



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

**9:00AM**

**March 27, 2025**

**Via Zoom**

**Login: <https://us02web.zoom.us/j/86976250013>**

**Call In: 1 929 436 2866**

**Webinar ID: 869 7625 0013**

1. Call to Order and Routine Business (9:00 – 9:15)
  - a. Introductions and Announcements
  - b. Review of March 2025 Business Meeting Agenda
  - c. Review and Approval of January 2025 Draft Business Meeting Minutes
2. Agency Updates (9:15 – 9:45)
  - 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 – 12:00)
  - a. Striped Bass Total Length Management
  - b. Commercial Menhaden Management
  - c. Commercial Summer Flounder Management
  - d. Commercial Groundfish Management
  - e. Controls on Use of Conch Pots in Federal Zone
  - f. False Albacore and Atlantic Bonito Catch Limits and Size Limits
  - g. Restrictions Affecting Shore-Based Shark Fishing
  - h. Prohibition on Retention of Oceanic White Tip Sharks
  - i. Prohibition on the Use of Lugworms as Bait
  - j. Recreational Black Sea Bass Season
  - k. Paperwork Requirements for the Possession and Sale of Dogfish Fins
4. Final Regulatory Actions (12:00 – 12:15)
  - a. Commercial Eel Permitting
  - b. Enhanced Mariner Reporting of Sea Turtle and Large Whale Entanglements
5. Discussion Items (12:15 – 12:45)
  - a. ASMFC Draft Lobster Addendum XXXII
  - b. Federal Fisheries Management Update
6. Other Business and Public Comment (12:45 – 1:00)
7. Adjourn (1:00)

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.

**Future Meeting Dates**

April 24, 2025 – Kingston Town Hall, Kingston

May 22, 2025 – SMAST East, New Bedford

**MARINE FISHERIES ADVISORY COMMISSION**  
**Draft Business Meeting Minutes**  
**January 23, 2025**  
**via Zoom**

**In attendance:**

*Marine Fisheries Advisory Commission:* Raymond Kane, Chairman; Bill Doyle, Vice Chair; Shelley Edmundson, Clerk; Kalil Boghdan; Arthur “Sooky” Sawyer; and Chris McGuire. Absent: Tim Brady.

*Division of Marine Fisheries:* Daniel McKiernan, Director; Story Reed, Deputy Director; Kevin Creighton, Assistant Director; Anna Webb, Acting Assistant Director; Jared Silva; Nichola Meserve; Kelly Whitmore; Ben Gahagan; Tara Dolan; Alex Boeri; Steve Wilcox; Derek Perry; Chrissy Petitpas; Tracy Pugh; Cara Litos; Scott Schaffer; Brad Schondelmeier; Nick Buchan; Kim Lundy; Kerry Allard; Kristen Thiebault; Gabe Lundgren; Matt Ayer; Amanda Meli; and Mike Armstrong.

*Department of Fish and Game:* Tom O’Shea, Commissioner; Sefatia Romeo-Theken, Deputy Commissioner; and Jennifer Sulla, General Counsel.

*Massachusetts Environmental Police:* Col. Mason; Lt. Col. Chris Baker; Captain Jack Chapin; and Lt. Matthew Bass.

*Members of the Public:* Beth Casoni; Julia Logan; Anthony Friedrich; Cody Rubner; Nick Jones; David; and Alvin.

**INTRODUCTIONS AND ANNOUNCEMENTS**

Chairman Ray Kane called the January 25, 2025 Marine Fisheries Advisory Commission (MFAC) business meeting to order. He wished everyone a happy new year and reminded everyone of the upcoming Massachusetts Lobstermen’s Association trade show on January 31 and February 1 at the Margaritaville Resort in Hyannis, MA. Ray also reminded MFAC members to read Jared Silva’s most recent e-mail and ensure they are compliant with the state’s conflict of interest training requirements.

Jared Silva then conducted roll call attendance for the MFAC. Bill Amaru arrived late, and Tim Brady was absent.

**REVIEW OF JANUARY 23, 2025 BUSINESS MEETING AGENDA**

Chairman Kane asked if there were any amendments to the January 23, 2025 MFAC business meeting agenda. No amendments were sought or made.

## **REVIEW AND APPROVAL OF DECEMBER 17, 2024 DRAFT MEETING MINUTES**

Chairman Kane asked if there were any amendments to the December 17, 2024 draft MFAC business meeting minutes. No amendments were sought. The Chairman requested a motion to approve the draft business meeting minutes. **Sooky Sawyer made the motion to approve the December 17, 2024 business meeting minutes as drafted. Bill Amaru seconded the motion. Jared Silva conducted a roll call vote. The motion was approved 6-0-1 with Chairman Kane abstaining.**

### **LAW ENFORCEMENT**

Captain Jack Chapin provided comments on behalf of Law Enforcement. MEP briefed the MFAC on: conflicts related to the possession and landing of lobsters caught by trawlers in federal waters; the presence of right whales on Jeffery's Ledge; ongoing discussions among DMF and MEP on the seasonal trap gear closure, buoy line marking, and derelict gear clean-up efforts; reports of a disgruntled former employee at Wellfleet Shellfish sabotaging their lobster tanks; and MEP's acquisition of a new 41' safe boat for coastal patrols, which should be operation by this summer.

Sooky Sawyer asked if draggers could land lobsters at night. DMF and MEP clarified that there is a lobster landing window of 6AM to 8PM during the period of February 1 through April 30 affecting the landing of lobsters by all harvesters, including draggers. Sooky raised interest in potentially extending this landing window requirement to include more months of the year.

### **DFG COMMISSIONER**

Commissioner O'Shea discussed three items. First, he praised DMF for the recent 2024 Recreational Fishing Derby Award ceremony at the New England Boat Show. He applauded DMF's efforts to breathe new life into this event. Next, Tom informed the MFAC that he appointed Tammy King to the Massachusetts' Recreational Fisheries Development Panel. Tammy is a surfcasting guide and educator from Nantucket and Tom stated felt that she would bring a unique perspective to the public body. Tammy replaces Mike Moss who recently stepped down. Lastly, the Commissioner noted the dynamic situation surrounding lobster management following Maine's announcement that they would not implement regulations to comply with Addendum XXVII to the Interstate Fishery Management Plan (FMP) for Lobster.

Chairman Kane noted that the MFAC did not receive an invite from DMF this year to attend the Recreational Fishing Derby Award ceremony. Director McKiernan apologized for the oversight. He noted the boat show was earlier than usual and came right after the holiday and DMF failed to send out a timely notification.

Chris McGuire asked if there were any updates or developments around the Department's Biodiversity Strategic Plan and the Governor's Biodiversity Executive Order. The Department is looking to finalize the report and will then be sending it to the Governor's

office.

### **DMF DIRECTOR**

Director Dan McKiernan opened his remarks by discussing personnel. Vin Malkoski recently retired from DMF after working as a DMF biologist and dive safety officer for more than 40 years. Brad Schondelmeier was promoted into the role of DMF's wind energy specialist, which was vacated this spring after Dr. Justin Bopp retired. Brad previously worked for DMF's Fisheries Dependent Investigations Project. Lastly, DMF has filled out staffing for its Protected Species Project having hired Leah Crowe (Science Lead), Manali Rege-Colt (Acoustician); Cara Litos (Spatial Analyst); and Emma Fowler (Protected Species Specialist); and re-assigned David Chosid and Brendan Reiley from the Conservation Engineer project and the Invertebrates Program, respectively.

Dan expanded on Captain Chapin's remarks about the presence of right whales on Jeffery's Ledge. A recent New England Aquarium flight observed more than 75 right whales in the area and among fixed gear. Maine, New Hampshire, and Massachusetts sent out notices to the trap fishers to inform them of the presence of whales in the area and request that gear be moved. However, Dan recognized it would likely be difficult to relocate gear given the wintertime weather constraints. Counts of right whale counts in Cape Cod Bay remain low, but he expected this would increase in the coming weeks consistent with prior observations.

