



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

9:00AM

Wednesday, February 11, 2026

Via Zoom

[Link](#)

Call-In: 1-929-436-2866

Webinar ID: 854 0630 6022

1. Call to Order and Routine Business (9:00 AM)
 - a. Introductions and Announcements
 - b. Review of February 2026 Business Meeting Agenda
 - c. Review and Approval of December 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. Future Emergency Regulations (9:45)
 - a. Atlantic Mackerel Recreational Bag Limits and Commercial Trip Limits
 - b. Update on Potential 2026 Recreational Black Sea Bass Limits
4. Discussion Items (10:15)
 - a. Intestate Fisheries Management Update
 - b. Federal Fisheries Management Update
 - c. North Shore Sea Scallop Pilot Program
 - d. Offshore Wind Energy Update
5. Presentation on Summer Flounder Stock Assessment (11:30)
6. Other Business and Public Comment (12:00PM)
7. Adjourn (12:15PM)

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

March 17, 2026
DFW Field Headquarters
Westborough, MA

April 23, 2026
DFW Field Headquarters
Westborough, MA

May 28, 2026
Katherine Cornell Theater
Tisbury, MA

Marine Fisheries Advisory Commission

Draft Business Meeting Minutes

December 18, 2025

Via Zoom

Attendees

Marine Fisheries Advisory Commission: Ray Kane, Chairman; Shelley Edmundson, Clerk; Arthur “Sooky” Sawyer; Bill Amaru; Ray Jarvis; Chris McGuire; Eric Nelson; Bill Doyle

Division of Marine Fisheries: Daniel McKiernan, Director; Kevin Creighton; Story Reed; Anna Webb; Jared Silva; Melanie Griffin; Bob Glenn; Emma Fowler; Kelly Whitmore; Derek Perry; Nichola Meserve; Sarah Ferrara; David Chosid; Bradlie Morgan; Kerry Allard; Brad Schondelmeier; Tracy Pugh; Elise Koob; Cara Litos; Scott Schaffer; Kiera Lawlor; Erich Druskat; Wendy Wills; Erin Burke; Jacob Wilson

Department of Fish and Game: Tom O’Shea, Commissioner; Sefatia Romeo-Theken, Deputy Director

Massachusetts Environmental Police: Lieutenant Matt Bass; Captain Jack Chapin

Members of the Public: Paul Ward; Kyle Grant; Nora Blair; Heather Haggerty; Brett Hoffmeister; Jamie Bassett; Jennifer Lander; Jason; Jorge Davies; Phil Michaud; Julia Logan; Najla Elshrif; Sheryl Heller

Call To Order and Routine Business

Chairman Ray Kane called the meeting to order.

Review of December 2025 Business Meeting Agenda

The Chair asked if there were any amendments to the December 2025 business meeting. None were provided.

Review And Approval of November 2025 Draft Business Meeting Minutes

Chairman Kane sought amendments to the draft November 2025 business meeting minutes. No amendments were proposed. **The Chair called for a motion to approve the November 2025 business meeting minutes as drafted. Sooky Sawyer made a motion. Bill Amaru seconded the motion. The motion passed unanimously (7-0-1 with the Chairman abstaining).**

Agency Updates

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

Captain Jack Chapin provided updates for the Massachusetts Environmental Police (MEP). MEP officers have been busy with the start of hunting season across the state. The Center for Coastal Studies has located several North Atlantic right whales in Massachusetts waters and MEP has participated in patrols to monitor areas surrounding the whales. Chapin shared that an entangled right whale arriving from southern waters is also being monitored in hopes of accommodating disentanglement efforts.

On personnel, seven new hires are expected to enter the force in 2026. New hires will join the field after approximately one year of training.

Bill Amaru asked Captain Chapin about the impact of expanded deer hunts in Nantucket and Martha's Vineyard on MEP's capacity to monitor marine activity. Chapin responded that officers are already assigned to these tasks, and he did not anticipate this limiting marine fishery enforcement.

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

Commissioner Tom O'Shea provided updates on behalf of the Department of Fish and Game (DFG). The Cape Cod Fishermen's Alliance recently held an event to celebrate the \$500,000 earmark awarded to support working waterfronts, research, and workforce development. He thanked the Alliance and State Representative Kip Diggs.

Commissioner O'Shea also attended the Commercial Fisheries Commission (CFC) meeting in New Bedford on December 18. He acknowledged the progress made by the public body in its first year and anticipated its annual report would help elevate issues of concern to the Governor and the legislature.

Division Of Marine Fisheries: Personnel, Recent Meetings and Events, And Agency Activities and Projects

Director Dan McKiernan began by recapping recent events and meetings. There was a recent joint meeting of the Mid-Atlantic Fishery Management Council (MAFMC) and Atlantic States Marine Fisheries Commission (ASMFC) to discuss recreational scup, black sea bass, summer flounder, and bluefish limits and sector separation. On the subject of sector separation, the ASMFC is expected to host a workshop in early 2026 to facilitate further work on this subject.

