



MA Marine Fisheries Advisory Commission February 18, 2021 Meeting Summary

This document serves as a brief summary of the February 18, 2021 Marine Fisheries Advisory Commission (MFAC) business meeting. This MFAC meeting was held virtually. All meeting materials are available on the [MFAC's past meeting website](#). The full meeting can be viewed on [DMF's YouTube channel](#).

Discussion Items

2021 Conditional April Groundfish Closure. DMF informed the MFAC that it would seek public comment to lift the conditional April groundfish closure between Plymouth and Marblehead for 2021. This conditional closure was implemented in 2019 in response to concerns from federal permit holders that state waters groundfish landings were on track to exceed federally allocated state-water set-asides and could potentially trigger federal accountability measures for fully utilized stocks. To balance these concerns with providing the state waters fleet with seasonal access to the resource, DMF may annually lift this closure if data for the fishing year (May 1 – April 30) demonstrates that the federally allocated state water subcomponents will not be exceeded and federal conservation objectives are not compromised. Data for the 2020 Fishing Year shows that state-waters groundfish harvest is well below the federally allocated sub-components for all stocks. This is likely driven, in part, by a COVID related reduction in fishing effort. Accordingly, DMF will accept public comment on lifting this closure through March 5, 2021 and the MFAC will vote on a final recommendation at their March 18, 2021 business meeting.

2020 Channeled Whelk Fishery Performance. DMF provided a preliminary analysis of the performance of the channeled whelk fishery in 2020, as well as an overview of how fishery performance has changed overtime. There was then discussion regarding the ongoing whelk symposium hosted by VIMS; size at maturity in MA waters; the pending gauge increase from 3" to 3 1/8" for 2021; and DMF's recent stock assessment. Given that growth rates and maximum size vary by sex, MFAC members expressed concerns that by the terminus of the current gauge increase schedule the fishery will result in the forced discarding of all males and a commercial fishery that occurs exclusively on females. There was interest among MFAC members to have the state's whelk management program evolve and consider other strategies. The models used in DMF's channeled whelk stock assessment calculate bMSY at 22 million pounds, and at this biomass the MSY estimate is between 1.2 and 1.6 million pounds annually depending on the model used. However, the stock is currently overfished and experiencing overfishing and the biomass is estimated to be closer to 8 million pounds. Accordingly, DMF anticipated that any potential quota would be substantially lower than MSY at bMSY. DMF committed to continue to work with the MFAC and industry on the management of this fishery and noted that ACCSP just approved a fleet study grant for the state's whelk fishery, which would enhance the fishery dependent data available for management.

Updates from Winter ASMFC Meeting. DMF briefed the MFAC on the recent February 2021 ASMFC business meeting. The discussion focused on the development of Amendment 7 to the Striped Bass

FMP, including upcoming scoping hearings; implementation of the recreational circle hook mandate in Addendum VI to the Striped Bass FMP, particularly ASMFC approval of the joint MA/ME proposal to study the tube rig fishery during a two-year exemption period, and ongoing work to address the states' varying regulatory definitions of bait fishing; approval of the commercial black sea bass reallocation amendment with an alternative that addresses the species' redistribution; the ongoing public comment opportunity on the recreational/commercial summer flounder, scup, and black sea bass allocation amendment, that responds to the revised MRIP estimates; the approval of the bluefish allocation and rebuilding amendment for public comment; and the initiation of a review of commercial menhaden allocations.

2021 Recreational Black Sea Bass Fishing Season. For 2021, states are required to maintain status quo limits for the recreational black sea bass fishery, with the exception of possible minor season adjustments not projected to increase harvest. For MA, status quo measures would result in a May 18 – September 8 open season with a 5-fish bag limit and 15" minimum size. DMF has historically opened the fishery on either the third or fourth Saturday in May, but under status quo rules the fishery would open on a Tuesday. To accommodate a Saturday opening, DMF submitted a conservation equivalency proposal to the ASMFC with two different seasonal options: May 15 – September 3 and May 22 – September 14. Both proposals were approved at ASMFC and DMF collected public comment on the three potential season options. Public comment generally preferred the May 22 start date, but it was notable that a number of for-hire operators preferred the May 15 start date for business and marketing reasons. DMF's preference was for a May 22 start date, particularly as it would provide additional Wave 5 (September – October) MRIP data that could help the state argue for a later closing date in the future. The MFAC discussed the options with a focus on the May 15 opening date and how this start date would benefit the for-hire sector. To inform DMF, the Director urged the MFAC to vote on DMF's preferred May 22 start date. The MFAC vote came to a tie. The Director then asked the MFAC to vote on status quo measures, and that passed unanimously. DMF will move forward with status quo limits for 2021 and will issue a formal advisory on the subject.

