock
  - Inshore GOM areas dominate landings
  - SA 512 (midcoast ME) increasingly more dominant through the 2000s ( $\geq 50\%$  of GOM catch)
- Spatial shifts to east in GBK
  - GBK landings shifting more towards SA 562
- Overall SNE at record low
  - Inshore has stabilized somewhat at very low levels
  - Offshore has declined over last decade

# Model basics

- Statistical catch-at-length model
  - Estimates population numbers within size bins (for each sex) by fitting existing data
- Operates in quarterly time steps
- Growth is a major component – controls how population advances through size bins
  - Occurs only in summer and fall
  - Transition matrix describes both molt probability and increment
    - 5 mm size bins
    - Stock and sex specific
    - Currently constant over time
- Survey data available by quarter
- Landings data provided for each quarter
  - Define removals for harvestable sizes
  - Also set the scale for population size
    - In order to land the number of lobsters observed, there had to have been at least that many in the population
- Model outputs include estimates of Reference Abundance and Exploitation
  - Compared to reference points to describe stock status

# Reference points based on definition of abundance regimes

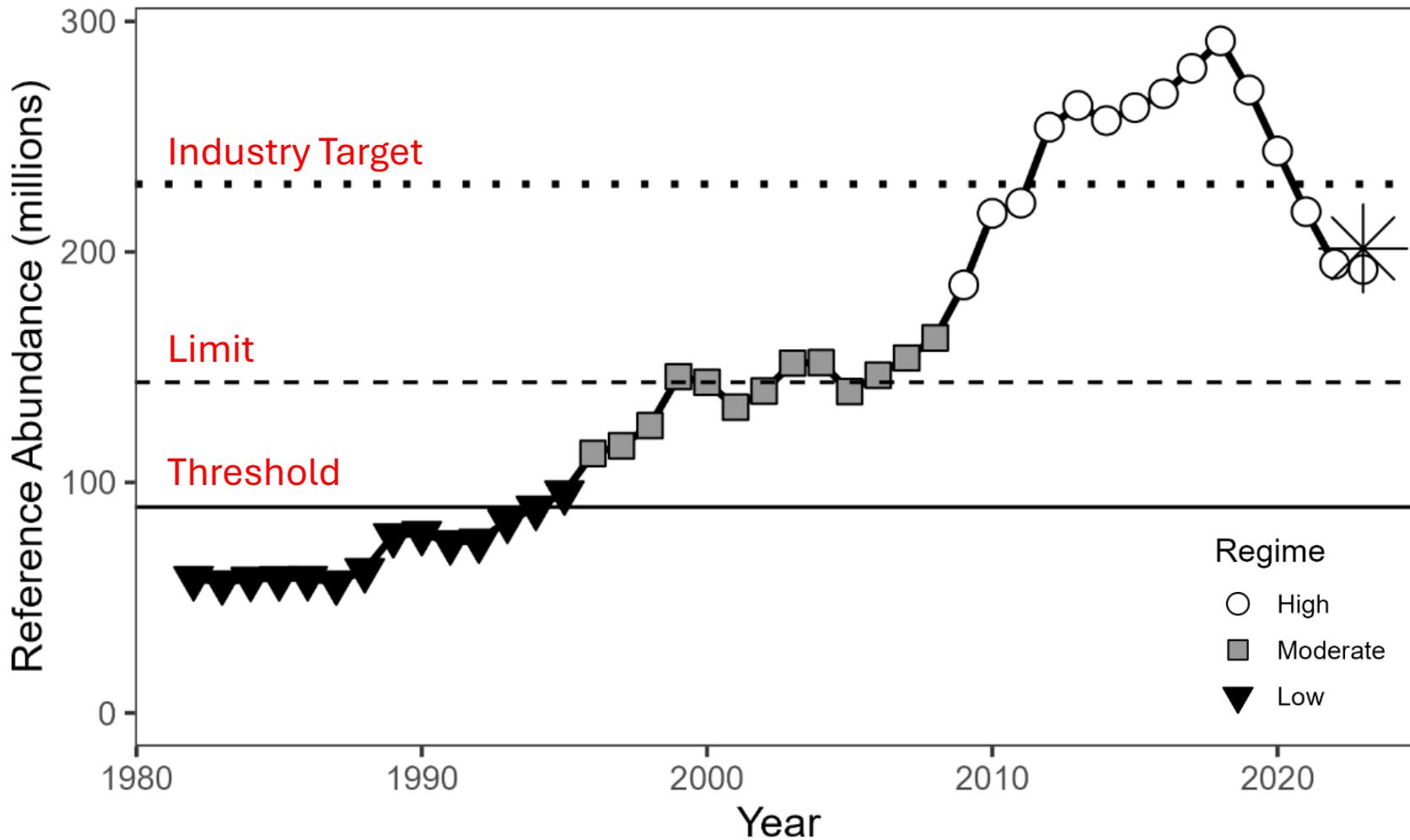
- Abundance regimes defined (ASMFC 2020)
  - Based on abundance
  - Supported by environmental datasets
- GOMGBK – 3 regimes
- SNE – 2 regimes
- Re-examined for 2025
  - Breakpoints consistent
- Reference points
  - Abundance:
    - Fishery/Industry Target (GOMGBK)
    - Abundance Limit (GOMGBK)
    - Abundance Threshold (both stocks)
  - Exploitation (both stocks):
    - Target
    - Threshold