Dan then discussed issues pertaining to lobster management and Addendum XXVII. He provided some historic background on the Addendum, why it was drafted, and prior delays on implementation. He then discussed Maine's decision to not move forward with compliant regulations following substantial industry objections and a series of volatile public hearings. New Hampshire then followed suit and indicated they would not comply with the Addendum as well. Unlike Maine who could simply not move forward with their proposed rules, New Hampshire would be required to repeal the rules implemented in late 2024 before July 1. For various reasons, Dan opined that the ASMFC's Lobster Board would likely move to repeal the addendum or aspects thereof at their February 4 meeting. Commissioner Pat Keliher from Maine indicated that he wanted his industry to consider the development of conservationally equivalent measures. However, Dan was skeptical that Maine could accomplish this, particularly given the July 1, 2025 implementation date. Dan then reiterated his prior commitment to MFAC to not subject Massachusetts fishers to rules that are not shared across region, and should the Board opt to repeal the addendum, DMF would follow up with complementary rules. Lastly, Dan spoke to the claim made by certain industry members and politicians that, if implemented, Addendum XXVII would produce a 30-40% loss in landings. Dan argued this claim was greatly exaggerated and not supported by the sea sampling data, which for LMA1 shows a decline in catch of about 12% assuming steady state biomass. However, he noted that independent of this action lobster landings will likely decrease over the coming years due to declining abundance.

Sooky Sawyer thanked Dan for his forthright assessment of the current situation. Sooky opined that some fishers fear the impacts of the gauge changes in Addendum XXVII will be more significant than 12% because they fish in discrete areas where there is a smaller

run of lobsters.

Chairman Kane asked about the prospect of Maine potentially proposing four 1/32" gauge increases over five-years in lieu of two 1/16" gauge changes of three years, and if adopted, would manufacturers produce and distribute these new 3 9/32" gauges for July 1. Dan stated that he would support a potential 1/8" gauge increase done incrementally through 1/32" adjustments. However, he felt it was premature to discuss this in any detail and was doubtful there was sufficient consensus in Maine for Commissioner Keliher to propose it.

## **UPCOMING PUBLIC HEARING ITEMS**

### Commercial State Waters Groundfish Management

Jared Silva reviewed DMF's memorandum that set forth several public hearing proposals affecting the management of the commercial state waters groundfish fishery. Jared anticipated these proposals would be included in the pending late-winter 2025 public hearing for implementation this spring.

The primary actions address codfish management. With the adoption of the new cod stock areas in the FMP, DMF proposed complementary definitions for the state waters portion of the Western Gulf of Maine (WGOM) and Southern New England (SNE) cod stock areas. This effectively changes the management area designation for those waters east of Cape Cod and Nantucket from SNE to WGOM. Additionally, with the low Annual Catch Limit (ACL) approved for WGOM producing a limited state-waters sub-components for Fishing Years 2025 and 2026, DMF proposed a trip limit reduction from 400 pounds to 300 pounds. This reduction seeks to buffer the potential for a state waters overage which could trigger an accountability measure affecting the federal fishery should it cause the CL to also be exceeded. At industry's request, DMF will also consider other approaches to limit overall state waters cod landings, including seasonal-specific trip limits. For SNE cod, DMF proposed enacting a moratorium on harvest, which would match expected federal rules affecting the recreational and commercial common pool fishery. The actual impact of this moratorium in state waters is negligible because Massachusetts does not have an active cod fishery in SNE.

For non-cod species, DMF is proposing to increase Cape Cod/Gulf of Maine yellowtail flounder trip limits from 350 to 500 pounds and increase monkfish tail trip limits from 536 pounds to 1,000 pounds. These actions are designed to ameliorate the impacts of cod cuts by providing access to other stocks.

Lastly, DMF proposed updating the control date for the state waters Groundfish Endorsement from December 31, 2018 to December 31, 2024. No action was proposed to further limit entry based on the revised control date. However, DMF may opt to use the control date in the future in response given the historic performance of this fishery, low sub-components for certain stocks (e.g., WGOM cod) and high levels of latent effort.

Bill Amaru noted DMF's interest in maintaining access to the sub-components for current participants. However, he noted his objection to taking action to eliminate latent permits as

a means of accomplishing this. He requested that DMF consider creating a way for existing permit holders to retain potential access to the fishery in the future should stock conditions rebound.

Silva responded and explained that DMF was not proposing any action to limit the issuance of Groundfish Endorsements. Rather, the proposal was to update the control date so that should such an action be needed in the future it would include more recent participants. He noted that individuals who activated a permit between January 1, 2019 and December 31, 2024 would fall outside the current control date but would be within the proposed control date. Jared also expressed some skepticism that DMF would actually move to use the control date for the Groundfish Endorsement given the very strict rules governing the transferability of this endorsement.

Director McKiernan closed the discussion by contrasting the management of the state waters groundfish fishery with those programs in place for quota managed species.

#### Commercial Striped Bass Management

Nichola Meserve reviewed DMF's public hearing proposal on commercial striped bass management. The first aspect of the proposal was to potentially adopt a maximum size between 38" and 44". This proposal considers the current recruitment failure being experienced by striped bass and attempts to support a productive spawning stock biomass should there be favorable environmental conditions. The scientific literature indicates that larger spawning striped bass produce larger eggs and larger larvae that grow and may be more resilient. Moreover, the timing of spawning for larger fish may better link with available prey for spawn and a broader age structure of fish in the population may increase spawning success. Additionally, to maintain a wide enough slot limit to encourage the use of the available quota, DMF was also considering reducing the minimum size from 35" to as low as 32". This would maintain a 1" gap between the maximum recreational size and the minimum commercial size for enforcement purposes. Nichola noted that all commercial size limit changes are subject to quota adjustments by the ASMFC. At this juncture, DMF was uncertain what the specific quota adjustments would be for each slot limit but expected it would be available by the time DMF made a final recommendation to the MFAC.

Additionally, should a commercial slot limit be adopted, DMF was proposing to revisit a gaffing prohibition for the commercial fishery. The current gaffing rule for the commercial fishery applies only to undersized fish. A blanket prohibition was not adopted given industry's interest in expediently and safely getting large fish into boats. However, if a maximum size is adopted, this should be revisited given the need to return oversized fish.

Amaru asked if DMF had any data on how this would impact release mortality in the commercial fishery. Nichola stated that DMF has not modeled this. However, the adoption of a maximum size would require the release of all oversized fish. DMF's market sampling data shows that about 15% of commercial landings are comprised of fish exceeding 44" (the largest maximum size proposed). However, a reduction in the minimum size may also result in more smaller fish being retained. Jared Silva added that changes in the size limit may also affect fishing behavior in ways that would make it challenging to model.

Sooky Sawyer asked if DMF was proposing to maintain the existing daily trip limits. Meserve confirmed this.

Chairman Kane expressed his support for a gaffing prohibition. Ray also recalled that DMF proposed adopting a standard pinched tail method of total length measurement for striped bass and asked if this would apply to the commercial sector as well. Meserve confirmed it would.

## **DISCUSSION ITEMS**

### Cape Cod Bay Fixed Gear Free Zone for Whiting

Jared Silva explained that Sooky Sawyer requested DMF put this item on the January 2025 MFAC agenda. Silva and McKiernan then provided some historic background on seasonal whiting area and fixed gear free zone in Cape Cod Bay.

Jared then asked Sooky to speak to his interest in the item. Sooky explained that some area lobster trap fishers have noted that there is no longer any whiting fishing in the area and questioned why the fixed-gear free zone some be retained. Silva noted that while effort may be diminished compared to historic levels, he was aware of some draggers who fish the area. Jared added that DMF was in the process of analyzing harvester reports to quantify whiting effort in this area and would present on this at the upcoming MLA Annual Weekend and Trade Show.

Amaru noted that whiting effort is generally down given the declining mobile gear sector and low ex-vessel value for whiting. However, Bill noted that several Cape area vessels still seasonally target whiting this and this has been an important fall fishing ground. He also added that the presence of ghost gear in this area makes it a difficult place to safely and effectively tow.

Kalil Boghdan asked DMF about the spatial history of the fixed gear free zone and why it represents only a sub-set of the seasonal whiting area. Director McKiernan explained that while whiting are generally available throughout the deeper waters of upper Cape Cod Bay in the fall, the fixed gear free zone was the area most important to the whiting fleet in the late 1990s when these rules were developed.

## **PRESENTATION ON OPEN MEETING LAW**

The Department of Fish and Game's General Counsel, Jennifer Sulla, presented to the MFAC on Open Meeting Law. The presentation focused on agenda item specificity and avoiding serial communications.

