



## MA Marine Fisheries Advisory Commission

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### January 24, 2019 Meeting Summary

This document serves as a brief summary of the January 24, 2019 Marine Fisheries Advisory Commission (MFAC) business meeting. Further details are available in the supplemental meeting materials and MFAC business meeting minutes.

#### **Action Items**

##### State-Waters Groundfish Management

There is an ongoing concern that overages of the federally state-waters sub-component for certain multi-species groundfish stocks (e.g. Gulf of Maine cod and winter flounder) by the state-waters only multi-species groundfish fishery are going to trigger federal accountability measures and constrain the quota available to federal permit holders. In response to these concerns, DMF took out to public hearing several regulatory proposals to constrain the state-waters groundfish fishery and realign its landings with the sub-components and to address latent effort.

At their January 2019 business meeting, the MFAC approved the Division of Marine Fisheries' (DMF) recommendation to close the month of April to commercial groundfish fishing in those state waters between 42°00' north latitude (Plymouth) and 42°30' north latitude (Marblehead) that are west of 70°30' west longitude. The Director of DMF may rescind this closure annually if a comparative analysis of state-waters groundfish landings and federally allocated state-waters groundfish sub-components demonstrates that the closure is not necessary to ensure federal accountability measures are not triggered. This final recommendation is less restrictive than the public hearing proposal to close all state-waters north of 42°00' north latitude and was responsive to comments from industry seeking seasonal spatial access to areas where underutilized groundfish stocks may be targeted (e.g., haddock north and west of Provincetown). DMF anticipates that this less restrictive closure will still align state-waters groundfish landings with the state-waters sub-components, as it closes much of the area where the commercial harvest of cod and winter flounder occurs in April.

Additionally, the MFAC supported DMF's proposal to implement a December 31, 2018 control date for the state-waters groundfish endorsement. This control date may be used in the future to further limit access to this commercial fishery. DMF has yet to identify or propose any performance criteria to eliminate latent permits. Any such criteria will be subject to a subsequent public hearing. Lastly, DMF did not move forward any recommendation to implement an owner operator provision for the state-waters groundfish endorsement.

#### **Discussion Items**

##### Upcoming ASMFC and Council Meetings

DMF reviewed the agenda for the upcoming ASMFC meeting in February. The meeting is expected to address several issues of importance to Massachusetts. This includes: a review of the striped bass stock assessment and the initiation of responsive management actions; setting 2019 recreational fishing limits

for scup and black sea bass; continued review of a reallocation of commercial black sea bass quotas; the anticipation of a jeopardy finding under the Endangered Species Act for the lobster trap fishery due to the risk it poses to right whales and potential management actions; the utilization of the sea herring quota and demands for lobster bait; and the impacts of water temperature on winter flounder. DMF also indicated that it would not further pursue with the ASMFC and MAFMC a proposed change to the fishery management plan to allow recreational fishermen to retain a small quantity of undersized scup to be used as bait.

DMF noted that the ongoing shut-down of the federal government had resulted in a delay of the upcoming MAFMC meeting. The NEFMC meet was expected to go on as scheduled, but with a truncated agenda. There was concern about the impacts delays in rule making would have on setting recreational fishing limits for fluke, cod and haddock in 2019.

#### Bait Needs in the Lobster Fishery

With herring quotas and abundance at low levels, the lobster fishery is expected to face a bait shortage in 2019. This will likely cause fishermen to seek alternative baits and has raised some concerns regarding what baits fishermen may use. There has been some interest, particularly from the state of Maine, to have government intervene and prohibit the use of certain baits. The use of farm raised or non-native fish skins or racks are of particular worry as there are concerns that they may introduce pathogens, bacteria or chemicals that are harmful to the environment. The ASMFC has developed a task force to look into this issue.

#### DMF's Lobster Processing Report

In the 2018 Environmental Bond Bill there was a provision that the Division of Marine Fisheries provide a report to the legislature on the advisability of making the state's lobster processing laws less restrictive to allow for the processing and sale of lobster parts, other than shell-on lobster tails, in Massachusetts. DMF submitted this report to the Legislature on December 31, 2018. DMF recommended that state law be amended to allow for the processing and sale of shell-on lobster parts - other than lobster tails - in Massachusetts, including the importation of detached shell-on parts for additional processing. The full report is available on DMF's [website](#).

#### Request to Reduce the Ocean Quahog Trip Limits

DMF received an e-mail from a member of the surf clam and ocean quahog dredge fishery requesting DMF take action to reduce the state-waters ocean quahog trip limit from 26 cages to 8 cages. There is concern among certain fishery participants that with the federal habitat closure on Nantucket Shoals fishing effort for surf clams and ocean quahogs is going to move inshore into state-waters. With the high 26 cage limit, ocean quahog beds may be quickly fished out. DMF is currently investigating this request and may return to the MFAC in the near future with a public hearing proposal.

### **Upcoming Meetings**

The MFAC is currently scheduled to meet on February 14, March 14, April 11, May 9 and June 13. All meetings begin at 9AM and are held at DFW's Field Headquarters located at 1 Rabbit Hill Road in Westborough, MA.

If you would like to obtain any materials regarding past or upcoming MFAC business meetings, please contact Jared Silva at DMF (617-626-1534 or [jared.silva@state.ma.us](mailto:jared.silva@state.ma.us)).