Figures from  
ASMFC 2020

# Stock status – GOMGBK 1

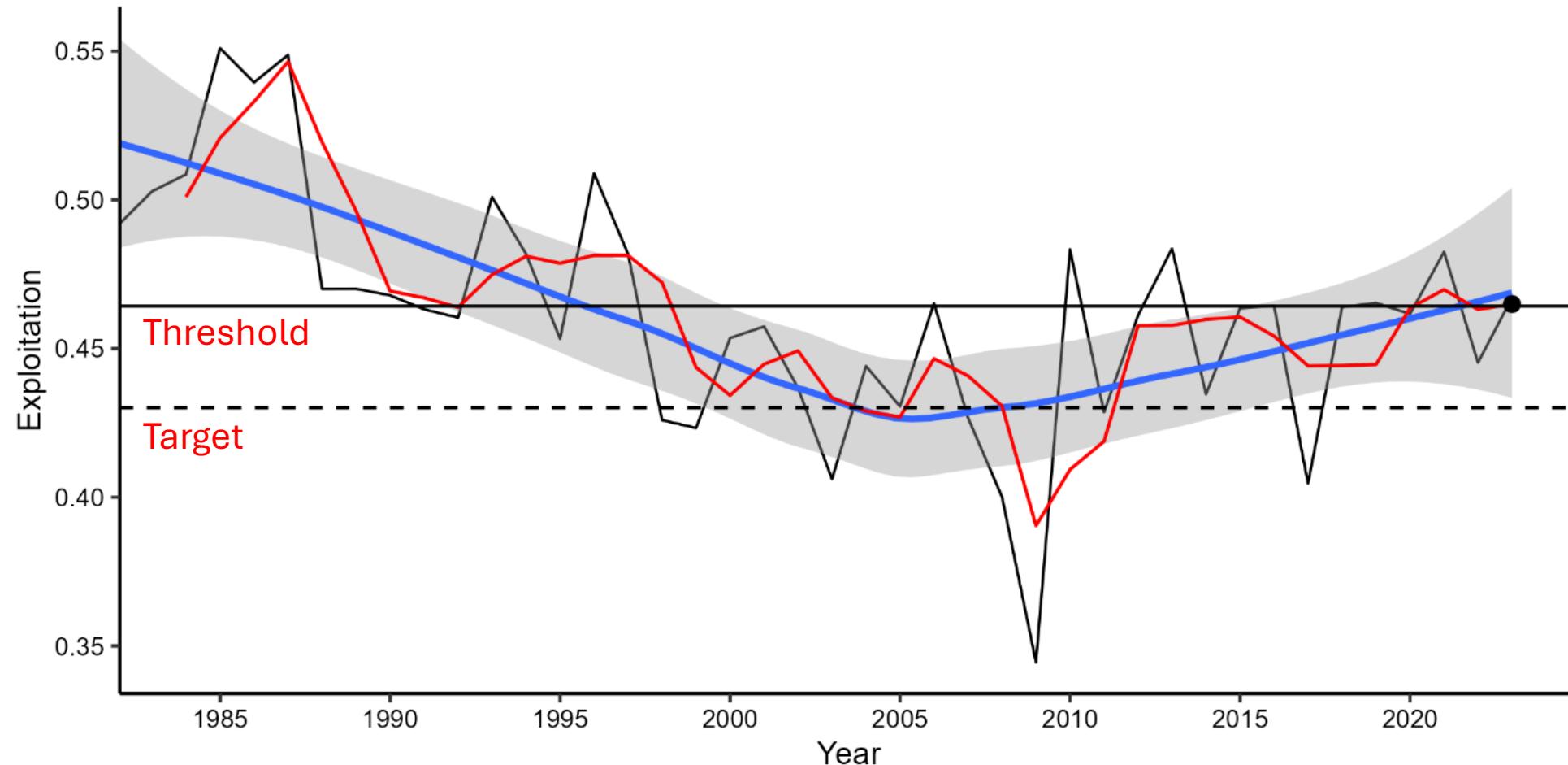
## Reference Abundance



- Abundance is below the Target but above the Limit
- Stock is not depleted

# Stock status – GOMGBK 2

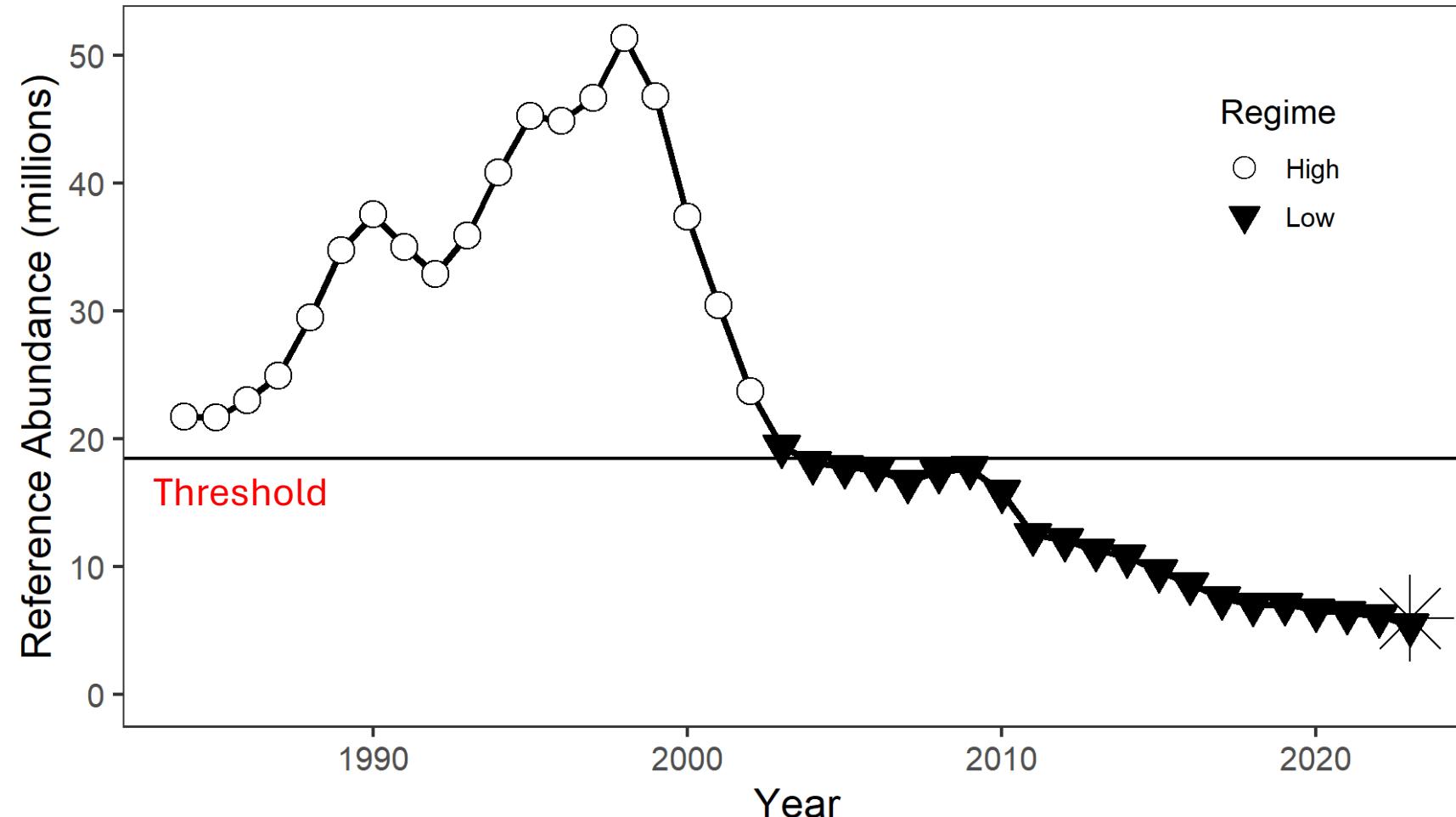
## Effective exploitation



- Exploitation is above the Threshold by 0.00066
- Overfishing is occurring

# Stock status – SNE 1

## Reference Abundance

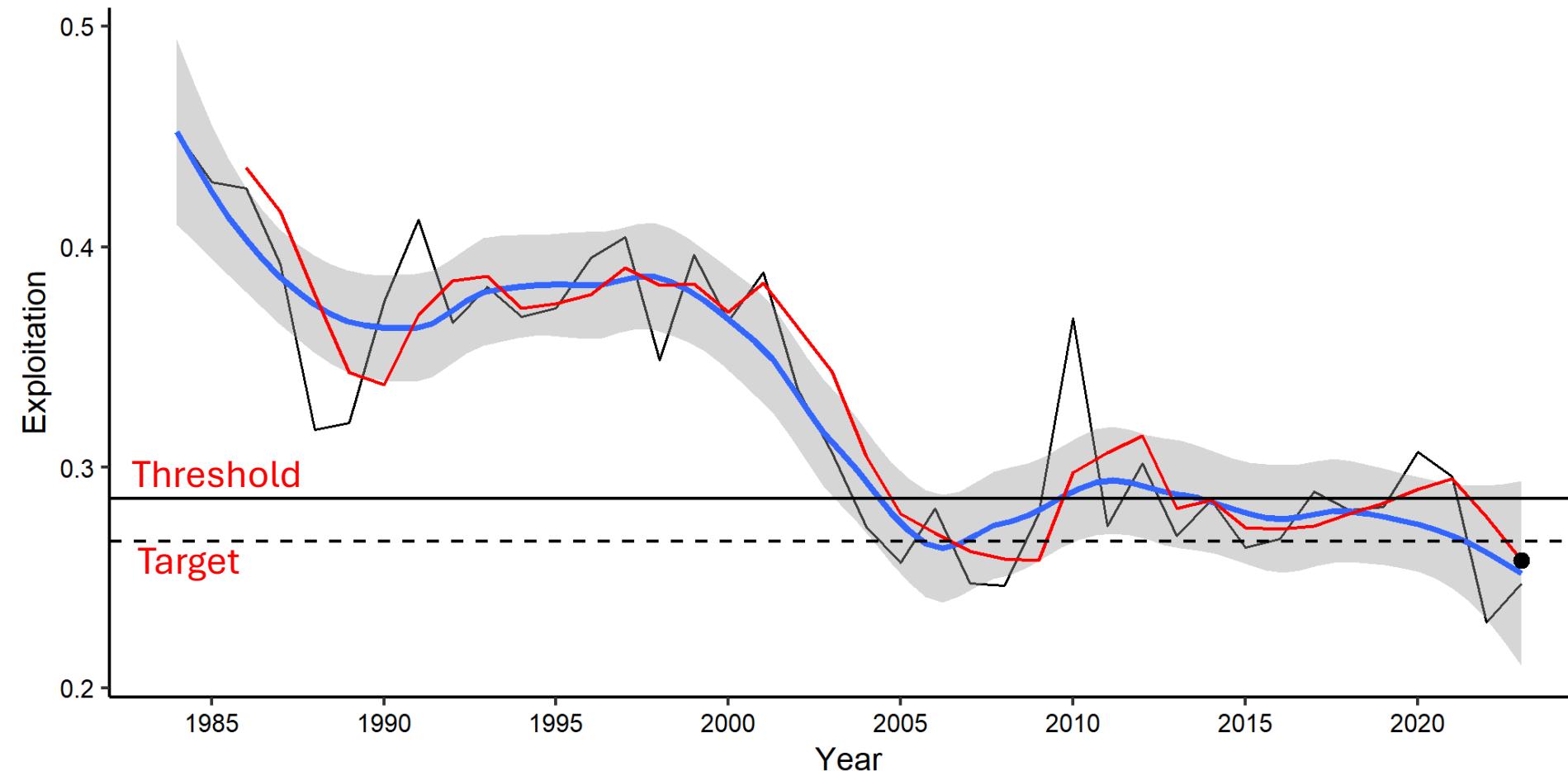


- Abundance is well below the Threshold
- Stock is significantly depleted
- SNE stock determination has been significantly depleted in every stock assessment since 2006