Boghdan and Amaru raised communications between individual MFAC members and not a quorum. Sulla explained that this is allowed but cautioned against it because of the potential for the communication to become serial and involve more than a quorum of members at which point it would be a violation. becoming a violation.

Kane asked whether this would constrain the ability of MFAC members to discuss fishery management issues with the public and DMF. Silva and Sulla felt this would be perfectly appropriate behavior for an MFAC member.

## **OTHER BUSINESS AND PUBLIC COMMENT**

### Public Comment

Chairman Kane sought comment from members of the public. Tony Frederick, Ray Jarvis, Mike Hogan, Kyle Schaeffer, Nick Jones, Terry Nugent, Peter Jenkins, T. Edwards Nickens, Rex Messing, and Cody Rubner all expressed their support for DMF's proposed action on albacore and Atlantic bonito management and the agency's willingness to consider a size limit and various options for bag limits. Terry Nugent, Peter Jenkins, and Cody Rubner also thanked DMF for their leadership at the ASMFC's Striped Bass Board.

Beth Casoni stated her interest in DMF working with NOAA Fisheries to resolve buoy line marking issues given the similarities between the marking requirements for the MMSTF and other trap and pot fisheries in the northeast.

### Other Business

Chris McGuire praises DMF's choice to hire Brad Schondelmeier as DMF's Wind Energy Specialist.

Sooky Sawyer raised the importance of DMF communicating the sea scallop management rules in advance of the opening of the Northern Gulf of Maine fishery on April 1.

## **ADJOURNMENT**

Chairman Ray Kane requested a motion to adjourn the January 23, 2025 MFAC business meeting. Sooky Sawyer **made a motion to adjourn the meeting. The motion was seconded by Shelley Edmundson. No objections were made to the motion.**



## **MEETING DOCUMENTS**

- January 23, 2025 MFAC Business Meeting Agenda
- December 17, 2024 MFAC Draft Business Meeting Minutes
- Commercial State Waters Groundfish Management Memo and Slides
- Commercial Striped Bass Management Memo and Slides
- Slide on Cape Cod Bay Fixed Gear Free Zone for Whiting
- Presentation on Open Meeting Law

## **UPCOMING MEETINGS**

9AM  
Thursday, March 27, 2025  
via Zoom

9AM  
Thursday, April 24, 2025  
Kingston Town Hall



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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



MAURA T. HEALEY  
Governor

KIMBERLEY DRISCOLL  
Lt. Governor


REBECCA L. TEPPER  
Secretary

THOMAS K. O'SHEA  
Commissioner

DANIEL J. MCKIERNAN  
Director

### MEMORANDUM

TO: Marine Fisheries Advisory Commission

FROM: Daniel J. McKiernan, Director 

DATE: March 21, 2025

SUBJECT: **Recommendation for Striped Bass Total Length Measurement**

#### Recommendation

I recommend that the Marine Fisheries Advisory Commission (MFAC) approve a modified definition of total length (TL) for striped bass that requires the upper and lower fork of the tail to be squeezed together. This final recommendation does not differ from my public hearing proposal as presented to the MFAC in September 2024<sup>1</sup> and taken to public comment this winter.

#### Background and Rationale

The state's current definition of total length for striped bass allows for the forked tail to either be fanned out or squeezed for determining compliance with size limits. This definition has not been revisited since the adoption of a maximum size limit in the recreational fishery. Since that time (2020), members of my staff, the environmental police, and the public have expressed interest in a uniform methodology for measuring the total length of a striped bass. Specifically, concerns have been raised about the uneven application of measuring technique to ensure a slot sized fish (i.e., the tendency for anglers to squeeze the tail to reach the minimum length and fan the tail out to fall short of the maximum length).

My staff's investigation into the various measurement techniques found that pinching the tail can add 0.3" to a fish's total length while forcibly fanning the tail can reduce a fish's total length by 1.4" (Figure 1). In other words, manipulation of the tail can turn the 3-inch recreational slot into a 4.7-inch slot (largely through forcibly fanning the tail of larger fish to fit into the slot), which impedes the intent of the size limits in controlling fishing mortality. Given the minor addition in length from pinching the tail, environmental police input that a pinched tail measurement is most enforceable, and that the pinched tail approach is used for biological sampling, I proposed to adopt a pinched tail definition for striped bass total length.

Public comment was almost entirely in support of the proposal on the basis of providing needed clarity to anglers, upholding the intended conservation of size limits, and improved enforceability. The few comments in opposition provided little rationale, other than preference for a fork length measurement. This is rather impractical given the interstate management plan's

<sup>1</sup> Refer to page 46 of the September 2024 MFAC [meeting materials](#) for more details.

long-standing use of total length for management measures and data collection as compared to getting all states aligned with a pinched tail total length definition. Most states have already adopted a pinched tail approach for their total length measurement and the next addendum to the interstate management plan is expected to propose a pinched tail requirement at DMF's urging. There was also a question about whether any specific device is needed to take the pinched tail measurement. Communication with Mass. Environmental Police has indicated no device will be used during enforcement. My staff will undertake the necessary education to inform the public of the proper measuring technique.

### Other Proposed Striped Bass Actions for 2025

Please note that I am delaying my recommendation to the MFAC on the proposed commercial striped bass slot limit and gaffing prohibition until the April business meeting. I expect this will allow for additional analysis and fact-finding in response to the robust public comment that was received as well as potential clarity on the associated quota adjustment.

### Enclosed

Written public comment

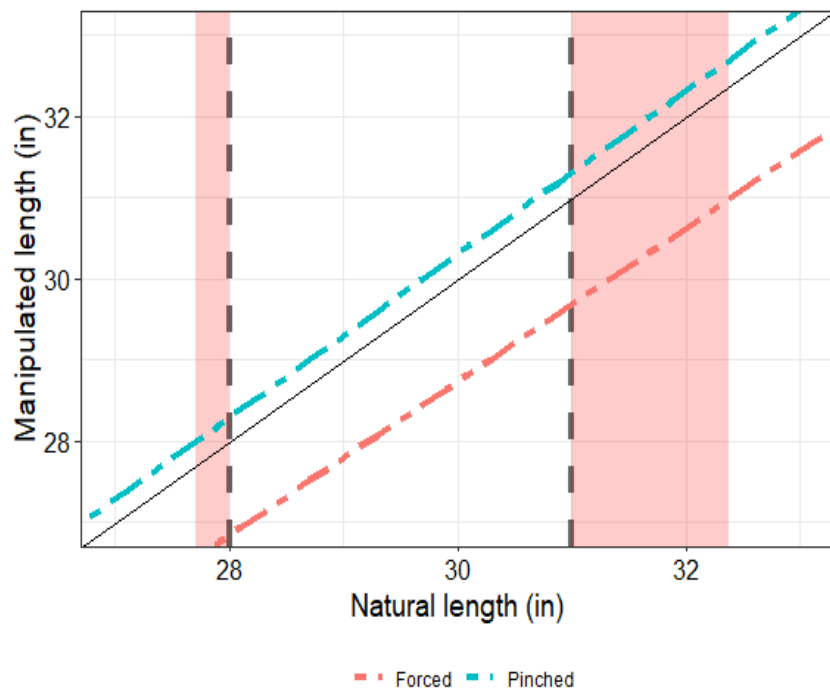


Figure 1. Potential increase in recreational slot size (shaded red) by allowing both pinched (teal dashed line) and forced fanning (orange dashed line) measurements for striped bass. A 1:1 line (thin black line) is provided for reference.

March 16, 2025

Director Dan McKiernan  
Massachusetts Division of Marine Fisheries  
30 Emerson Avenue  
Gloucester, MA 01930

RE: Public Comment

Dear Director McKiernan,

Thank you for the opportunity to submit comment to the recent Notice of Public Hearing document. If there are any questions or follow-up clarifications, please feel free to contact me.

Striped Bass Management:

1. I agree with the Division that total length measurements need to be consistent across sectors.
2. I agree with the Division's proposal for a slot-limit for the commercial striped bass fishery.
3. I oppose the Division's proposal to prohibit the use of gaffs for the commercial striped bass fishery. A gaff is an invaluable tool to a commercial fisherman particularly in a situation where they are fishing alone or when multiple fish are being landed at the same time. The commercial striped bass fisherman is not a weekend warrior and can ascertain quickly whether a fish is close to legal size and if it should be landed by hand or by net.