Spring 2021 Public Hearing Docket. DMF will be hold two different sets of public hearings on proposed regulations this spring. The first regulatory initiative affects recreational fisheries. DMF is proposing to implement the striped bass circle hook mandate consistent with Addendum VI to the ASMFC's Striped Bass FMP; adopt Gulf of Maine cod and haddock limits to complement expected federal rules; and prohibit the use of trap gear to take blue crabs to address the incidental take of protected diamondback terrapins. DMF is currently accepting public comment on these proposed rules. The public hearing will be held virtually via Zoom on March 2 and the public comment period will conclude on March 5. DMF anticipated that the MFAC would vote on a final recommendation at their March 18 business meeting. The second regulatory initiative affects commercial fisheries. DMF is proposing to adjust the commercial striped bass open season and start date; adopt purse seine size and volumetric equivalencies for the 6,000 pound menhaden fishery and a nightly reporting requirement for the EESA fishery; require black sea bass pots be rigged with a 3" x 6" ghost panel; and modernize the state's bluefin tuna purse seine regulations as the activity is no longer permitted in MA. DMF anticipates the public comment period on these proposals will occur from early-March through early-April with a public hearing in late-March or early-April, and a final recommendations will be brought the MFAC for their April 15 business meeting.

Convening Sub-Committee on Single Trap Fishing. At the January 28, 2021 MFAC business meeting, a sub-committee was formed to address single trap fishing and the strategies to reduce the potential risk of protected species becoming entangled in the gear. At present, DMF is analyzing buoy line data in the development of its ITP application for endangered sea turtles and wanted to complete this analysis

before convening the group. DMF intended to reach out to sub-committee members in the coming weeks for springtime meeting.

Overview of DMF's Outreach on Gear Modification Grant Programs. The MFAC approved new trap gear regulations at their January 28, 2021 business meeting and these new rules will go into effect this spring. This includes having commercial fishermen rig their traps with buoy lines that have a breaking strength of 1,700 pounds. In anticipation, DMF has hired a new staff member—Justin Wilson—to work directly with industry on new weak rope requirements. Additionally, DMF obtained funding to purchase weak rope and South Shore sleeves and would be convening events throughout the state to disperse this gear. Additionally, Justin will be working as an intermediary between industry and NOAA Fisheries to develop additional weak contrivances. DMF anticipated several new contrivances may be approved by mid-March for the 2021 season. DMF was also prepared to launch a new webpage that would serve as a central resource for gear modification outreach activity and broadcast an advisory on the new rules and the various resources available to industry in the coming days. There was some discussion of pending federal gear marking rules and how disparate state and federal trap gear configuration rules may impact dual permit holders. DMF resolved to continue to work on these issues with NOAA Fisheries and proposed holding an informational meeting in the coming weeks to answer all outstanding questions.

Other Business

Commission Member Comments. Lou Williams requested DMF review the potential to increase the state waters yellowtail flounder trip limit. Mike Pierdinock briefed the MFAC on the recent ICCAT meeting and upcoming Atlantic bluefin tuna stock assessment. Bill Doyle thanked DMF for their continued attention to shellfish growing area classification issues affecting shellfisheries in Duxbury, Plymouth, and Kingston. Sooky Sawyer discussed protected species management and requested DMF reach out to commercial trap fishermen with information regarding new gear marking and configuration regulations. Shelley Edmundson spoke about whelk management and concerns regarding the schedule to increase the gauge size.

Emerson Hasbrouck (ASMFC delegate from NY) commented on DMF's efforts regarding protected species management and commercial black sea bass reallocation.

Upcoming Meetings

The next MFAC business meeting is scheduled for March 18, 2021. The meeting will be held virtually via Zoom. Information regarding the meeting will be published on the [MFAC's website](#). If you would like to obtain any materials regarding past or upcoming MFAC business meetings, please contact Jared Silva at DMF (617-634-9573 or jared.silva@mass.gov).