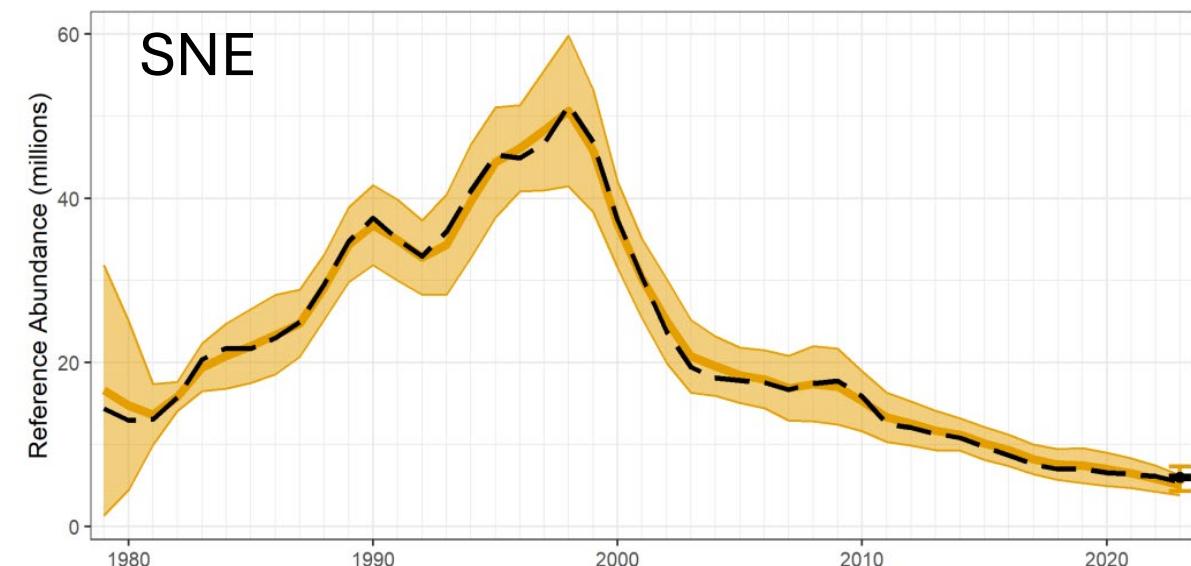
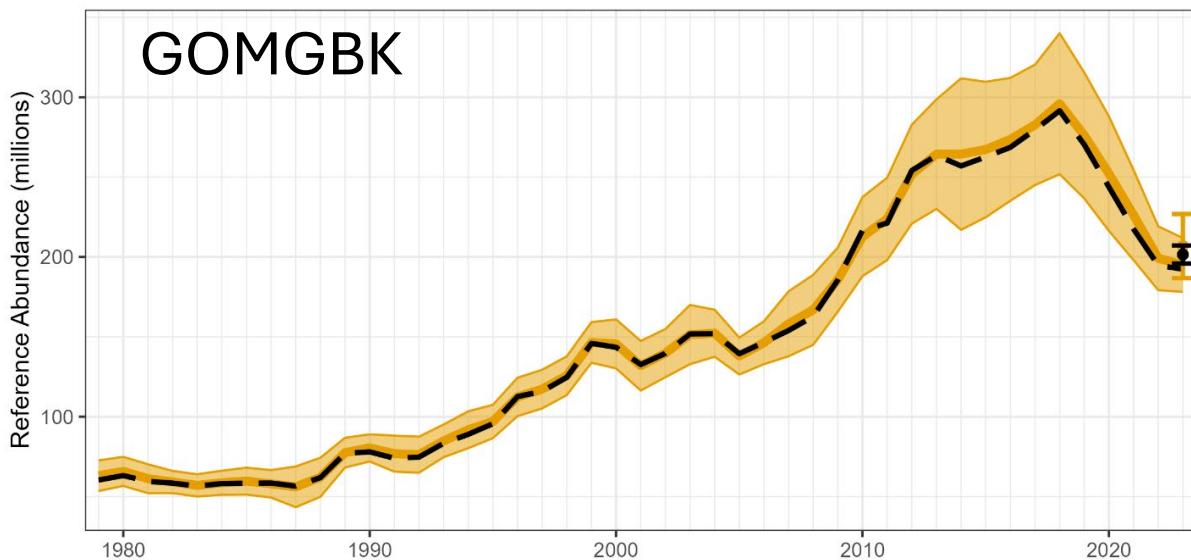
# Stock status – SNE 2

Effective exploitation

- Exploitation is below the Target
- Overfishing is not occurring



# Characterization of model & stock status uncertainty



- Uncertainty characterized using the results of the sensitivity analyses
- GOMGBK – 21 runs, all robust to trends
  - Abundance: all were below Target and above Limit (same as basecase results)
  - Exploitation: 11 were above Threshold (overfishing; same as base model), 10 were between the Threshold & Target (not overfishing)
- SNE – 38 runs, all robust to trends
  - Abundance: all below Threshold
  - Exploitation: 12 below Target (not overfishing; same as base model), 20 between Target & Threshold, 6 above Threshold (indicating overfishing)

# Summary points & recommendations

## **GOMGBK = not depleted**

- Strong spatial dynamics driving the increase and recent decline
  - Eastern Maine
- Inshore fishery is heavily recruitment-dependent
- Exploitation has been relatively stable over time
  - Important to monitor, but may not be best way to assess impact of fishing on the stock
- Recommendation to immediately initiate a Management Strategy Evaluation
  - Clearly identify management goals/objectives
  - Better understand socioeconomic status and concerns
  - Identify potential management tools that will have buy-in from industry and prevent further declines towards biological thresholds

## **SNE = significantly depleted**

- SNE landings are at record lows
- Productivity is severely compromised and environmental conditions continue to worsen
  - Reproductive success from existing SSB appears insufficient to sustain a stable population at current exploitation levels
- Recommendation to initiate significant management action
  - Provides the best chance of stabilizing or improving abundance and reproductive capacity

1056

SI

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## DECEMBER 2025 NEFMC MEETING SUMMARY

The [New England Fishery Management Council \(NEFMC\)](#) met [December 2-4 in Newport, RI](#). The Council addressed several major actions and prioritized its work planning for 2026. Below, find meeting highlights with Council **motions denoted in bold** and embedded links to relevant documents. The NEFMC will meet next [January 27-29](#), virtually.

### COUNCIL ACTIONS

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**SEA SCALLOPS** – The Council [approved scallop fishery specifications for Fishing Year \(FY\) 2026 and default measures for FY2027](#), via [Framework 40](#). For this, the Council [adopted updated catch limits](#) based on best available science (i.e., Acceptable Biological Catch (ABC) of 15,412 metric tons for FY2026). The Council [allocated, to the Limited Access fishery, 36 Days-at-Sea \(DAS\) for Full Time vessels and 14.4 DAS for Part Time vessels](#). This marks the first fishing season with no Access Area trip allocation for the Limited Access fishery since implementation of rotational area management (2004). The Council [adopted closures of the Nantucket Lightship \(North & South\) and Georges Bank Area II](#) rotational areas to protect small/recruit scallops, and [indicated the 60-day carryover period for remaining FY2025 Access Area trips to fish in Area I will begin April 1, 2026](#) (rather than delayed until May 15) (vote 15/2/0). For the Northern Gulf of Maine (NGOM) management area, the Council [set the NGOM area Total Allowable Landings \(TAL\) at TAL of 482,753 pounds using a fishing mortality \(F\) rate of F=0.21 and considering exploitable biomass from Stellwagen Bank, Ipswich Bay, Jeffreys Ledge, and Machias Seal Island](#) (vote 14/3/0). This results in a FY2026 Set-Aside for NGOM of 437,867 pounds. All vessels on an NGOM trip have a 200-pound possession limit; most fishing takes place on Stellwagen. The scallop fishery has never exceeded its ABC and the unit stock is considered healthy (2025 assessment: not overfished, overfishing not occurring). However, 2025 survey biomass was the lowest since 1999, catch rates have been in decline, and the Mid-Atlantic is much less productive. The majority of scallops are in the Georges Bank area (71% abundance, 54% biomass), followed by the Mid-Atlantic (27% abundance, 38% biomass), and Gulf of Maine (2% abundance, 8% biomass). The Council received and [approved the Scallop Long-Term Strategic Plan](#) defining a 3-5 year vision for the fishery developed through extensive stakeholder outreach. Work on several of the Strategic Plan's priorities will begin in 2026.