False Albacore and Atlantic Bonito Limits:

1. I agree with the Division's proposal of a daily retention limit of 5 fish per person per calendar day. I would like to suggest that there be a 10 fish possession limit for each species. Fall fishing includes fishermen who dedicate multiple days in a row of targeting these species from boat and from shore (particularly Over-The-Sand fishermen). Having 2 days of retention limits should be allowed.
2. I agree with the Division's proposal of for a 16-inch minimum size.

State Waters Groundfish Management:

I agree with the Division's proposals.

Commercial Summer Flounder Management:

I agree with the Division's proposals.

### Restrictions on Casting, Chumming, and Shore-based Shark Fishing:

1. In regards to this complex issue, I have some serious concerns as to the breadth and width of the proposed regulations. I spoke with several north shore tackle shops and they confirmed that there is very little, if any, people that frequent their shops who indicate they target or are going to target shark species from shore. More importantly, they don't have customers returning to their shop showing pictures of a successful shore-based shark fishing trip. I also surveyed approximately a dozen surf anglers from Quincy to Newburyport whether they have targeted or have heard of fishermen targeting shark species from shore anywhere north of Scituate. It was a unanimous 'No'.

I agree with you in defining what should be considered shore-based shark angling. I have concerns that the proposal to prohibit any shore-based shark fishing north of Plymouth misses the mark for any white shark conservation or protection. Your memorandum states 'However, in recent years, a small number of shore-based anglers have been observed targeting and landing white sharks, particularly along the eastern facing beaches of Cape Cod.' And also, 'Compounding this issue is the fact that this discrete fishing activity is difficult to detect, particularly as it is primarily occurring on the remote beaches along the eastern shore of Cape Cod.' I don't see the justification or the conservation correlation to protecting white sharks by prohibiting any shore-based shark fishing on the north shore, especially while allowing shark fishing to continue on the south Cape beaches. This clearly appears to be a Cape Cod issue. This is apparent as you stated, 'Shore-based shark fishing effort primarily occurs along the south shore of Cape Cod, and on Martha's Vineyard and Nantucket islands.' Where are white sharks more prominent and likely to be encountered in shore-based fishing, south Cape beaches or Cape Ann? To quote the late, great Kemp Maples, 'You don't need a buffalo gun to shoot a mouse'. This is a Cape and Islands issue that should be dealt with on the Cape and Islands.

**COMMENT:** At this time, I respectfully request you exempt from this proposed regulation all shoreline north of the 'Three Bays'.

2. As far as the proposal to prohibit shore-based chumming, I am confused by the first sentence of your memorandum. Is this proposal a ban on chumming when "Shark" fishing from shore (as defined) throughout the Commonwealth? If so, that seems reasonable, given that you will create a definition of shore-based shark fishing activity. However, if this is a blanket prohibition on the use of chum while fishing from shore, I feel this would be a draconian measure that may not have been thought through. If taken as written, this would prohibit fishermen fishing from piers, docks, jetties, etc, from using chum and/or chum pots to attract species like mackerel, harbor pollock, scup, black sea bass, flounder, fluke, smelt and striped bass. This tactic is used at probably all public and private docks in some capacity.

**COMMENT:** At this time, I respectfully request that the verbiage of the regulation reflect something to the effect that ‘chumming is prohibited while engaged in shark-fishing activity (as defined)’.

3. Casting Mandate – I feel that water-based bait delivery systems should be allowed.

Thank you,

Chuck Casella  
1 Pine Plain Rd  
Georgetown, MA 01833  
C – 978-290-0705



## Massachusetts Striped Bass Association

*Since 1950*

March 11, 2025

Massachusetts Division of Marine Fisheries  
30 Emerson Avenue  
Gloucester MA 01930

Dear Director McKiernan.

Please accept the following as formal comment by MSBA in response to the suite of state management proposals presented during the public hearings held on March 10 & 11, 2025.

### **Striped Bass Management**

#### **Total Length Measurement:**

MSBA supports the proposed change. We agree with the rationale that current regulations can cause an angler to manipulate total length to comply with the slot limit. MSBA agrees the proposed change will clarify proper measurement and enhance enforcement.

#### **Commercial Slot Limit:**

MSBA neither supports nor opposes a specific change in the commercial slot limit and offer the following comments to inform your final decision:

- Many of our members support a maximum size limit in relation to the BOFF management strategy
- Many of our members feel post release mortality increases & survival is less likely for very large fish of 50" and higher.
- Some of our members feel it is more important to leave a fish in the spawning stock for as many years possible prior to harvest and feel removing a 32" or 33" fish from the spawning population is too soon based on current stock status. These members would rather not see a drop in the commercial size limit below 35" or 36"
- MSBA is concerned lowering the MA commercial size limits will focus harvest on year classes the recreational slot is attempting to protect. We feel this aspect of the proposal was not explained in a way that we can choose the best commercial slot limit for the overall health of the stock.
- MSBA believes allowing harvest of fish below 35" may put MA commercial fish in direct competition with other states in the coastal market and this competition may lower the price per pound & overall value of the fishery. We advise MA DMF to obtain input from commercial buyers to better understand the proposed changes.

#### Prohibition on Gaffing in the Commercial Fishery:

MSBA members have voted on this subject multiple times. MSBA supports prohibiting the use of gaffs in the striped bass fishery. In our experience the best anglers cannot consistently distinguish between lengths of only a few inches while a fish is in the water.

We have heard the claim that fish under 40” do not require a gaff and “are swung into the boat.” We feel this behavior should also be prohibited. Swinging a fish into the boat to land hard on a deck prior to release significantly decreases the chance of post release survival.

We also reject claims that use of a net over a gaff causes a safety issue due to time required especially when fishing within a fleet. The operator of a vessel should never be in a situation where a few extra seconds puts the boat in jeopardy. MSBA urges MA DMF to prohibit the use of a gaff in the striped bass fishery

#### Consistency in Striped Bass Management:

MSBA believes that due to the open access nature of both the MA For Hire permit and the MA Commercial Striped Bass Endorsement; there is no “fleet wide” skill difference between private anglers, for hire anglers & commercial anglers when it comes to the striped bass fishery. It is our experience each of these modes has a range of anglers with various levels of experience and skill when it comes to use of gear and the desire, willingness and ability to care for fish intended for release.

MSBA urges MA DMF to consider consistent regulations when it comes to prohibition on gear & technique. An example of this is the use of a weighted treble hook. If use is prohibited for one fleet of striped bass anglers; it should be prohibited for all who participate in the striped bass fishery.

### **Menhaden Trip Limit Triggers & Permitting**

MSBA participated in a twenty-year campaign to improve the coastal management of Atlantic Menhaden and restore abundance to Ma state waters. We feel the stock is in good shape and the current size of the active commercial fishery is sustainable.

MSBA understands that a majority of the existing MA Menhaden permits & the lesser 6000-pound permits are inactive. We predict that if even half of these latent permits suddenly became active there would be numerous problems in the MA commercial menhaden fishery. Those problems would include localized depletion, user conflict with the recreational fishery and value of menhaden in the market.

MSBA urges MA DMF to take action that freezes the current size of the MA commercial menhaden fishery. We further encourage MA DMF to create a pathway for the transfer or sale of existing active permits to be passed on to further generations of commercial anglers. We want to lock in the current size of the fleet in perpetuity and make sure future generations of small boat commercial anglers can participate in this traditional fishery.



Our largest concern is the recent development that former large scale high catch volume mid water herring vessels have entered the menhaden fishery in other New England States. MSBA urges MA MDF to take Emergency Action to prohibit these oversized industrial fishing vessels from disrupting the inshore state waters menhaden fishery.

### **False Albacore Management**

MSBA supports establishing regulations but is opposed to combining regulations for False Albacore & Atlantic Bonito. Although we acknowledge both species are targeted in the same inshore fishery with lesser present species such as Spanish mackerel and southern kingfish; harvest and use of both species is not the same. Atlantic Bonito have a high food value and False Albacore have little to no food value. Both species are not the same size at all ages and are harvested in other locations at different sizes. Both species also have established value as bait but are used as bait in different ways.