The Commercial Fisheries Commission and Fisheries Working Group on Offshore Wind (FWG) both met earlier this month. Given the overlap in these groups' interests, they recently held meetings on the same day to facilitate conversations across these bodies on these subjects. During the FWG meeting, Brad Schondelmeier shared the recipients of the Fisheries Innovation Fund grants to support the coexistence of fishing and offshore wind. Dan outlined the projects that received grant funding and noted that nearly 2/3 of the \$1.5 million in the Fund was awarded to six projects in the first solicitation, and more funds will likely be made available in the future. He applauded Brad's effort in this project.

DMF and MEP senior staff were also scheduled to meet before the holidays to discuss concerns and priorities for the upcoming calendar year.

The Director shared updates on the status of lawsuits involving state and interstate fishery management. There are cases in both state and federal court — to which ASMFC and DMF are named as defendants — regarding v-notch possession standards for the state waters Outer Cape Cod (OCC) Lobster Conservation Management Area (LCMA). Additionally, there is a case in state court — to which DMF is the named defendant — regarding requirements for vessel trackers in the lobster fishery.

Lastly, Dan discussed the tentative plan to increase the recreational permit fee. DMF and DFG have proposed a plan to the Secretariat of Administration and Finance (ANF) to increase the permit fee from \$10 to \$20 through two \$5 increases over a series of years. If approved by ANF, this change may go out to public hearing later this year.

Sooky Sawyer expressed interest in learning about the economic data on buoyless trap gear. Chairman Kane noted this would be a good presentation for DMF to provide the MFAC. Deputy Director Bob Glenn opined that this may be challenging given data confidentiality rules but noted he would work with staff to see what could be disclosed. Glenn also added that this is timely given DMF staff are working to put together the annual presentation to the Massachusetts Lobstermen's Association at their annual weekend and tradeshow in January.

Action Items

In-Season Adjustment to 2026 Period I Summer Flounder Trip Limit

Jared Silva shared the proposed in-season adjustments to the 2026 Period I summer flounder trip limit. DMF's recommendation would increase the Period I trip limit from 2,000 pounds to 4,000 pounds for 2026 to take advantage of a 75% increase to Massachusetts' commercial quota for the coming year. This sizeable quota increase is the product of a 45% increase in the coastwide quota (in response to the most recent stock assessment) and Massachusetts receiving an elevated share of the coastwide quota when it exceeds 9.55 million pounds. Under status quo rules, the Period I fishery landed about 45,000 lbs. in 2025, which is far lower than the 150,000 lb. allocation for 2026. Maintaining this limit would likely lead to a substantial quota underutilization and the proposed change would afford offshore boats better access to available quota.

Silva described the public comment received. He noted there are concerns that offshore fishing activity during the winter period is responsible for poor inshore summertime fishing conditions. Further, there is a perspective that the poor summertime inshore fishing conditions reflect poor overall stock conditions. Silva argued that the quota increase is supported by the stock assessment. Further, environmental factors are likely affecting summertime inshore fishing conditions, and the stock assessment demonstrates the biomass is shifting to the north and the east.

Bill Amaru, Eric Nelson, and Ray Jarvis expressed some concern about significant interannual variability in the summer flounder quota in recent years and poor inshore fishing conditions. Amaru voiced his preference for a more gradual approach at the federal level. However, Amaru and Jarvis expressed their support for DMF's proposed action.

Nichola Meserve added that similar concerns were shared at the ASMFC and MAFMC. The 45% coastwide increase was lower than the recent assessment would have allowed and was chosen to avoid more significant increases that could lead to management instability.

Silva and Meserve discussed spatial shifts in fishing effort and population distribution. Chairman Kane and Amaru expressed interest in further discussions on stock assessments. Director McKiernan indicated staff would present on this at a future meeting.

Amaru asked about accommodating summer flounder bycatch in offshore gillnet fisheries. He noted that the Chatham gillnet fleet catches this species but is often unable to land it because they do not hold the limited entry permit. He thought an open access bycatch limit may be appropriate. Dan expressed interest in investigating this

issue to better understand the level of summer flounder discards by federal gillnetters who do not hold a state fluke permit. Chairman Kane thanked DMF for considering this.

The Chair called for a motion to approve DMF’s recommended in-season adjustment to increase the 2026 Period I summer flounder trip limit to 4,000 pounds. Ray Jarvis made a motion to adopt as recommended. Shelley Edmundson seconded the motion. The motion passed unanimously (7-0-1 with the Chair abstaining).

Recommendation to Adopt Regulatory Framework for Derelict Gear Removal

Deputy Director Bob Glenn presented DMF’s recommendation to adopt a regulatory framework for derelict gear removal. This framework responds to recent statutory changes that maintain property rights for fishing gear but allow for DMF to authorize the clean-up of fishing gear debris.