**TRANSBOUNDARY GROUNDFISH STOCKS** – The Council [approved the Transboundary Management Guidance Committee's \(TMGC\) recommendations for Eastern Georges Bank \(GB\) cod at a total allowable catch \(TAC\) of 473 mt, Eastern GB haddock at a TAC of 4,750 mt, and GB yellowtail flounder at a TAC of 57 mt](#). Members commented on the importance of the updated biomass apportionment of GB haddock within the Eastern GB management area to the U.S. offshore groundfish fleet for 2026, where 75% was determined to be distributed in the EGB and 25% in the Western GB management area (U.S.) versus 100% to EGB in FY2025 (metric determined by NOAA Fisheries NEFSC, to align apportionment with survey footprint). The follow-on domestic processes resulted in a significant increase in GB haddock quota for FY2026 relative to FY2025 (+184%; see Groundfish Framework 72 below).

**GROUNDFISH** – The Council [set specifications and management measures for groundfish stocks for FY2026-2030](#), via [Framework 72](#). The Council [approved revised annual specifications for FY2026-2030 for Cape Cod/Gulf of Maine \(GOM\) yellowtail flounder, Southern New England \(SNE\)/Mid-Atlantic \(MA\) yellowtail flounder, GB winter flounder, GOM winter flounder, SNE/MA winter flounder, redfish, ocean pout, and Atlantic wolffish](#). And, [revised annual specifications for FY2026 for GB cod, GB haddock, and GB yellowtail flounder](#) (Table 1). This included the updated sub-component analysis for several stocks. The Council treated white hake slightly differently, where it [preliminarily approved white hake specifications for FY2026-2030 but requested the Scientific and Statistical Committee \(SSC\) consider catch advice resulting from projections using 75% F<sub>MSY</sub> rather than 70% F<sub>MSY</sub> and taking into consideration the Council's Risk Policy and white hake rebuilding plan](#) (vote 12/4/1). Several Council members expressed concerns around the lack of rebuilding progress and noted that additional SSC review could delay FW72 submission. Other members and public emphasized white hake as a highly constraining stock for access to other groundfish stocks. The Council [agreed to remove the management uncertainty buffer for white hake if the At-Sea Monitoring target coverage rate is set at 90% or greater for FY2026-2030](#).

**Draft revised specifications – groundfish sub-ACLs**

Stock	Commercial groundfish sub-ACL		
	FY2025 (mt)	Proposed FY2026 (mt)	% Change
EGOM Cod	N/A	36.5	N/A
WGOM Cod	N/A	239.8	N/A
GB Cod	N/A	132.3	N/A
SNE Cod	N/A	6.7	N/A
GB Haddock	1,441.3	4,098.2	+184%
GOM Haddock	2,076.8	2,213.2	+7%
GB Yellowtail Flounder	76.3	24.5	-68%
SNE/MA Yellowtail Flounder	33.4	28.0	-16%
CC/GOM Yellowtail Flounder	808.4	1,599.8	+98%
American Plaice	8,220.9	6,596.9	-20%
Witch Flounder	1,406.2	1,406.2	0%
GB Winter Flounder	1,430.8	1,620.0	+13%
GOM Winter Flounder	607.2	659.5	+9%
SNE/MA Winter Flounder	440.8	380.5	-14%

**Draft revised specifications – other fisheries sub-ACLs**

Stock	Commercial groundfish sub-ACL		
	FY2025 (mt)	Proposed FY2026 (mt)	% Change
Redfish	7,859.3	5,354.8	-32%
White Hake	1,815.8	1,287.4	-29%
Pellock	10,705.3	9,391.2	-12%
Northern Windowpane Flounder	93.6	93.6	0%
Southern Windowpane Flounder	29.7	29.7	0%
Ocean Pout	49.0	51.8	+5%
Atlantic Halibut	23.1	23.1	0%
Atlantic Wolffish	86.5	86.5	0%

**Table 1.** Commercial groundfish and other fisheries annual catch limit (ACL) specifications for allocated and non-allocated stocks for FY2025 (current) and proposed revised specifications for FY2026 recommended through Framework 72, with percent annual change shown (Source: New England Fishery Management Council [staff presentation, Dec 2, 2025](#)).

Additionally in [Framework 72](#), the Council **updated status determination criteria for Georges Bank yellowtail flounder**, reflecting revised reference points, new information, and recommendations produced in a 2025 [assessment and peer review](#). Regarding recreational groundfish measures, the Council **agreed to establish a regulatory process for NOAA Fisheries Regional Administrator authority to adjust recreational measures for all stocks of cod and haddock**. In January, the Council will provide recommendations to NOAA Fisheries on recreational measures for cod and haddock.

Of note, NOAA Fisheries announced two recent actions affecting the current groundfish fishery. On October 3, 2025, NOAA Fisheries [extended](#) Emergency management measures temporarily authorizing the FY2025 Northeast Multispecies fishery (implemented May 1, set to expire Oct 28) until April 30, 2026. On December 5, 2025, NOAA Fisheries published a 30-day comment period for the [Framework 69 Proposed Rule](#) for FY2025-2027 groundfish specifications. Framework 69 was approved by the Council in December 2024. Cod measures are not included in Framework 69, as those were moved to the revised Amendment 25, still pending NOAA Fisheries approval.

**SPINY DOGFISH** – The Council [approved the Joint MAFMC-NEFMC Spiny Dogfish Accountability Measures and 2026-2027 Specifications Framework](#). Because Spiny Dogfish are jointly managed by the Mid-Atlantic and New England Councils, both Councils must approve the framework for it to take effect. The [Mid approved the Framework in October](#). In addition to specifications, the action considers if there are some circumstances when the current strict paybacks may be excessive (e.g., biomass is high) and if modified payback Accountability Measures (AMs) may be appropriate. Following final action by the Mid, the NOAA Fisheries Regional Administrator raised concerns regarding the interaction of two of the alternatives the Mid selected, in that implementation of the combination may lead to insufficient accountability in the fishery. The NEFMC addressed this concern in their December final action.

Consistent with the approach taken by the Mid-Atlantic Council, the New England Council [approved specifications for spiny dogfish, setting the catch limit the same as it was in 2025](#) (ABC = 7,626 mt; commercial quota = 4,236 mt). The Council deliberated modification of AMs and approved several additional alternatives consistent with the Mid, including [implementation of a tiered approach where annual catch limit paybacks are scaled depending on the stock's biomass level](#) (14/2/1) which changes the status quo approach of deducting the exact amount of overage; to [always pay back overages if the stock is in a rebuilding plan](#) (17/0/0); to [calculate overages using a three-year average of catch limits and catches, and most recent projected biomass](#) (16/0/0); and, [no change to the payback calculation depending on catch source type](#). One additional provision, adopted by the Mid-Atlantic, received a failed vote at the New England Council - this was to add an additional 5% landings buffer before federal waters close (vote 1/16/0). New England instead [selected status quo \(no buffer\)](#) for this remaining alternative set. NOAA Fisheries indicated this sufficiently addressed the concern around insufficient accountability and improved likelihood of framework approval. The Mid-Atlantic Council will reconsider its final approval of the framework in December.