MSBA supports MA DMF creating a minimum size limit for False Albacore. We feel the minimum size limit should be 19” but are not opposed to the proposed minimum size limit of 16”.

MSBA supports a daily possession limit of not more than THREE False Albacore. This allows for their use as bait in the Big Game offshore fishery, their use as chunk bait for bottom fishing, lobster bait and for the very few people with a desire to harvest this species for personal consumption or pet consumption.

### **Atlantic Bonito**

MSBA supports establishing regulations but is opposed to combining regulations for False Albacore & Atlantic Bonito. Although we acknowledge both species are targeted in the same inshore fishery with lesser present species such as Spanish mackerel and southern kingfish; harvest and use of both species is not the same. Atlantic Bonito have a high food value and False Albacore have little to no food value. Both species are not the same size at all ages and are harvested in other locations at different sizes. Both species also have established value as bait but are used as bait in different ways.

On the South side of NY & NJ there are for hire head boats that both target and encounter Atlantic Bonito in the same manner as they would mackerel. On those boats it is not uncommon to harvest a few dozen small bonito for table fare.

MSBA supports MA DMF creating a minimum size limit for Atlantic Bonito. We feel the minimum size limit should be the proposed 16”.

MSBA supports a daily possession limit of not more than FIVE Atlantic Bonito per person. This allows for their use as table fare in both small and larger sizes and as live bait. We feel five fish is a reasonable balance between conservation and harvest.

### **Constraints on Shore Based Shark Fishing**

MSBA is opposed to the proposed prohibition of shore-based shark fishing.

MSBA believes this is an overreaction to a few instances of social media content creators intentionally & illegally targeting Great White Sharks and a related failed enforcement case. MA DMF has not presented evidence of any injuries or harm done by recreational anglers legally shark fishing from shore and we see no reason to punish a few thousand without actual evidence legal shark fishing causes harm.

MSBA is aware of existing shore-based shark angling on the North side of Cape Cod and in Boston Harbor.

Shore based Shark Fishing is 100% catch & release, provides most of the tagging data for inshore shark research & we feel there is no scientific reason to prohibit this small niche fishery.

MSBA also sees this as an issue of equity and fairness. For example, why would shark fishing in Duxbury Bay be allowed from a boat or a kayak but not from shore. We see this as unfair.

### **Prohibition on Shore Based Chumming**

MSBA is opposed to a prohibition on shore-based chumming.

Shore based chumming is done in many ways and in multiple fisheries including shark, winter flounder, scup, blue fish and striped bass fisheries.

We understand there is a fear of drawing a shark to a bathing beach however there is no evidence this has happened even once.

Most shore-based shark fishing happens at night and in remote locations

local authorities already can prohibit fishing on bathing beaches.

Again, this is an issue of equity and fairness. If chumming is allowed on a boat, why would it be prohibited from shore without reason.

### **Limit Shore Based Anglers to Launching Baits by Casting Only**

MSBA is opposed to this proposal.

Anglers have been setting baits “beyond the breakers” in various ways for many decades and there is no evidence this causes a problem that requires prohibition.

The most popular method besides a rod is a kite with a release clip. Are we going to ban the use of kites off a million-dollar offshore boat or just the guy trying to get a bait past the breakers.

Dorys were used in the 1950's. Sling shots were sold to anglers in the 1960's. Radio Controlled boats have been around since the 1970's. Kayaks became popular in the 1990s. Bait cannons driven by CO2 were introduced in the early 2000's and the newest technology is the Drone. All of these products are part of the Billion-dollar recreational fishery and contribute to the economy. MSBA sees no reason to ban any of this gear.

**Prohibition on Sale & Use of Lugworm**

MSBA agrees with the MA DMF concern that this bait could become an invasive species.

MSBA agrees this bait could be a biological threat to the local environment.

MSBA agrees this bait and its use should be prohibited

MSBA appreciates the opportunity to provide these comments.

Sincerely;

Patrick Paquette  
Massachusetts Striped Bass Association  
Government Affairs Officer



6 Resnik Road, Suite 208  
Plymouth, MA 02360  
[www.stellwagenbank.org](http://www.stellwagenbank.org)

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Capt. John Richardson

March 12, 2025

Mr. Daniel J. McKiernan, Director  
Commonwealth of Massachusetts  
Division of Marine Fisheries  
251 Causeway St., Suite 400  
Boston, Massachusetts 02114

### **RE: Proposed MassDMF 2025 Commercial & Recreational Rules**

Dear Mr. McKiernan:

On behalf of the Stellwagen Bank Charter Boat Association (“SBCBA”) whose membership includes the for hire fleet and recreational anglers, recommendations and comments associated with the Proposed MassDMF 2025 Commercial & Recreational Rules is detailed below.

#### **Striped Bass Management (322 CMR 6.07)**

*SBCBA supports the “squeeze the tail” to determine striped bass length. It should be noted that the ASMFC is not recommending any changes to the commercial striped bass measures at this time. To implement a slot on the commercial fishery would increase mortality via discards. In addition, to reduce the size with a slot and no quota change will result in more fish being caught that could result in fewer fish available to reproduce. Until additional data is provided to support such measures and the ASMFC recommends such, the SBCBA cannot support the proposed commercial striped bass measures.*

#### **False Albacore and Atlantic Bonito Limits (322 CMR 6.42)**

*The ASMFC, Councils and HMS do not currently have a Fishery Mgt Plan (FMP) nor stock assessments associated with these species nor are there any interested in or seeing the need to do such. ICCAT does include false albacore that is not subject to commercial or recreational Mgt measures. How can any measure be proposed without a stock assessment or FMP? SBCBA cannot support these measures until stocks assessments are conducted and an FMP is developed for each species other than what is noted below.*

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*There are no commercial measures being proposed other than for jigging operations. This seems inconsistent with the reports of the unregulated commercial harvest of select species. If such measures are implemented, it needs to apply to the commercial and recreational fishery with appropriate MassDMF endorsements and reporting.*

*The only science based issue being proposed is the 16 inch fork length requirement where 50% of the population reaches sexual maturity. If a 16 inch fork length is implemented such needs to apply to commercial and recreational users. This conflicts with RI that does not have any size threshold for commercial or recreational users that leads to an enforcement issue. As a result, SBCBA cannot support this measure.*

State Waters Groundfish Management (322 CMR 6.03 and 7.04)

*The SNE cod spawning stock biomass has been exceeded the last 3 years, the model used is flawed, ultimately the moratorium on cod retention is not based on sound science. 93% of the SNE catch is recreational yet the setting of the recreational and commercial quota is not based on that percentage even if cod could be retained. Flawed science has resulted in zero retention, disaster declaration is unfortunately in our future.*

Commercial American Eel Management (322 CMR 6.30, 7.01, and 7.04)

*SBCBA supports this measure for this critical forage species in our fishery and recommends a control date and limited access and we don't support a moratorium as many of our members use eels for bait and would not want to lose access to the bait.*

Restrictions on Casting, Chumming, and Shore-Based Shark Fishing (322 CMR 4.09 and 6.37)

- *The SBCBA does not recommend banning recreational shark fishing or chumming in state waters and denying the public access to the fishery for those shark species that can be legally landed in state or federal waters.*
  - *It should be noted that in federal waters such is permitted consistent with "50 CFR § 635.26 (c) Sharks. Notwithstanding the other provisions of this part, a person may fish for white sharks (Carcharodon carcharias) with rod and reel, provided the*
-



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*person releases such fish to the sea immediately with a minimum of injury, and that such fish may not be removed from the water.”*

- *The research vessels and experienced shark fishing recreational community will attest to the fact that chumming and attracting great white sharks is difficult. If the public observes a fin in the water ranging from a bluefin tuna or wide array of other species there is mass hysteria that it is a great white shark. Public education and outreach is recommended to address this mass hysteria.*
- *MassDMF notes “in recent years, a small number of shore-based anglers have been observed targeting and landing white sharks, particularly along the eastern facing beaches of Cape Cod.” The proposed measures are being recommended as a result of a small number of anglers. Public outreach and enforcement is recommended to educate the public not a ban on chumming or shark fishing denying the public access to the fishery.*
- *There are presently means and methods to deploy baits beyond the beach or a vessel that MassDMF noted includes kayaks. Measures are being proposed as a result of a small number of anglers. As a result the SBCBA does not recommend any deployment prohibitions since a kayak achieves the same objective as the other methods noted.*
- *There are fewer and fewer opportunities for the private recreational shoreside angler to have access to the fishery yet along access to those species that can be legally caught and/or released. Many cannot afford to buy a boat or go on a for hire vessels and as a result shoreside angling is the only mechanism for them to catch and/or release sharks.*
- *Consistent with the lines of evidence above the SBCBA does not support the proposed shark related measures.*

Recreational Black Sea Bass Season (322 CMR 6.28)

*SBCBA supports a May 17<sup>th</sup> opening date.*

To address biosecurity concerns related to reports regarding the use of Pacific lugworms as bait in the northeast, DMF is proposing to prohibit



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the sale and use of non-native seaworm species. (13) the use and sale of non-native seaworms.