Glenn outlined the history that necessitated these changes. Fishing gear, including derelict gear, was historically afforded private property rights, which constrained clean-up efforts. As fishing gear has shifted away from biodegradable materials to more persistent materials (e.g., plastic coated wire traps and polymer lines and nets) there are rising concerns about the accumulation of fishing gear debris, ghost fishing, and microplastics.

To address this problem, DMF established and convened a Derelict Gear Task Force in 2022 to investigate problems and solutions related to derelict gear. In 2024, the Task Force produced a white paper advocating that state law be amended. These amendments were supported by the Legislature’s Coastal Caucus and signed into law by Governor Healey in early-2025. Subsequently, DMF developed a regulatory framework to permit and authorize clean-up activities.

The framework hinges on differentiating fishing gear from fishing gear debris based on whether it is intact and functioning as intended. The framework then authorizes the following activities: (1) DMF and the MEP may remove, possess, and dispose of fishing gear debris; (2) any person or entity may remove, possess, and dispose of fishing gear debris from the shoreline (i.e., above mean low water); (3) commercial mobile gear fishers may remove, possess, and dispose of fishing gear debris incidentally encountered during lawful fishing; and (4) DMF may create an application process for persons and entities to obtain a permit to remove, possess, and dispose of fishing gear debris for our waters (i.e., below mean low water). This application minimally includes a description of when, where, and how the project will be conducted; how the fishing gear debris will be disposed of; how user group and gear conflicts will be avoided; and the relevant expertise of the applicant or their contractors.

Best practices for clean-up, such as the use of gear dumpsters, were identified. A \$50,000 earmark supported by Senator Bruce Tarr will help support ports in funding gear dumpsters.

Lastly, this framework does not address aquaculture gear, as it does not fall under the definition of fishing gear. Rather, DMF will require all aquaculture gear be marked in accordance with municipal rules so that it is identifiable to the permit holder and allows municipal authorities to assist in the recovery of derelict aquaculture gear. This allows municipalities to continue to play a direct role in managing shellfish aquaculture in their waters.

Director McKiernan added that this framework will simplify derelict gear retrieval during gear closures (e.g., right whale closures) to allow DMF to efficiently remove and dispose of derelict gear. He recognized DMF staff, DFG's legal team, the Center for Coastal Studies, the Massachusetts Lobstermen's Association, and the Cape Cod Commercial Fishermen's Alliance for their collaboration on this effort.

The MFAC voiced wide support for this initiative. Nelson, Jarvis, Edmundson, Amaru, McGuire, and Chairman Kane applauded DMF's work in this initiative. Deputy Commissioner Sefatia Romeo-Theken recognized the efforts of DMF, DFG's legal team, and Senator Bruce Tarr.

McGuire and Glenn discussed the impact of the \$50,000 earmark allotted to assist in funding the disposal of derelict gear throughout the state. Chairman Kane voiced support for continued funding for this effort in the future.

The Chair called for a motion to approve DMF's recommended framework to authorize and permit the clean-up of fishing gear debris. Bill Doyle made a motion to adopt as recommended. Chris McGuire seconded the motion. The motion passed unanimously (7-0-1 with the Chairman abstaining).

Final Decision on Commercial Striped Bass Permitting Emergency Regulations

Director McKiernan introduced the discussion on DMF's action to limit access to the commercial striped bass fishery. Emergency regulations were implemented in November 2025 to accomplish this for the 2026 renewal season. DMF then held a public hearing and written public comment period and was moving forward a final regulatory action. While this is a permitting action and does not require MFAC approval, Director McKiernan sought consensus support for his final decision.

The final action would: (1) limit entry to the fishery in 2026 by issuing permits only to those persons who held a permit in 2024 or 2025; (2) establish the permit as non-transferable; and (3) update the control date from June 14, 2022 to December 31, 2025.

In response to public comment, DMF was not moving forward an owner-operator requirement but may reconsider this in future rule making. An owner-operator provision would have required the named permit holder to be onboard the vessel when commercial striped bass fishing is occurring. This was initially included in the emergency action to prevent the activation of latent fishing effort and enhance enforcement and compliance. However, it was removed from the final rule in response to public comment which surfaced a variety of common fishing arrangements that it would have precluded. DMF may reconsider this provision in future rule making. Nelson and Jarvis expressed support for DMF's final decision.

Chairman Kane suggested a future informational meeting to ensure the public understands the rationale behind the state's move towards a harvester tagging program. Dan elaborated on the Chair's point noting that the recently approved addendum to the Interstate Fishery Management Plan for Striped Bass requires states implement a commercial harvester tagging program by January 1, 2029. The state currently has a dealer tagging program and will need to shift the burden to the commercial fishers by the implementation deadline. This will likely require DMF to drastically reduce the total number of potential participants in this fishery moving forward. To accomplish this, DMF will work through MFAC's Focus Groups on Striped Bass and Permitting and will likely convene its ad-hoc industry advisory group for striped bass.