**2026 COUNCIL WORK PRIORITIES** – The Council [adopted its finalized list of 2026 Work Priorities, accepting the Executive Committee's recommendations with several amendments](#). In addition to development of routine/required fishery specification setting actions for various Fishery Management Plans (FMPs) and staff support for upcoming assessments, additional priorities agreed upon by the Council for 2026 (\* = multiyear) generally include:

- **Groundfish** - Review redfish sector exemption program; Review Amendment 23 monitoring system; Revise ABC control rules for Northeast multispecies stocks; \*Review white hake rebuilding plan and reference points
- **Sea Scallops** - Develop sub-management units in NGOM; Develop regional allocations of Limited Access DAS; Develop new projection methods; Complete LAGC IFQ program review; Support Scallop RSA management; Consider Strategic Plan items

- Atlantic Herring – Develop river herring and shad management measures within FY2027-2031 specifications; Coordinate with MAFMC/ASMFC for river herring/shad issues
- Monkfish/Skate – Conduct a peer review of monkfish CPUE RSA project work to evaluate use of CPUE indices in assessment and management; \*Scope for an IFQ program for monkfish and/or skate wing fisheries
- Habitat – Develop revised Essential Fish Habitat designations for groundfish, small mesh, scallops; Evaluate the Great South Channel HMA surfclam exemption areas
- On-Demand Gear Conflict Working Group – \*Joint action with MAFMC/GARFO to revise gear marking regulations
- Risk Policy Working Group – Develop communication strategies, \*conduct simulation testing, and \*implement revised Risk Policy Concept for some FMPs/species/stocks
- Enforcement – Reengage Committee; \*Address issues related to implementation of on-demand gear
- Climate and Ecosystem Steering Committee – Provide guidance on IRA initiatives, climate-resilient fisheries management, and ecosystem approaches
- Northeast Trawl Advisory Panel (NTAP) – Continue Survey Contingency working group; Support Industry-Based Survey implementation
- Inter-Agency – Revisit TMGC biomass apportionment methodology; Continue participation in (e.g.) CCC, NRCC, international fisheries management, East Coast Coordination Group and Climate Core Team, NROC, Sanctuary Advisory Councils, Take Reduction Teams
- Inflation Reduction Act Initiatives – Continue work on: \*ABC control rules for Northeast multispecies; \*Atlantic cod management transition (pending Amendment 25 implementation); \*Operationalizing ecosystem approaches in New England fisheries management (include evaluation of approaches for cusk); \*Operationalizing East Coast Climate Change Scenario Planning initiative; \*Holistic Strategic Plan for climate resilient New England fisheries management; \*Enhancing participatory processes for climate resilient fisheries
- Executive Order 14276 Response: \*Modifications to vessel baseline restrictions; \*FMP revisions

Two motions failed, to “restart development of a scallop rotational area on the Northern Edge of Georges Bank” (vote 5/12/0) and “consider revisions to the Southern New England Spiny Dogfish Gillnet Exemption Area” (vote 6/9/1); these were not added to 2026 priorities. For 2027 planning and beyond, the Council will consider a major change in how it sets priorities as informed by the Holistic Strategic Plan, expected to be completed in late 2026.

## UPDATES & DISCUSSION

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**WHITING** – The Small Mesh Multispecies fishery comprises four stocks targeted with 3” mesh or greater, including northern and southern red hake, northern and southern silver hake, and offshore hake. Southern silver hake and offshore hake are collectively known as “whiting”. In December, the Council received the [Small Mesh Multispecies fishery monitoring report](#) and reviewed [recommendations](#) made by the Whiting Advisory Panel and Committee. In FY2024, Southern red hake catch exceeded its ACL by 18% with 89% of total catch estimated as discards. Southern red hake is the only stock in the FMP under a rebuilding plan (Framework 62). The Council [approved deferment of application of the red hake post-season accountability measure](#) in response to the FY2024 southern overage. This AM would otherwise lower the trigger for a reduced possession limit in FY2026. Specifications for FY2027-2031 for Small Mesh stocks will be developed in 2026. The action will consider additional management measures such as revision of Exemption Area boundaries and seasons. Final action is scheduled for December 2026.

**STATUS OF REGIONAL SCIENCE & MANAGEMENT** – To help inform Council decision-making on 2026 work priorities, the Executive Director overviewed constraints on regional fisheries science and management capacity stemming from reductions in NOAA agency staffing, budgets, surveys, biological sampling, assessments, and research.

**HOLISTIC STRATEGIC PLAN INITIATIVE** – Despite challenges of increasingly limited federal/regional support, the Council continues to meet its obligations, respond to evolving issues, and develop initiatives to improve resiliency of fisheries to management uncertainty and ecosystem change. To further instruct its approaches to resilient and responsive fisheries management, the Council contracted with the Parnin Group to build a Holistic Strategic Plan. The Parnin Group shared results of [Discovery & Gap Analyses](#) and [overviewed](#) next steps. The Council will establish pillars and overarching goals for the Plan at a workshop January 6-7, in Boston.

**RISK POLICY** – The Council continues to make strides in implementing an overarching revised Risk Policy with specific considerations for each managed fishery. Refinements and simulation testing are ongoing. The Council will participate in a global weightings exercise in June, with SSC review of the revised Risk Policy expected in October.

**AGENCY ACTIVITIES** – Written reports on recent agency activities were provided from the: [Council Executive Director](#), [GARFO Regional Administrator](#), [NEFSC](#), [MAFMC](#), [ASMFC](#), [U.S. Coast Guard](#), [Northwest Atlantic Fisheries Organization](#) (NAFO), and [International Commission for the Conservation of Atlantic Tunas](#) (ICCAT).

## **LOOKING AHEAD**

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The [Mid-Atlantic Council](#) meets December 16-18 and will consider Final Action on:

- Atlantic Mackerel Framework - rebuilding, FY2026-2027 specifications, and river herring/shad cap
- Joint MAFMC-NEFMC Spiny Dogfish Framework

In [January](#), the [New England Council](#) is expected to:

- Make recommendations on cod and haddock recreational measures to NOAA Fisheries
- Receive MRIP Fishing Effort Survey revised design
- Receive Scallop Limited Access General Category IFQ Program Review final report

# New England Regional Fishery Updates



- December Summary
- January Agenda

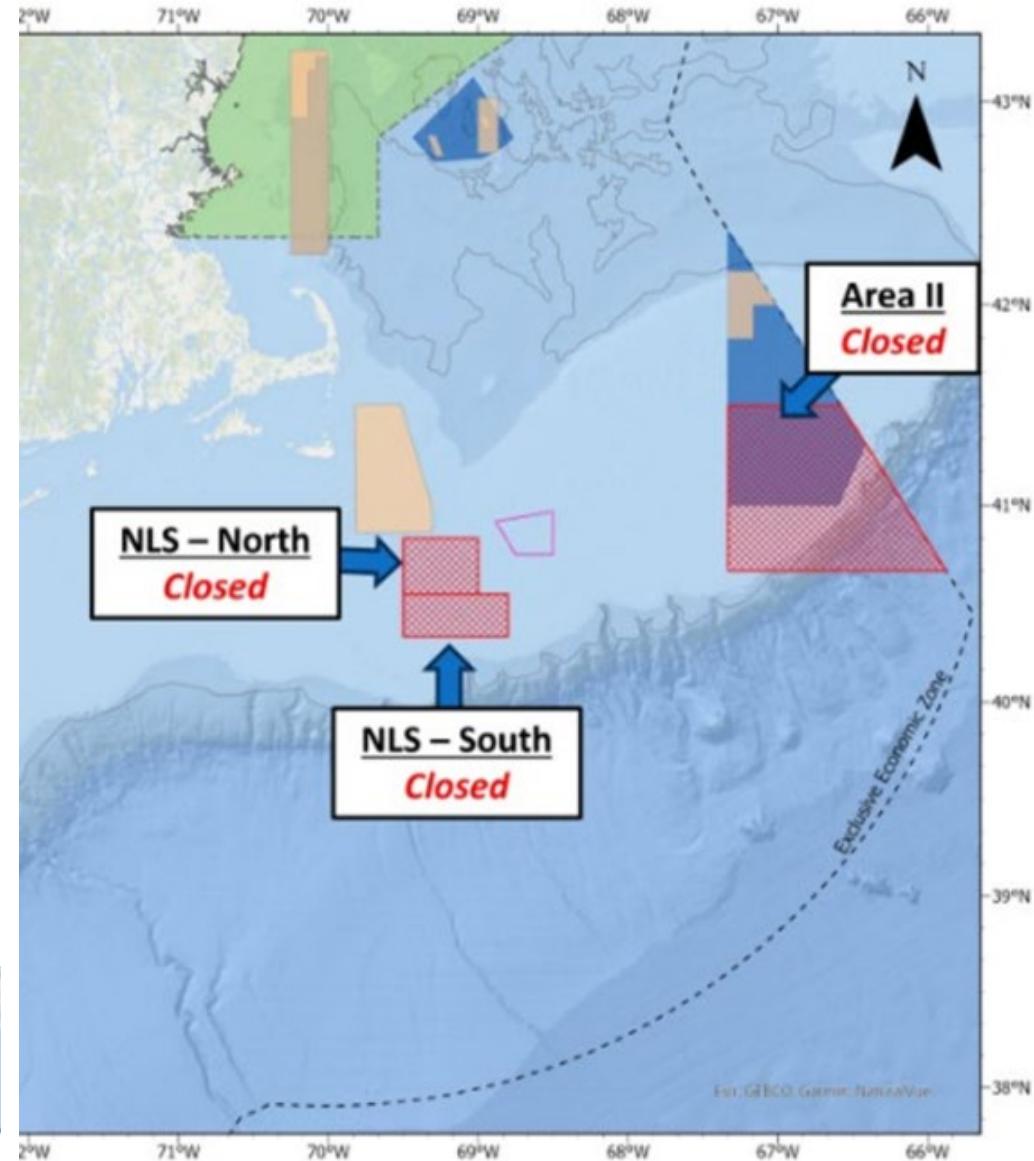
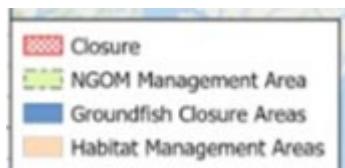
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of Marine Fisheries