***The SBCBA supports this measure.***

We thank you for the opportunity to comment on this important matter. If you have any questions or comments, please contact the SBCBA at the email below.

Very truly yours,

*Tom Depersia*

Capt. Tom Depersia  
SBCBA, Founding President & Trustee  
[hugetuna@aol.com](mailto:hugetuna@aol.com)

*Damon Saco*

Capt. Damon Saco  
SBCBA, Board of Directors  
[captdamon@gmail.com](mailto:captdamon@gmail.com)

*Eric Morrow*

Eric Morrow  
SBCBA, Board of Directors  
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*William Hatch*

Capt. William Hatch  
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*Stacie Delzingo*

Stacie Delzingo  
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*Capt Paul Diggins*

Capt. Paul Diggins  
SBCBA, Trustee  
[captain\\_paul@bostonfishing.com](mailto:captain_paul@bostonfishing.com)

*Capt Rob Savino*

Capt. Rob Savino  
SBCBA, Trustee  
[robsavino@mac.com](mailto:robsavino@mac.com)

cc: Tom O'Shea, MassF&G  
Ray Kane, MassFAC

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*Capt Rick Golden*

Capt. Rick Golden  
SBCBA, Trustee  
[captrick@1620anglers.com](mailto:captrick@1620anglers.com)





Director McKiernan,

Cape Cod Charter Boat Association appreciates the opportunity to provide comments on the recent fishery management proposals.

#### Striped Bass Proposals:

We support the squeeze the tail measurement clarification. There was some confusion last year on how the tail measurement was to be made and there is a significant size discrepancy between fanning and squeezing the tail. This measure will make it clear both for fishermen and enforcement how striped bass should be properly measured. One possible thought for improvement in the future would be to look at measuring to the fork of the tail instead of the tip of the tail as it is much more difficult to manipulate this measurement through squeezing and fanning the tail.

We do not support the new proposed commercial striped bass slot limits. Many of our members also hold commercial striped bass permits and fish commercially for striped bass. There were many years that fish were legally allowed to be sold off a charter boat with customers but this practice was stopped because the charter boats were "double dipping" and people were opposed to us making some extra money off of our charters. Many of us still hold commercial permits and are able to fish commercially when a paying customer is not on the boat. Being able to commercially fish for striped bass makes up for some of the revenue we have lost due to trips being lost to the highly restrictive recreational slot limit for striped bass and restrictions in other fisheries.

These slot limit proposals will also lead to a reduction in the overall state commercial quota. The ASMFC has not mandated any cuts to the quota for this year. Slot limits could lead to increased discards. Several fishermen have said that with a smaller size they would high grade and only keep bigger fish in the slot- more discards. Having a smaller size would also lead to more individual fish getting caught to achieve the quota. If we do not need to take a cut in the quota we should not take it as more cuts could be mandated in the future. The biggest problem we see right now in the striped bass fishery is spawning and new recruitment. This is where more of our efforts need to be focused.

#### Bonito and False Albacore Proposals:

We do not support a bag or size limit for bonito or false albacore. We would recommend for bonito and false albacore management that although they look similar they are two different species and therefore should each be managed separately. One of the biggest differences

between the two species is that bonito are delicious and often kept for consumption while false albacore are not good to eat and with the exception of some that are weighed in for a tournament, and a few brave souls most who might attempt to eat them, the overwhelming majority are caught and released for sport. Bag limits would therefore affect bonito much more than false albacore. We heard at the public hearing that there is a 30% post release mortality for false albacore. If the albie population needs conservation measures, and nobody keeps them, I would argue that the most effective conservation measure would be a no-targeting, no fishing season for them as opposed to a bag limit as catch and release is by far the largest contributor to recreational fishing mortality.

There is no evidence of overfishing or lack of abundance for bonito or false albacore. Other fishing groups have claimed that the proposal for a five fish bag limit is science based but this is not true. The councils and HMS do not currently have a fishery management plan or stock assessments for these species. ICCAT does include false albacore and they are not subject to any commercial or recreational measures. We cannot support these measures until stock assessments and a fishing management plan for each species is developed individually. As fishermen over time we have seen how bag limits and seasons over the years only tend to get cuts and not liberalizations. The five fish bag limit would be a starting point at which over time it would slowly be chipped away at.

These fish are both highly migratory species. What conservation measures we take in Massachusetts would be sacrificed as no other states have management measures for these species once they swim into their waters.

We are opposed to the proposed 16 inch size limit. For several years we have had a hard time catching herring or mackerel to use for bluefin tuna bait. The only bait some days we have been able to find have been small bonito. We would request that as a source of bait that the 16 inch minimum size is not mandated.

We recognize that bonito and false albacore are important fisheries for many of our captains but have seen no evidence of overfishing. We do support better science and more research of these species, but we would be opposed to management measures until there is scientific evidence that it is required.

Eels:

We would support limited access and a control date for the commercial eel fishery but we are strongly opposed to a moratorium on the commercial harvest of eels. Eels are one of the best and most popular bait for striped bass and also used for swordfish, white marlin, sharks and bluefish. With a lack of other bait sources it would be extremely painful to lose eels as a bait source. If the eel population is in decline we should start to think about managing our cormorant population as we witness them constantly gorging on eels and also small fish such as herring, winter flounder and tautog.

Shore Based Shark Fishing, Chumming and Bait Deployment:

We do not support banning shore based recreational shark fishing in state waters. This measure comes from an isolated incident, between an out of state shark guide and some surfers, and should not penalize shore based fishermen who have fished for sharks for years without incident or conflict. This incident was a site specific user group conflict that should be

addressed where the conflict occurs and not apply broad measures to cover the entire coastline. Shore based fishermen should not lose access to a fishery they have the legal right to engage in.

Recreational Black Sea Bass Season:

We appreciate the flexibility of switching the start date of the recreational black sea bass fishery from May 18 to May 17th to coincide with the third Saturday in May in which it historically has opened. This Saturday is a very important date for both the for-hire fleet and recreational anglers and provides a great fishing opportunity as well as an important economic impact to fishermen and all related businesses at the beginning of the season.

Thank you for the opportunity to provide comments regarding these proposed fishery management regulations. If you have any questions or concerns please reach out anytime,

Willy Hatch  
President Cape Cod Charter Boat Association

**C H A N**

127A Petey Lane    Westport, MA 02790    Tel: 617 868-1591    cchan@chanmockarchitects.com

March 14, 2025

To: Daniel McKiernan, Director Mass DMF

Re: Proposal to adopt a slot limit for commercially caught Striped Bass

Dear Mr. McKiernan,

I am writing in support of the DMF proposal to adopt a commercial slot limit that would cap the maximum harvest size somewhere between 38–44 inches, while potentially reducing the minimum size to as low as 32 inches. A slot limit aims to protect the largest female fish to ensure the best egg producers are available during spawning. I support the proposed action and the need for the Commonwealth of Massachusetts and all Atlantic states to take proactive and precautionary actions to promote abundant Stiped Bass populations on our shared coast.

I would like to commend you, your staff, for considering this proposal for additional conservation actions to protect Striped Bass populations.

I have been a recreational saltwater fisherman, mostly with a fly rod, for over 35 years and practice catch and release for most game species. I do not hold a commercial permit to catch Striped Bass, but as a stakeholder in the fishery I want to comment on commercial regulations.