The MFAC did not object to DMF moving forward with its final decision on commercial striped bass permitting. Dan thanked the MFAC for their support and encouraged them to provide any feedback or voice concerns to DMF as this process continues.

Future Public Hearing Items

Horseshoe Crab Quota Management

Director McKiernan provided background on horseshoe crab quota management and a forthcoming public hearing proposal to decrease the bait quota for horseshoe crabs from 140,000 crabs annually to 100,000 crabs annually. This 40,000-crab reduction in the bait quota will be reallocated to the biomedical quota at a 1:2 ratio to increase the biomedical quota by 80,000 crabs from 200,000 to 280,000 crabs annually.

This proposal responds to increasing demand for horseshoe crabs from the biomedical sector coupled with decreasing local demand for bait crabs due to declining effort in the state's conch pot fishery. Further, while it increases the overall capture of crabs annually by converting bait quota to biomedical quota, this is a conservation minded proposal as total mortality should decrease by about 17% annually (~ 28,000 crabs). Dan added that

all survey indices generally demonstrate the Commonwealth's horseshoe crab population is above time-series means and is growing.

Tangentially, Dan added that DMF is working to obtain funding for an acoustic tagging mark and recapture study to better quantify the post-release mortality of biomedically processed horseshoe crabs.

Sooky Sawyer asked about crabs in freezer storage despite being bled by the biomedical industry, instead of being released. Dan responded that dealers may purchase bait horseshoe crabs in early summer when bait demand is low but biomedical demand is substantial. He was concerned by this mismatch of the timing of harvest and bait horseshoe crab demand, requiring dealers to incur the cost of freezer storage.

Sawyer then expressed concern with quota being allocated away from the commercial fishing industry to two biomedical firms, especially if bait demand increases in the future. Nelson shared these concerns and the relative control the biomedical firms had over bait and biomedical harvest. Bill Doyle concurred with Nelson's latter point. He added that commercial fishers are hesitant to speak on this issue and risk impacting relationships with the limited number of dealers.

Dan remarked on the two sides of this proposal: to reduce the bait quota and to increase the biomedical quota. These issues can be treated separately. Dan acknowledged the concerns shared but aimed to address the disconnect in harvest timing and bait demand. Doyle and Dan discussed approaches to increasing engagement with the industry.

Amaru voiced support for this initiative, noting that the quota reduction would still allow substantial bait harvest. He applauded DMF's efforts to address this issue early.

Chairman Kane voiced concern about the timing of this proposal and UMass Dartmouth's School for Marine Science and Technology's (SMAST) Management Strategy Evaluation for the conch pot fishery. Specifically, he was worried about bait availability moving forward if the market recovers and the regulatory environment accommodates additional conch pot effort.

Sea Scallop Dredge Width Definition and Update on Potential North Shore Sea Scallop Pilot Program

Story Reed briefed the MFAC on DMF's proposal to make a technical correction to the state's sea scallop maximum dredge width rule. This would increase the maximum dredge width from 10' to 10.5' to bring it in line with federal small dredge requirements. Uniform rules across jurisdictions will enhance enforcement and compliance.

Reed also provided an update on DMF's development of a pilot program to provide seasonal access to areas within the year-round North Shore Region Mobile Gear Closure south and southwest of Gloucester. This pilot program would occur during the late winter and early spring to avoid gear conflicts with fixed gear. DMF is currently working on refining the spatial parameters with the Bureau of Underwater Archaeology (BUA) and participation criteria. DMF is considering criteria for participation (e.g., sea scallop dredge landings from state waters and the installation of cellular based vessel trackers). Reed hoped the pilot program will move forward for February 2026 and would then be used to inform regulatory modifications in the future.

Jared Silva clarified that the vessel tracking requirement would only take place when vessels are participating in the pilot program. Reed added that the cost of the tracker is roughly \$500 in addition to one year of service. He did not expect some participants to need trackers due to their involvement in the lobster fishery.

Chairman Kane asked about the number of participants. Reed responded that six were involved in the industry meeting, but DMF anticipated around 12 participants.

Sooky Sawyer voiced concerns about allowing non-resident fishermen to participate in this program if their home state does not provide our fishers with reciprocal access. Reed and Director McKiernan recognized this concern and DMF has raised this issue with the DFG legal team.

Chairman Kane invited Kyle Grant, a Massachusetts scallop fisherman, to speak. Grant thanked DMF for working on this effort since the August industry meeting. He expressed support for this initiative and the opportunity it allows for scallopers off the North Shore.

Amaru asked when the specific areas would be made available. Reed said that DMF will share these maps once the BUA confirms the locations of wreck within the areas.

Directed Commercial Scup Limits in June

Jared Silva presented on a forthcoming public hearing proposal to increase the commercial scup limit in June from 400 pounds per trip to 800 pounds and to move from three open fishing days per week (Sundays/Tuesdays/Thursdays) to five open fishing days per week (Sundays–Thursdays).