# Scallops

## 2026 Specifications

- NGOM Set-aside = 437,867-lb.
- GB/Mid: 36 Days-at-Sea
- No Access Area fishing



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# Groundfish

## FW72

- Updated Status Determination Criteria for GB Yellowtail
- Process to Adjust Recreational Measures
- Revised Specifications for various stocks

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	Groundfish sub-ACL			State Waters Sub-Component	
	FY2025		FY2026	FY2025	FY2026
	Current (Emergency)	Proposed (FW69)	Proposed (FW72)	Current (Emergency)	Proposed (FW72)
GB cod	140	140-147	132 (↓)	N/A	N/A
GB yellowtail	56	76-79	25 (↓)	N/A	N/A
SNE/MA YT	33	33-35	28 (↓)	0.2	0.2
SNE/MA winter	441	441-461	381 (↓)	19	25
Redfish	7,859	7,859-8,268	5,355 (↓)	0	28
White hake	1,816	1,816-1,910	1,287 (↓)	N/A	N/A
GB haddock	1,449	1,441-1,515	4,098	N/A	N/A
CC/GOM YT	808	808-848	1,600	28	17
GB winter	1,431	1,431-1,473	1,620	N/A	N/A
GOM winter	607	607-634	660	153	96
Pout	49	49	52	0	0.9
Wolffish	87	87	87	N/A	N/A

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of Marine Fisheries



# Dogfish

Specifications	2026-27 (pounds)	2026-27 (mt)	Basis
OFL (from SSC)	17,822,148	8,084	SSC
ABC (from SSC)	16,812,432	7,626	SSC suggestion
Canadian Landings	8,818	4	= 2020-2023 average
Domestic ABC	16,803,614	7,622	= ABC – Canadian Landings
ACL	16,803,614	7,622	= Domestic ABC
Mgmt Uncert Buffer	0.0%	0.0%	Higher risk of ACL overages but minimizes immediate disruption to industry
Amount of buffer	0	0	
ACT	16,803,614	7,622	= ACL - mgmt uncert buffer
U.S. Discards	7,359,022	3,338	Assessment Projection Percentage (43.8%) applied to ABC
TAL	9,444,592	4,284	ACT – Discards
U.S. Rec Landings	246,917	112	= 2020-2024 average
Comm Quota	9,197,675	4,172	TAL – Rec Landings

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# Priorities

Ref #	Plan/Topic	Category	Priority/Task	Estimated Timing	Coordination	Staff Months
IRA1	IRA	Required	Acceptable Biological Catch (ABC) Control Rules for Northeast Multispecies	Multiyear, completion 2027	G7, RP2/3	3
IRA2	IRA	Required	Atlantic cod management transition (pending implementation of A25)	Multiyear, completion 2027	G8	0.5
IRA3	IRA	Required	Operationalizing ecosystem approaches in NE fisheries management	Multiyear, completion 2027	G2, SC3, HE1, W1, HA4/5, RP2/3	4
IRA4	IRA	Required	Operationalizing the East Coast Climate Change Scenario Planning Initiative	Multiyear, completion 2027	G8, HE4, M/SK8/9, HA4/5	6
IRA5	IRA	Required	Holistic strategic plan for climate resilient NE fisheries management	Multiyear, completion 2027	SC5	3
IRA6	IRA	Required	Enhancing participatory processes for climate resilient fisheries	Multiyear, completion 2027	RP1	3
EO1	EO14276	New	Modifications to Vessel Baseline Restrictions	Multiyear		4
EO2	EO14276	New	Atlantic herring slippage measures	Multiyear		2
EO3	EO14276	New	Monkfish management modifications	Multiyear	M/SK2/4	
EO4	EO14276	New	Revisions to Accountability Measures	Multiyear		8
EO5	EO14276	New	Fishery Management Plan Revisions	Multiyear		4
EO6	EO14276	New	Revisions to the Southern New England Spiny Dogfish Gillnet Exemption Area	Multiyear		4



# Atlantic Mackerel

## MAFMC:

- ABC Increase (51% probability of rebuilding)
- Commercial Limit Increase (Slower Tiered Increase)
- Recreational Limit Increase (Split Mode)

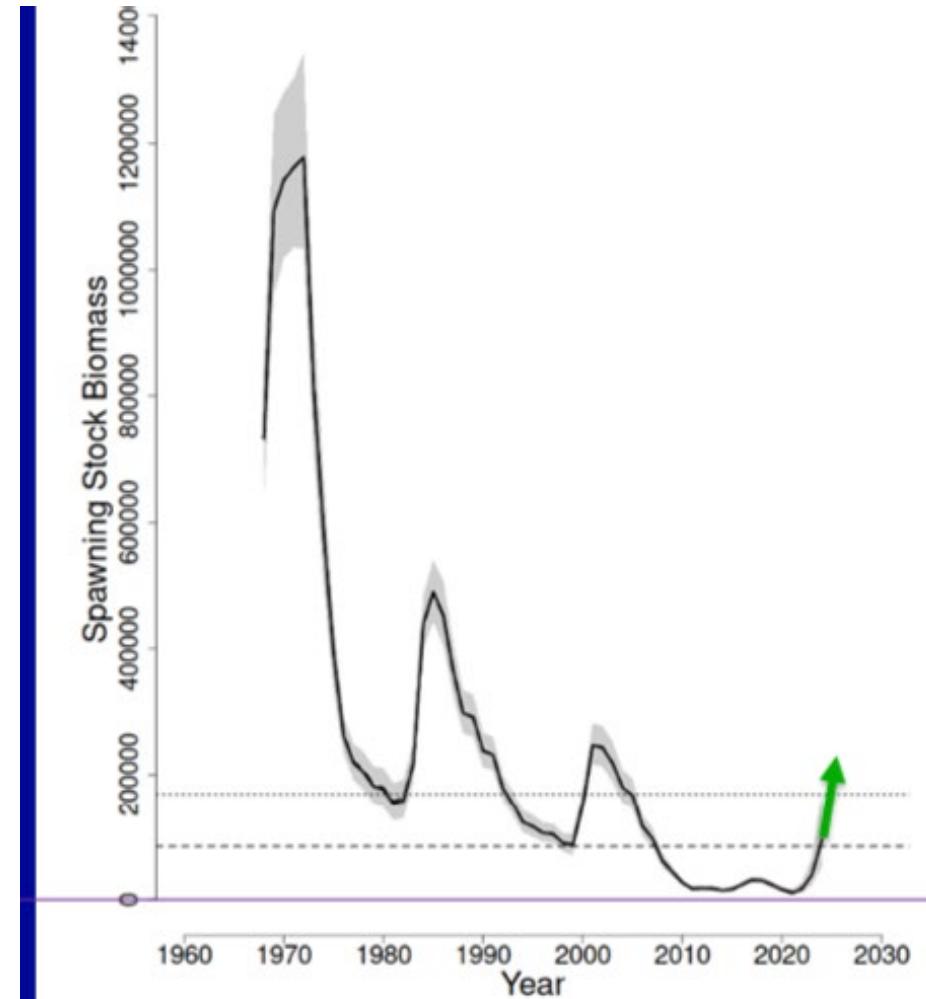


Figure 1: Trends in spawning stock biomass (mt) of Northwest Atlantic Mackerel between 1968 and 2024 from the current (solid line) and previous (dashed line) assessment and the corresponding  $SSB_{Threshold}$  ( $\frac{1}{2} SSB_{MSY}$  proxy; horizontal dashed line) as well as  $SSB_{Target}$  ( $SSB_{MSY}$  proxy; horizontal dotted line) based on the 2025 assessment. The approximate 90% lognormal confidence intervals are shown.