The commercial Striped Bass sector must join the recreational sector in taking action to save diminishing Striped Bass populations. The recreational sector set a slot limit to protect large female breeders, then took additional steps to reduce the slot size further. It is appropriate and fair that the commercial sector should now take similar action. If we do not take action now, it will not matter what the commercial quota is because there will not be any fish.

Thank you for putting forth this proposal

Chris Chan

Also of  
16 Haskell St,  
Cambridge, MA 02140

A handwritten signature in black ink, appearing to be 'Chris Chan', with a long horizontal stroke extending to the right.

**From:** [Brian Enos](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Stripe Bass Fishery  
**Date:** Sunday, March 16, 2025 11:00:44 AM

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Attention of Director Daniel McKiernan

Good Morning / Afternoon,

Below is the written comment I sent to the ASMFC back in December. Combines both recreational and commercial and adjusted slightly for sending to you.

There seems to be a dilemma in this fishery where there's a lot of options to try and manage the year class of fish that have the biggest spawn year in efforts to rebuild the biomass of fish and also to protect the bigger fish (>45 inches) that have the bigger spawns. I've followed the regulations as for both recreational and commercial as I partake in both fisheries in Massachusetts. I've had a commercial permit since 2012 and have been recreational fishing since before that. Below I've noted changes during the past 12 years in MA, bear with me as I don't remember exact time line of specific changes.

When I first obtained my commercial permit the minimum length for recreational and commercial anglers was 36", remember seeing fish in abundance during the season. Believe the commercial then was 3 days at 30 fish/day and 5 on Sunday. One fish per recreational angler.

The minimum length was changed to 34" for everyone and recreational was allowed 2 fish/day I believe. Don't believe there was a commercial change other than length.

The minimum length was changed to 35" for commercial and a slot limit for recreational was imposed of 31" to under 35". Believe it stayed like this for a season or 2 then commercial days during the week and limits changed.

Commercial days T-W-TH-SU, to M-T-TH, to M-T-W, to T-W (most current).

Limits went from the 30 and 5, to 15 and no weekend fishing. Had a quota reduction of 7% in 2023.

The most recent slot limit change for MA, which is still current is 28" – 31".

I don't see how lowering the slot limit and making juvenile fish more assessable is going help the fishery in the long run. This isn't allowing these fish to become mature enough to spawn to produce more fish pending spawn survival and these juvenile fish to grow big enough to join some of the bigger fish. I understand for the up coming 2025 season the need to adjust the slot limit, so the 2018-year class of fish is protected, but don't think lowering the slot limit is the right choice.

With above in regards to imposing a commercial slot limit. This would have an effect of dwindling that range of fish and having the effect that the mass of this size wouldn't make it to become over 45 inches. Seems it be more effective to keepmthe commercial size the way it us and that way there's more of a range of fish for the commercial sector to catch their limit on.

States with a commercial fishery, should be fishing with hook and line only to help prevent juvenile mortality rates. Some states allow their commercial fishery to gillnet for them.

MA current commercial daily limit is 15/day. Hopefully this stays like this for a few seasons and we're only 2 days week. However, if needed to adjust wouldn't want to see go below 10/day. If a daily limit change of 10 or less per day is proposed and accepted, then it should be considered to add a day back on the fishing week. Like all other fisheries weather plays a factor in fisherman getting out to fish.

Gaffing fish could go take it or leave it. The option is good on the commercial size when you see the fish and know it's a good fish to keep. However, care should be taken to gaff it in manner that isn't affecting the meat of the fish.

The squeezing of the tail for total length could cause some confusion with how tightly does the tail get squeezed.

Slide 5 of the presentation saying that DMF brought to ASMFC suggesting the need for standardization through the Stripe Bass fishery states is something that should definitely be discussed do to the gap in varying size regulations between both recreational and commercial fishery.

In closing as an angler on both sides recreational and commercial I believe there could be a happy medium for both sides. Doing the commercial side of the fishery I use it as a learning experience with my son to teach him the expense and income side of a business.

BRgds,

Brian Enos  
benos7904@yahoo.com  
978-290-0874

[Yahoo Mail - Email Simplified](#)

**From:** [Tyler Hagenstein](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** DMF proposed regulation changes  
**Date:** Saturday, March 15, 2025 12:58:28 PM

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Thank you for taking the time to read my comments on the proposed rule changes.  
I'll keep it short and write a response to restrictions I feel need comment.

Striped bass- absolutely should have a commercial slot limit, glad this is finally being considered. As far as the slot goes, I think the fish size should be 30"-40". Ideally these smaller fish would fill up quota slower and give commercial fisherman more days to fish and leave the bigger breeders alone. I think it is also extremely important to eliminate out of state fishermen.

Bonito/albies - These two species should not be regulated as one. Perhaps the recreation limit could be 5 fish a day, but certainly not commercial limits. Their numbers are increasing ever year in our waters and could give baymen and commercial fisherman an opportunity sustain their livelihood.

Americal eel- baymen like myself depend on multiple species to piece together their year. Sometimes one species or another isn't harvested for years between sets or booms in populations. It would be unfair to strip eel permit holders of their right to fish them for not fishing them in recent years. There simply hasn't been enough eels around to make it worth while. I have tried to target eels a few times over the years but have been largely unsuccessful because of the enormous green crab population in my area. Before restricting commercial fisherman I think it would be more valuable to the local resource to further restrict eel use by recreational fisherman.

Rec black seabass- I suggest keep this fishery open well past September 1st but shrinking the catch limits. These fish are abundant.

Protected species entanglement- there will be a degree of inaccuracy here that could draw even more negative light on commercial pot fishermen, who have been heavily demonized by right whale activists. While I have always sympathized with the animals, news/media headlines have captured the attention of too many people who do not understand the fisheries and are called into action by non government environmental groups to bring unnecessary restrictions on fisherman.

Lastly!!! Please reverse last years horseshoe crab restrictions that were pushed by MA Audubon!!!

Thank you for your consideration,

Tyler Hagenstein  
Commercial fisherman, shellfish farmer, and recreational fisherman.

**From:** [Ken Baughman](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** My public feedback for the Public Hearing: 2025 Fishing Regulation  
**Date:** Friday, March 14, 2025 2:19:43 PM

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Director McKiernan:

I am a commercial rod and reel fishermen, who has sold thousands of dollars worth of striped bass. Instead of adding slot sizes, which will lead to confusion and enforcement issues, I would much rather have commercial stripers continue to be managed by quota. In other words, just use existing rules and do not create new rules. I hate the stupid blinking yellow bike/walk crossings; everyone already knows red light means stop. If there are not enough bass around, reduce the quota. Done. For the recreational fishery, one fish 36 inches brought stripers back. Let's try that again.

—  
best,  
Ken



**From:** [Charles Cooper](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Proposed changes to regulations  
**Date:** Thursday, March 13, 2025 7:16:34 PM

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Dear Director McKiernan,

Thank you for requesting comments on proposed changes to the commercial and recreational regulations for a variety of species. Based on my academic background in Marine Biology and more than sixty years of recreational fishing experience in New England and Atlantic Canada, I support most of these changes (such as the further restrictions on take of cod, entanglement reporting and limitations on gaffing).

However, there is one form of continuing regulation which makes absolutely no biological sense, and you know it but never act on it. Please ELIMINATE all your minimum size limits, even though you would be pioneering departure from recommended limits of the regional entities including ASFMC and NEFMC. I know you understand this because you present the rationale (at least in part) by your description of the Big Old Fat Fecund Female Fish science for stripers. You can accomplish EVERYTHING you need to manage stocks by a combination of bag and maximum length limits giving you biomass outcomes. Minimum lengths are completely unnecessary and give you nothing but discards which may or may not survive. In the late 60s and early 70s, I was quite happy to keep a few 22-28 inch stripers from Nova Scotia's Annapolis River, as I was to keep the occasional 30" fish more recently off Cape Cod.

Just leave in place a one fish 38-44" limit for stripers and a back-calculated possession limit for smaller fish to maintain the desired spawning potential for stripers and other species like sea bass and summer flounder.

It would be more important to push the squid draggers further offshore to put an end to the ridiculously high by-catch mortality of stripers (in the thousands) they can and do cause.

A couple of other comments:

Do you really need a limit of any kind on False Albacore? Bonito I can understand, but (practically) no one keeps False Albacore (though they're not as bad to eat as advertised).