This issue was brought to DMF's attention by Chairman Kane and Bill Amaru and responds to an industry request to liberalize the June limits to align with those in May to allow for continued directed fishing activity throughout the spring when the fish are available inshore. In turn, this may enhance quota utilization.

Amaru thanked DMF for moving forward with this initiative and noted the benefits it would provide to many fishermen.

Director McKiernan added that this opportunity will help expand the seafood market for scup, as DMF's Seafood Marketing Program has worked to increase demand.

Overview of Wintertime Public Hearing Agenda and Rule Making Schedule

Silva then outlined the public hearing and rule-making timelines.

Omnibus regulations will include draft proposals that were reviewed by the MFAC throughout 2025 (i.e., recreational bluefish limits; commercial scup, black sea bass, and summer flounder adjustments; horseshoe crab quota reallocation; elimination of CAP sub-endorsements and sea scallop shucking endorsement; and allowance to flip Coastal Lobster Permit to Offshore Lobster Permit). The omnibus package will undergo executive review this winter. DMF was hopeful it would be able to announce late winter public hearings, to accommodate final review by the MFAC in March, and promulgation of final rules prior to May 1, 2026.

Silva anticipated draft regulations affecting the spatial management of surf clam dredge fishery will move forward on a similar timeline.

Additional rule-making affecting Atlantic mackerel management and recreational sea bass limits will likely proceed by emergency action to ensure implementation prior to May 1, 2026. Proposal development remains ongoing at this time. DMF also continues to work on additional draft regulations affecting commercial striped bass permitting and harvester tagging.

Discussion Items and Updates

Interstate Fishery Management

Tracy Pugh presented the MFAC with an overview of the 2025 American Lobster Stock Assessment. Pugh outlined the components of the stock assessment, including: a review of assessment and regulatory history; review of life history information; review of the fishery; identification, description, and evaluation of data sources; determining stock indicators and reference points; developing a population model; and building research recommendations. The Gulf of Maine/Georges Bank (GOM/GBK) and Southern New England (SNE) lobster stocks are considered and assessed separately. Stock health is evaluated based on the stocks have changed overtime.

Both fishery independent and dependent data sources are used. These include trawl surveys, ventless trap surveys, and monitoring surveys, as well as harvester reporting and sampling programs. Lobster landings in the US are dominated by the GOM sub-stock, with some spatial shifts east in the GBK sub-stock and record lows in SNE.

Pugh then discussed the model used in the stock assessment, which estimates population numbers within size bins, and the use of reference abundance and exploitation estimates.

In summary, the stock assessment found that the GOMGBK stock is not overfished but fishing mortality is slightly above the overfishing target. While this does not trigger management action, a recommendation is being made to the ASMFC's Lobster Management Board to initiate a Management Strategy Evaluation to identify management goals, exploring socioeconomic concerns, and identifying feasible management tools. The SNE stock was found to be significantly depleted. It was recommended that the Board take significant management action to improve abundance and reproductive capacity of the SNE stock.

Sooky Sawyer remarked on potential obstacles preventing lobster larvae from reaching adulthood. He asked if there was research on the diet of juvenile lobsters. Pugh noted that research has not focused on juvenile lobster; rather, most research has examined larval lobsters and disconnects between their diet and food availability.

Sawyer and Pugh discussed potential inhibitors to larval lobster growth, such as shifts in the availability of their food source, *Calanus finmarchicus*. Pugh noted that this should be studied further.

Chairman Kane asked about the next stock assessment process. Pugh responded that before the 2030 stock assessment, the Technical Committee will provide the Board with an Annual Data Update Process. She noted that 2025 landings data will be reported to the ASMFC later in 2026.

Bob Glenn thanked Tracy for her work on this assessment as both the Chair of the Technical Committee and the Stock Assessment Committee.

Nichola Meserve then provided the MFAC with an update about a recent joint meeting of the MAFMC and ASMFC where it was determined that coastwide recreational black sea bass harvest may be increased by 20% in 2026. This increase was a measure that averaged modeled recommendations that would have liberalized harvest up to 39% or not allowed for a liberalization. The ASMFC will reconvene in February to determine how the coastwide liberalization is distributed amongst the states. Emergency rulemaking will be necessary in Massachusetts due to this timeline and public scoping will be used to help determine these regulations. No changes to recreational scup or summer flounder limits are anticipated.

Meserve then reiterated the Director's prior comments on sector separation in the recreational fishery. The ASMFC and MAFMC continue to have this discussion, and a workshop is being scheduled to further discuss the issue and better understand the goals of the for-hire industry.

Chairman Kane applauded Meserve's efforts to introduce the option to increase black sea bass harvest by 20% at the ASMFC's meeting.