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# Draft January Agenda

## Actions:

- 2026 Recreational Measures for cod and haddock
- Scallop Limited Access General Category Individual Fishing Quota (LAGC IFQ) Program Review final report and approval
- Initiate framework to revise EFH designation for several stocks

## Updates

- Inflation Reduction Act (IRA) initiatives
- Holistic Strategic Plan
- MRIP,
- Risk Policy

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# 2026 P1 Summer Flounder Limits

**Recommendation:** Vote in favor of in-season adjustment to increase Period I (January 1 – April 22) trip limit from 2,000 pounds to 4,000 pounds.

## Rationale:

- State quota is increasing by 75% from 2025 to 2026/2027.
- Under status quo rules, Period I fishery landed about 45,000 pounds in 2025, far lower than its 150,000-pound allocation in 2026.
- Will allow offshore boats access to available quota during 2026 wintertime fishery.
- DMF is proposing regulatory adjustments to Period I rules but they will not be final by January 1, 2026.

## Public Comment:

- Dominated by recreational interests frustrated by inshore summertime fishing conditions and believing these local conditions are indicative of poor stock status.
- Inshore fishery has been declining for about 20 years and likely driven by environment.
- Documented shift in location of summer flounder biomass to the north and the east.
- Local conditions are not likely indicative of broader-scale stock trends.
- Quota adjustments are supported by most recent stock assessment.



# Background

- State law (G.L. c. 130, §§ 31 and 32) historically afforded private property rights to all fishing gear, including derelict gear and gear swept ashore, and required opportunity be given to the gear owner to recover it.
- This law dated back to the 1940s when there was far less commercial fishing effort, particularly in fixed gear fisheries, and most trap/pots were comprised of wood and were biodegradable and salvageable and buoy lines were jute.
- Scale of fixed gear fisheries subsequently increased and pot/trap gear evolved towards polyvinyl coated steel mesh traps and polymer buoy lines. By 1990s, over 95% of gear fished in MA trap/pot fisheries was synthetic.
- DMF estimates that up to 9% of all trap/pot gear fished is lost or abandoned annually and much of this gear is persistent in the environment.
- Existing state law constrained ability for clean up of fishing gear debris both onshore and in our coastal waters.



# Derelict Gear Task Force

- In 2022, DMF established the Massachusetts Derelict Gear Task Force to investigate problems and solutions related to abandoned, lost, or otherwise discarded fishing gear.
- Task Force was comprised of DMF staff, DFG legal counsel, MEP, industry representatives, and the NGO community
- The Task Force released a white paper in 2024 advocating that state law be amended.
  - Differentiate fishing gear from fishing gear debris.
  - Maintain private property rights for fishing gear, but not fishing gear debris.
  - Authorize DMF to regulate and permit removal, possession, and disposal of fishing gear debris.
- DMF presented the findings of the Task Force to the Massachusetts Legislature's Coastal Caucus.
- Coastal Caucus sponsored statutory amendments which were signed into state law by Governor Healey in early 2025.



# Amendments to G.L. c. 130, § 1

- Differentiate fishing gear from fishing gear debris.
  - “Fishing gear”, a trap, net, fish car, or other contrivance that is: **intact**; functions as it is intended to take, hold, or capture fish; and is maintained in the water during the open season.
  - “Fishing gear debris”, a trap, net, fish car, or other contrivance that is: **not intact**; does not function as it is intended to take, hold, or capture fish; or is maintained in the water during a closed season.



# Amendments to G.L. c. 130, § 31

- Amends section to allow maintain private property rights for fishing gear but allow DMF to regulate and permit removal, possession and disposal of fishing gear debris.

No person shall, without the consent of the owner, take, use, destroy, injure or molest ~~a weir, pound net, fish trap, seine, set net or lobster or crab pot or other fishing gear, or a fish car or other contrivance used for the purpose of storing fish, including any such fishing gear which is swept ashore by storm or tide or other natural causes and deposited upon the shore, beaches or flats, whether public or private, or take fish therefrom.~~ fishing gear.

Notwithstanding, the Division of Marine Fisheries, with the approval of the Marine Fisheries Advisory Commission and the Department of Fish and Game, shall promulgate regulations that may authorize or permit the removal of fishing gear debris from the waters under the jurisdiction of the Commonwealth and the adjacent coastal shoreline. Fishing gear debris collected under the Division authority shall not be subject to the G.L. c. 134.



# Amendments to G.L. c. 130, § 32

- Eliminates section as fishing gear debris is no longer afforded private property rights and does not necessitate opportunity to recover.

~~The owner of any fishing gear mentioned in section thirty-one which is swept ashore by storm or tide or other natural causes and deposited upon the shore, beaches or flats, whether public or private, may recover the same within thirty days from the time of such deposit without liability for trespass; provided, that such owner in so doing does not commit any unreasonable or wanton injury to the property whereupon such fishing gear is deposited. In the event such fishing gear shall not be so recovered within such period or recovered by other legal means within sixty days it shall enure to the riparian owner of such shore, beach or flat in the manner provided in chapter one hundred and thirty-four.~~



# Differentiating Fishing Gear from Debris

- New definition at G.L. c. 130, §1 hinges on term “intact”.
  - Fishing gear means a trap, net, fish car, or other contrivance that is: intact; functions as it is intended to take, hold, or capture fish; and is maintained in the water during the open season.
  - Fishing gear debris means a trap, net, fish car, or other contrivance that is: not intact; does not function as it is intended to take, hold, or capture fish; or is maintained in the water during a closed season.
- Proposed regulations to define intact gear as meaning “whole, undamaged and functions as intended to take, hold, or capture fish.”
- Intact commercial trap/pot gear to be further defined to require at least three of the following elements : (1) compliant surface buoy marking; (2) compliant buoy line; (3) current years trap tags; and (4) compliant ghost panels and escape vents.
- Intact recreational trap/pot gear to be further defined to require at least three of the following elements: (1) compliant surface buoy marking; (2) compliant buoy line; (3) synthetic plate or wooden lath on or in trap with permit holder identification; and (4) compliant ghost panels and escape vents.



# Overview of Framework for Clean Up

1. DMF and MEP may remove, possess, and dispose of any and all fishing gear debris encountered on shore or in Massachusetts waters.
2. Any person may remove, possess, and dispose of fishing gear debris located above mean-low tide without a permit or authorization from DMF.
3. Commercial mobile gear fishers may remove, possess, and dispose of fishing gear debris incidentally encountered when lawfully fishing. Molestation of fishing gear remains strictly prohibited.
4. DMF may permit entities to remove, possess, and dispose of fishing gear debris below mean-low tide under certain circumstances that ensure the project is likely to be successful and will not impact intact fishing gear.



# Application for At Sea Clean Up

- Applications shall include the following elements:
  - Where will the project be conducted.
  - When will the project be conducted.
  - How gear clean-up will be conducted.
  - Relevant expertise of applicants or their contractors.
  - How gear will be disposed of.
  - Operational plan for preventing gear or user group conflicts.
- These elements are necessary to ensure project is likely to be successful, fishing gear debris can be disposed of onshore, fishing gear will be avoided, and other gear and user group conflicts can be avoided.
- Preference that projects using grappling, side-scan, or mobile gear be conducted within times/areas closed to trap/pot gear fishing so that any trap/pot gear encountered is considered to be fishing gear debris.



# Best Clean Up Practices

- While not mandatory to return the fishing gear debris to its prior owner, the practice is encouraged in instances when the fishing gear debris is mostly intact, identifiable, and potentially salvageable.
- Fishing gear debris must be disposed of lawfully. In instances when the fishing gear debris is salvageable it may be repurposed or resold.
- There is a significant need to create a network to accommodate the disposal of fishing gear debris. This includes funding gear dumpsters at ports, working with municipalities to accommodate disposal (e.g., transfer stations), and connecting clean-up efforts with entities capable of disposing of or salvaging the fishing gear debris.



# Considerations for Aquaculture Gear

- Aquaculture gear is not within relevant definition of fishing gear and fishing gear debris. Therefore, these laws and regulations do not apply to derelict aquaculture gear.
- State law provides municipalities authority to manage how shellfish aquaculture is conducted in their waters.
- Most municipalities with aquaculture have existing rules governing aquaculture gear marking and site maintenance.
- Local constables provide critical nexus between public and industry and can help facilitate the recovery of lost or derelict aquaculture gear.
- Unlike fishing gear debris, aquaculture gear debris may contain valuable reared product owned by aquaculturist.
- Accordingly, proposed regulations seek to reinforce municipal requirements that all aquaculture gear be sufficiently tagged and marked with information that makes the aquaculture gear identifiable to a permit holder to enable municipal authorities to address the recovery of derelict aquaculture gear.