Federal Fisheries Management Update

Melanie Griffin briefed the MFAC on the December 2025 New England Fishery Management Council meeting. This covered 2026 sea scallop specifications; the development of a multi-species groundfish framework to create a process to adjust recreational measures and set revised specifications for various stocks; spiny dogfish quota decisions; and Council priorities moving forward.

Griffin noted that scallop biomass in 2025 was at its lowest levels since 1999, likely due to natural mortality and reduced recruitment. This prompted a decrease in the overfishing limit. Griffin described impacted fishing areas and introduced the Strategic Plan that will be used for management over the next 5 - 10 years.

On multi-species groundfish, Framework 69 is open for public comment to adjust 2025 measures and Amendment 25 to adjust cod stocks may be approved in the new year. The NEFMC approved Framework 72 for 2026 – 2030 and included updating status determination criteria for Georges Bank yellowtail flounder, adjusting recreational measures, and revising specifications for various stocks. Griffin then outlined the groundfish sub-ACLs under current conditions, proposed Framework 69 for 2025, and Framework 72 for 2026.

On spiny dogfish, the MAFMC and NEMFC made final decisions to keep quota nearly status quo with additional accountability measures.

Griffin highlighted NEFMC priorities for the next year, including monkfish and skate Individual Fishing Quotas, reviewing a white hake rebuilding plan, shad and river herring measures evaluation, evaluating management of cusk, and revisiting the TMGC, the process for apportioning biomass.

Additionally, Griffin noted the MAFMC approved updated commercial and recreational mackerel limits. For the commercial fishery, the limit will increase through a tiered increase. On the recreational side, a 25-fish limit was approved for private vessel anglers and a 50-fish limit for for-hire vessel anglers (up from a uniform 20-fish limit).

Griffin then outlined the NEFMC January 2026 meeting agenda. This will focus on recreational limits for cod and haddock, scallop limited access, and initiative framework to revise EFH designation for several stocks.

Director McKiernan added that sector management will likely become a more significant issue in future years.

Other Business and Public Comment

Bill Amaru asked to include a discussion of knobby whelk in a future MFAC meeting.

Dominic Santoro commented on the earlier horseshoe crab discussion. He noted that New Bedford dealers both purchase conch from other states and supply these states with bait. He voiced concern about increased bait prices and transferring bait quota to two private companies. If this is the case, he hoped for a sunset clause to allow this change to be reevaluated in the future.

Patrick Paquette applauded DMF for their derelict gear initiative.

Sheryl Heller of the Southeastern Pine Barrens Alliance commented on the horseshoe crab discussion. She disagreed with the claim that the horseshoe crab population is robust and called for more research on the impact of biomedical bleeding on horseshoe crabs. She hoped for a reduced bait quota and further exploration into synthetic LAL.

Brett Hoffmeiser, from the Associates of Cape Cod, supported a sunset provision that would force DMF to reassess any adjustments to horseshoe crab quotas. He also encouraged the agency to take a conservative approach to any potential reallocation. He added that while synthetic LAL is promising, it is years from being scaled up. He asked Director McKiernan to clarify what was meant by uncertainty regarding the recapture of biomedical crabs. Dan responded that recapture rate will continue to be monitored to ensure the quota is not leading to high levels of recapture and discarding.

Phil Michaud commented on the increased amount of horseshoe crab collected in trawls and the low mortality rate of biomedical crabs. He added that the virtual elimination of beach harvest will further protect the population. Michaud expressed support for the derelict gear initiative. Lastly, he hoped that bycatch fluke could be included in the state's quota.

Ed Barrett asked about funding for SMAST's open codend survey. Director McKiernan responded that SMAST has received funding for this project.

Chairman Kane sought motion to adjourn. Shelley Edmundson made a motion to adjourn. Bill Amaru seconded the motion. The meeting was adjourned.



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

TO: Marine Fisheries Advisory Commission (MFAC)
FROM: Dan McKiernan, Director
DATE: February 4, 2026
SUBJECT: **Emergency Regulations and Future Public Hearing on Atlantic Mackerel Commercial and Recreational Rule Changes**

Emergency Action

The Division of Marine Fisheries (DMF) seeks to liberalize the state waters recreational and commercial fishing limits for Atlantic mackerel (Table 1 and 2) to complement federal rule changes [approved by the Mid-Atlantic Fishery Management Council \(MAFMC\) at their December 2025 council meeting](#). NOAA Fisheries is expected to approve this MAFMC action and implement final rules by the start of the federal fishing year on May 1, 2026.

For the recreational fishery, DMF seeks to increase the per angler daily bag limit from 20 fish to 25 fish for anglers fishing from a private vessel or shore and 50 fish for anglers fishing from a permitted for-hire vessel. No changes are being considered to amend the current recreational minimum size (none) or season (open year-round).