# Recommendation

- Definitions:
  - Intact means, “whole, undamaged, and functions as intended to take, hold or capture fish.”
  - Intact commercial trap gear has three of the following four elements: (1) compliant surface buoy; (2) compliant buoy line; (3) current year’s trap tag; and (4) compliant ghost panels and escape vents.
  - Intact recreational trap gear has three of the following four elements: (1) compliant surface buoy; (2) compliant buoy line; (3) synthetic plate or wooden lathe with permit holder information; and (4) compliant ghost panels and escape vents.
- Authorizations to remove, possess or dispose of fishing gear debris:
  - DMF and MEP may remove, possess, or dispose of any fishing gear debris.
  - No authorization is needed for commercial mobile gear fishers to remove, possess, or dispose of fishing gear debris encountered during lawful fishing.
  - No authorization needed for any person to remove, possess, or dispose of fishing gear debris above mean low tide.
  - DMF permit/authorization needed for persons to remove, possess, or dispose of fishing gear debris below mean low tide. Applications shall minimally describe where, when, and how project will be conducted; method of disposal; and expertise of applicant.
- For aquaculture gear, DMF regulation will reinforce municipal standards that aquaculture gear be sufficiently marked to make it identifiable to the permit holder.



# Final Decision on Striped Bass Permitting

**Action:** For 2026, DMF will: (1) limit issuance of the commercial striped bass endorsement to only those persons who held one in 2024 or 2025; (2) make the endorsement non-transferable while the agency develops an exit-entry program; and (3) update the control date from June 14, 2022 to December 31, 2025.

## Rationale:

- Preserve fishing opportunities for existing participants amidst current and forecasted stock conditions.
- First step in process to reduce participation as necessary to adopt harvester tagging by no later than 2029.
- Owner-operator requirement not included in final action based on public comment but may be reconsidered as part of future rule-making.

## Public Comment:

- General support for rules among active participants.
- Concerns about how DMF may further restrict access moving forward and how future access will be accommodated.
- Concerns that owner-operator requirement will impact existing business arrangements.



# MFAC Meeting on Break and Scheduled to Reconvene at 10:35AM

December 18, 2025

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# Horseshoe Crab Quota Adjustments

**Proposal:** Reduce bait quota from 140,000 crabs to 100,000 crabs. Then reallocate the 40,000 crab bait quota reduction to biomedical quota at a 1:2 ratio to increase biomedical quota from 200,000 crabs to 280,000 crabs.

## Rationale:

- Responds to increasing demand for horseshoe crabs from biomedical sector.
- Addresses issue of bait quota utilization being driven by rent-a-crab program.
- Scales bait quota to anticipated bait needs of local conch pot fishery with some additional room for growth.
- Increases access to resource without increasing overall mortality.

## Other Issues:

- Uncertainty around recapture of crabs given most mobile gear harvest is occurring in a small area of eastern Nantucket Sound.
- Industry concerns about processor quotas and access to the resource.
- Interest in dynamic quota management.
- Rent-a-crab program contributes to disconnect between bait harvest and bait demand resulting in market gluts.



# Sea Scallop Dredge Width and Pilot Program

**Proposal:** Modify maximum dredge width from 10' to 10.5'

## Rationale:

- Technical amendment will bring state rules in line with federal rules.
- Uniform rules across jurisdictions enhances enforcement and compliance.

## Pilot Program Update:

- DMF continues to work with industry to develop potential pilot program that would allow fishers to access certain areas within North Shore Region Mobile Gear Closure.
- Access would occur during the fixed gear closures to protect right whales to prevent gear conflicts.
- DMF met with Bureau of Underwater Archaeology to help refine spatial parameters of access area.
- DMF is considering criteria for participation (e.g., state waters scallop landings in recent years, installation of cellular based vessel trackers).
- Looking to roll out pilot program in mid-January to initiate fishery by mid-February.
- Pilot program will be used to evaluate potential regulatory modifications moving forward.



# Commercial Scup Limits

**Proposal:** For directed scup pot and hook and line gears, increase the June trip limit from 400 pounds to 800 pounds and increase the number of open fishing days per week from three (Sundays/Tuesdays/Thursdays) to five (Sundays – Thursdays).

## Rationale:

- Responds to industry driven request to accommodate targeted scup during late spring.
- Access to scup quota is important during late spring with access to other fisheries delayed until summer (sea bass, striped bass) or fall (tautog) and waning spring whelk fishery.
- Creates uniform rules for May – June period. More restrictive June limits make it uneconomical to target scup.
- Could improve quota utilization and provide a stable supply of fish to help dealers build markets.
- Stock status remains robust with spawning stock biomass at 322% of its target and fishing mortality at 56% of its threshold.
- Trawler limits allow up to 10,000 pounds a week with additional constraints on retention in small mesh set by the FMP.



# Upcoming Public Hearing Timeline

## Spatial Management of Surf Clam Dredge Fishery

- Initial proposal reviewed by MFAC in May 2025.
- Executive branch review of draft regulations ongoing.
- Public hearings expected during winter 2026.
- Goal of having final rules in place by May 1, 2026.

## Omnibus Regulations

- Draft proposals reviewed by MFAC throughout 2025.
  - Recreational bluefish limits; commercial scup, black sea bass, and summer flounder adjustments; horseshoe crab quota reallocation; eliminating CAP sub-endorsements and sea scallop shucking endorsement; and allowance to flip Coastal Lobster Permit for Offshore Lobster Permit.
- Executive branch review of draft regulations ongoing.
- Public hearings expected during winter 2026.
- Goal of having final rules in place by May 1, 2026.



# Future Rule Making

## Recreational Scup, Black Sea Bass, Summer Flounder, and Mackerel Limits

- MAFMC recently approved increased Atlantic mackerel limit (25 fish private vessel angler & 50 fish for-hire vessel angler).
- MAFMC/ASMFC recently approved a 20% coastwide harvest increase for black sea bass (and status quo for scup and summer flounder).
- Federal and interstate processes likely to conclude by late-winter.
- DMF will likely conduct public scoping before pursuing emergency rules for May 1.

## Commercial Striped Bass Permitting

- DMF to develop eligibility criteria to use control date to further reduce access to the fishery and an exit:entry program to allow for new entrants.
- Goal is to accomplish this for 2027 permitting season.
- Anticipate draft regulations will go out to public hearing during second half of 2026.

## Commercial Striped Bass Tagging

- DMF to develop framework for harvester tagging program.
- Goal is to implement program for 2028 commercial striped bass season.
- Anticipate draft regulations will go out to public hearing in late 2027/early 2028.



# Recreational Fluke, Scup & Sea Bass

Future RHL vs Estimated Harvest	SSB compared to target level (SSB/SSBmsy)	Change in Expected Harvest
Future 2-year avg RHL <b>greater than</b> upper bound of harvest estimate CI <i>(harvest expected to be lower than RHL)</i>	<b>Very high</b> ( $\geq 150\%$ )	Liberalization % = difference between harvest est & 2-year avg RHL, not to exceed 40%
	<b>High</b> ( $\geq 110\%$ but $< 150\%$ )	Liberalization % = difference between harvest est & 2-year avg RHL, not to exceed 20%
	<b>Near target</b> ( $\geq 90\%$ but $< 110\%$ )	<b>Liberalization: 10%</b>
	<b>Low</b> ( $\geq 50\%$ but $< 90\%$ )	<b>No liberalization or reduction: 0%</b>
Future 2-year avg RHL <b>within</b> harvest estimate CI <i>(harvest expected to be close to RHL)</i>	<b>Very high to low</b> (greater than 50%)	<b>No liberalization or reduction: 0%</b>
Future 2-year avg RHL <b>less than</b> lower bound of harvest estimate CI <i>(harvest expected to exceed RHL)</i>	<b>Very high</b> ( $\geq 150\%$ )	<b>No liberalization or reduction: 0%</b> Unless AM triggered
	<b>High</b> ( $\geq 110\%$ but $< 150\%$ )	<b>Reduction: 10%</b>
	<b>Near target</b> ( $\geq 90\%$ but $< 110\%$ )	<b>Reduction %</b> = difference between harvest est. & 2-year avg RHL, not to exceed 20%
	<b>Low</b> ( $\geq 50\%$ but less than 90%)	<b>Reduction %</b> = difference between harvest est. & 2-year avg RHL, not to exceed 40%
Overfished (less than 50% of target)	No liberalizations allowed. Reduction % = difference between harvest est & 2-year-avg RHL. To be replaced by rebuilding plan measures ASAP.	