For the commercial fishery, the state waters trip limit will continue to match the federal open access permit trip limit. Whereas the existing initial trip limit is 5,000 pounds reduced to 2,500 pounds once 80% of the annual quota is taken, the new framework establishes a three-phase system based on the amount of commercial Domestic Annual Harvest (DAH) remaining. The initial Phase 1 trip limit of 20,000 pounds will decrease to 5,000 pounds once the fishery enters Phase 2 and 2.4 million pounds (1,100 mt) of the federal DAH remains to be harvested. Once the fishery enters Phase 3 — and just 485,017 pounds (220 mt) of the DAH remains to be harvested— the possession limit will drop to 2,500 pounds. No changes are being considered to amend the current commercial minimum size (none) or season (open year-round).

Given the timing of these federal actions, DMF is going to have to rely on its emergency rule making authority if it is to implement these adjustments by May 1. Emergency regulations are effective when filed and stay in effect for a 90-day period. Using this process will allow DMF to dispense with the public comment period prior to implementing the rules on an emergency basis. Then within the 90-day emergency period, DMF will host a public comment period and public hearing, return to the MFAC with a final regulatory recommendation at a late-spring business meeting, and promulgate final regulations. Given this is a deviation from the normal rule making process, I seek the MFAC's consensus support for this regulatory approach.

Background and Rationale

The Commonwealth of Massachusetts last engaged in Atlantic mackerel rulemaking after a 2021 stock assessment concluded a lack of rebuilding. At that time, the MAFMC identified the lack of recreational measures and significant catch in state waters as a focus area. Subsequently, in 2023, [DMF established a 20-fish recreational limit and a commercial permit endorsement](#) for anyone wishing to possess greater than the recreational limit. Soon thereafter, in 2024, [DMF adopted commercial trip limits for Atlantic Mackerel](#) that complement federal open access commercial limits.

A new [2025 stock assessment](#) shows improved rebuilding with the Atlantic mackerel stock at 56% of its biomass target. This prompted the MAFMC to approve a [revised rebuilding plan](#) in December of 2025. Based on the improved stock trends and consequent higher allowable catches (Table 3), the MAFMC approved higher Atlantic mackerel commercial catch limits (Table 4) and increased the federal recreational possession limit to 25 fish for anglers aboard private boats and 50 fish for for-hire patrons¹ (currently 20 fish for all).

The proposed recreational catch set-aside of about 5.5 million pounds (2,500 mt) is slightly higher than current, tied to the higher recreational possession limits approved for FY2026 and FY2027. However, when the 20-fish limit was adopted in 2023, the ABCs were expected to be around 17.6 and 19.8 million pounds (8,000 MT - 9,000 mt). When the ABC was reduced to about 7.1 million pounds (3,200 mt) in 2024, the recreational possession limit was not changed. With 2026-2027 ABCs expected to increase and given the variability of recreational catch estimates, an incremental change was approved.

Table 1. MAFMC Approved Recreational Limit Adjustments

Recreational Mode	Current Possession Limit	Proposed Possession Limits
For-hire	20 fish	50 fish
Private	20 fish	25 fish

Table 2. MAFMC Approved and DMF Proposed Commercial Limit Adjustments

Current Possession Limits	Proposed Possession Limits
5,000 lbs. with <80% of federal DAH harvested	20,000 lbs. with >1,100 mt of federal DAH remaining
N/A	5,000 lbs. with 1,1000 mt of federal DAH remaining
2,500 lbs. with 80%+ of federal DAH harvested	2,500 lbs. with 220 mt of federal DAH remaining

¹ Although opposed continuously by New England states (ME, NH, and MA), the higher for-hire possession limit responds to industry comments that customers are discouraged from booking trips at lower possession limits.

Table 3. Federal commercial quotas and expected recreational catch (2025-2027)

	FY2025	FY2026	FY2027
Commercial Quota	868 mt (1.9 million pounds)	11,237 mt (24.8 million pounds)	13,210 mt (29.1 million pounds)
Expected Recreational Catch	2,100 mt	2,500 mt	2,500 mt

Table 4. Federal Commercial Limits by Permit Category and DAH-Based Phase

Federal Permit Category	DAH Phase 1 (Start of Year)	DAH Phase 2 (<1,110 mt of DAH)	DAH Phase 3 (<220 mt of DAH)
Tier 1	200,000 pounds	20,000 pounds	10,000 pounds
Tier 2	135,000 pounds	20,000 pounds	10,000 pounds
Tier 3	100,000 pounds	20,000 pounds	10,000 pounds
Open Access	20,000 pounds	5,000 pounds	2,500 pounds

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January NEFMC Meeting Summary

The [New England Fishery Management Council](#) (NEFMC) met virtually [January 28-29](#). Below, find meeting highlights with Council **motions denoted in bold** and embedded links to relevant documents. The NEFMC meets next in Portland, Maine on [April 14-16](#).

COUNCIL ACTIONS

Recreational Groundfish – The Council made its recommendations to the NOAA Fisheries Greater Atlantic Regional Office on recreational measures for cod and haddock for the 2026 fishing year (FY) which begins on May 1. The Council considered options for recreational catch that were projected to stay under the FY2026 proposed sub-annual catch limits for Western Gulf of Maine cod (118 mt) and Gulf of Maine haddock (1,146 mt).

- **For Western Gulf of Maine cod, the Council recommended an open season for all-modes (private and for-hire) from October 1-31, minimum size of 23 inches, and possession limit of 1 fish per person per day.**
- **For Gulf of Maine haddock, the Council recommended an open season for all-modes from May 1 – February 28/29 and April 1-30, a minimum size of 17 inches, and a possession limit of 15 fish per day.**

In making its 2026 recommendations, the Council considered input from its Recreational Advisory Panel and Groundfish Committee as well as new information generated using the recreational bioeconomic model/ Decision Support Tool after 2025 [wave 5](#) (Sep-Oct) effort and catch data from the Marine Recreational Information Program (MRIP) became available (post-Committee meeting). Two alternative Council motions failed due to lack of majority. These included an all-mode 20 haddock per day possession limit (same season and min size), and an open season for cod for the For-Hire mode only from September 1 – October 31 (min size 23 inches, 1 fish) with the private mode closed year-round for cod.

Sea Scallops – The Council **accepted the final report of the Limited Access General Category Individual Fishing Quota (LAGC IFQ) Program Review as complete and to share with NOAA Fisheries**. This report captures changes in the LAGC IFQ component of the scallop fishery from 2016-2023, and compares current fishery metrics to the previous 2010-2015 review period as well as prior to IFQ implementation. The Council may consider changes to the LAGC IFQ program as part of [Scallop Strategic Plan](#) implementation in 2027-2028.

Habitat – The Council **initiated a framework to revise Essential Fish Habitat (EFH) designations for Atlantic sea scallops, red, silver, and offshore hake, Acadian redfish, American plaice, Atlantic halibut, Atlantic wolffish, haddock, ocean pout, pollock, white hake, windowpane flounder, winter flounder, witch flounder, and yellowtail flounder**. Current EFH designations are based on data through 2005 and may not reflect current habitat use. This work is expected to be completed in late 2026. EFH designations for several of the Council's other managed stocks (Atlantic cod, Atlantic herring, monkfish, and skate complex species) were updated in 2025. Atlantic salmon and deep-sea red crab EFH designations will be updated in 2027.

UPDATES & DISCUSSION

Agency Activities – Written reports on recent activities were provided by the: [Council Executive Director](#), [GARFO](#), [NEFSC](#), [MAFMC](#), and the [U.S. Coast Guard](#).

Marine Recreational Information Program (MRIP) – NOAA Fisheries staff overviewed results of a large-scale 2024 MRIP [Fishing Effort Survey](#) study that tested improvements to the FES and the implementation plan for a revised FES survey design in 2026. A re-calibrated MRIP timeseries for use in assessment and management is currently under review however, the timing of its final release remains uncertain. A framework report on the initiative to re-envision the Recreational Fishing Data Partnership is pending NOAA clearance.

IRA ‘Climate-Ready Fisheries’ Projects – Council staff outlined pertinent details of progress made on many of the Council’s [Inflation Reduction Act \(IRA\) initiatives](#). Work is underway throughout 2026 and into 2027.

Holistic Strategic Plan – To further instruct the Council’s approach to resilient and responsive fisheries management, the Council contracted with the Parnin Group to develop a Holistic Strategic Plan. Council members participated in a Strategic Plan Workshop January 6-7 in Boston to identify [pillars and overarching goals](#). The final Plan will be approved in June with implementation of some of the Plan’s short/long-term strategies expected in 2027.

Risk Policy – The Council continues to make strides in implementing an overarching revised Risk Policy. In January, the Working Group recommended revisions to the set of Risk Policy factors to be applied in 2026, from seven to five. Factors will include biomass/stock status, recruitment, climate vulnerability, and commercial fishery and recreational fishery economic/community importance. The Council will pause use of two factors for further investigation, including assessment type and fish condition. An updated Risk Policy Concept document will be available in June.

Council 2026 Planning – The Executive Director presented a synopsis of workplans and action timelines for Groundfish, Scallops, Herring, Monkfish and Skate, Small-Mesh Multispecies, and Habitat FMPs, IRA Initiatives, and responses to Executive Orders based on the Council’s finalized 2026 work priorities approved in December.

LOOKING AHEAD

In April, the Council is expected to:

- Receive updates on the Groundfish Amendment 23 Monitoring system review, Redfish Sector Exemption Program review, Framework 68 ABC Control Rule revision, and revised Risk Policy
- Review/approve a draft Scoping Document for consideration of an Individual Fishing Quota (IFQ) program for monkfish and/or skate wing fisheries
- Initiate an action for Whiting specifications and other measures for fishing years 2027-2031
- Initiate an action for Atlantic herring specifications and river herring/shad measures for FYs 2027-2031