Finally, why do you think it's important to have different limits on length for commercial and recreational catches?

As a marine biologist, I don't get that one, although I know you hear different things from those constituents.

Thanks again for the opportunity to comment.

Charles Cooper  
978-771-8977

Sent from my iPhone

**From:** [Brian Kelly](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Director Daniel McKiernan: Proposed Regulatory Amendments  
**Date:** Thursday, March 13, 2025 12:48:28 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.

Dear Director Daniek McKiernan,

Thank you for your time and consideration to my insight as a Full-Time Captain and Fishing Guide from May-October on a calendar year. Targeted species are primarily catch and release trips of Striped Bass and False Albacore. I serve the Sportfishing enthusiast who has limited to no interest in taking a fish home. So I will be commenting on the amendments that directly serve them. I am reliant on a healthy stock of Striped Bass and False Albacore and Mendhaden as a primary food source for the large adult breeding class of Striped Bass as well the other species that rely on the food source (whales, dolphins, tuna, sharks, seals, blue fish and striped bass).

**Striped Bass Management (322 CMR 6.07). To benefit striped bass conservation, DMF proposes to:**

- 1. Amend how total length is measured by requiring commercial and recreational fishers squeeze the tail together to determine compliance with minimum and maximum sizes.**
- 2. Establish a slot limit for the commercial striped bass fishery with a minimum size no smaller than 32" and a maximum size of up to 44".**
- 3. Extend the recreational fishery prohibition on the use of gaffs and other injurious tools to the commercial fishery.**
- 4. Delete outdated language regarding filleting restrictions.**

As a conservationist who devotes his time in educating the public of an overfished fishery of Striped Bass. With 6 prior years of failed spawns we are reliant on a stock of larger fish now to serve the recreational and commercial fishery. Any measures to be put in place are strongly recommended from a science based approach of the American Saltwater Guide Association an organization with a message of better business through conservation.

Around the world, fish are measured to the fork. Not to the tip of the tail. These are how world records are measured.

A slot limit for a commercial fishery will further protect the breeding classes of fish, measuring over 44 inches. What's a total age of at least thirty years from recent scientific studies. While still allowing a commercial fishery.

Gaffs are a fatal tool used prior to measurement and should have no allowance in a declining fishery.

Having racks of fileted fish help enforce a slot limit for recreational fishing. As long as that is in the language you have a improved system.

**False Albacore and Atlantic Bonito Limits (322 CMR 6.42). To address emerging growth in the fisheries for these species absent stock assessments and fishery management plans, DMF proposes to:**

- 1. Limit the retention of false albacore and Atlantic bonito by any fisher to no more than five (5) fish per person per calendar day.**
- 2. Adopt a minimum size for retention by any fisher at 16” fork length.**
- 3. Consider an exemption to the proposed possession and size limits for the incidental catch of these species in commercial mackerel jigging operations.**

My charter season arrives of 60 trips a year targeting False Albacore with a bi-catch of Bonito. Some of my anglers will take Bonito home as it is a tastier fish. I am in favor of two items on the outline for a limit of 5, Minium size of 16 inches, with no exemption for commercial operations.

**Commercial Menhaden Management (322 CMR 6.43, 7.01, and 7.04). In response to recent fishery performance and the high level of latent permits, DMF proposes to:**

- 1. Rescind the quota use trigger that drops the limited entry fishery’s trip limit from 25,000 pounds to 6,000 pounds when 90% of the annual quota is taken.**
- 2. For 2026, use the existing August 1, 2023 control date for the limited entry Menhaden Endorsement to limit renewals only to those permit holders who reported selling at least 6,000 pounds of menhaden during the period of January 1, 2019 – July 31, 2023 or who hold this endorsement in combination with a Fish Weir Endorsement and have a history of taking fish by weirs during the period of January 1, 2010 – December 31, 2024.**
- 3. For 2026, limit issuance of Coastal Access Permit – Purse Seine Endorsements to only those persons who held the endorsement prior to the existing August 1, 2023 control date.**

**Then adopt a control date of December 31, 2024, which may be used in the future to further limit entry based on to-be-determined eligibility criteria.**

With any measures to enact to ensure conservation for a vital source for our coastal fishery is needed. From the gulf coast to the east coast these bait fish are a primary food source.

Regards,  
Captain Brian Kelly

**From:** [Parker Mauck](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Comment on Commercial Striped Bass Slot Limit Proposal  
**Date:** Wednesday, March 12, 2025 8:31:30 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.

To: Daniel McKiernan, Director Mass DMF

March 12, 2025

Re: Proposal to adopt a slot limit for commercially caught Striped Bass

Dear Mr. McKiernan,

**I am writing in support of the DMF proposal to adopt a commercial slot limit that would cap the maximum harvest size somewhere between 38–44 inches, while potentially reducing the minimum size to as low as 32 inches.**

I would like to commend you, your staff, for your considering and forwarding this proposal for additional conservation actions aimed at protecting Striped Bass populations. Additionally, I appreciate the forums you have presented for both in person and write in comments.

I fully support the proposed action and the need for the Commonwealth of Massachusetts and all Atlantic states to take proactive and precautionary actions that are intended to promote abundant Stiped Bass populations on our shared coast.

My background. I have been a recreational Striped Bass fisherman for over 30 years. I am currently co-owner of Westport Fly, a saltwater light tackle guide service based in Westport, Massachusetts. Westport Fly has two boats running inshore charter trips all season long in the waters of Buzzards Bay from Woods Hole to Newport, R.I, as well as Vineyard Sound and the Elizabeth Islands. Our clients are local as well as visitors from outside Massachusetts that come to fish and spend considerable sums of money in our local economy. We have been, and will continue to be, 100% catch and release for Striped Bass.

To be clear, I do not hold a commercial permit to catch Striped Bass, but as a stakeholder in the fishery I feel I am entitled to comment on commercial regulations.

A slot limit aims to protect the largest female fish to ensure the best egg producers are available during spawning. The rationale presented at the meeting was:

Rationale for Size Limit

1. Protect the largest fish in spawning stock biomass in effort to enhance stock productivity while maintaining a reasonably wide slot that won't prevent quota utilization and retains separation between rec/com legal sizes.
2. Stock rebuilding hampered by below average recruitment; while environmentally driven, maintaining wide age structure with plenty of large females can result in eggs and larvae with better chances of survival.

The commercial Striped Bass sector must join the recreational sector in taking action now to invest in a future with abundant Striped Bass populations. The recreational sector took action with a slot limit to protect large female breeders, then took action in subsequent years to reduce the slot size further. It is appropriate and fair that the commercial sector should now take similar action. It must be understood that if we do not take action now, it will not matter what the commercial quota is because there will not be fish to fill ANY quota.

Thank you for putting forth this proposal and please take action to make the FISH your top priority. You cannot make every sector 100% happy, but the best thing you can do for everyone is ensure abundance.

Thank you,

Capt. Parker Mauck

Westport, Massachusetts

Capt. Parker G. Mauck

[pgmauck@gmail.com](mailto:pgmauck@gmail.com)

(508) 496-8682

[www.westportfly.com](http://www.westportfly.com)



**From:** [Paul Dredge](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albie and Bonito Protection  
**Date:** Wednesday, March 12, 2025 4:45:28 PM

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Dear Director McKiernan,

In late August last year I hooked a bonito while fishing in Edgartown Harbor from my kayak. What a rush it was to fight and land....and to eat for dinner that evening!

That fish was a nice keeper, in line with proposed size and number limits (those fish aren't easy to catch--five would have been fabulous; one was still a thrill). I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. You know what they mean to the economy in Massachusetts. I'm also a striper fisherman, and I'm watching that fishery change dramatically since I took up my fly rod pursuit in '98. Not a good direction, and I remember the moratorium of the '80's with sadness.

Science-backed regulations will ensure a sustainable future for albies and bonito while balancing the needs of anglers and commercial operations. I urge you and your organization to move forward with these protections.

I would also like to cast a vote for the end of commercial fishing for stripers. The economics don't add up for me. And putting all those breeders in the fish box seems really unwise.

Tight lines to you—I assume you're a fisherman.

Paul Dredge  
Arlington

**From:** [Paul Woodard](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Letter of public comment regarding proposed striper regulations  
**Date:** Wednesday, March 12, 2025 3:49:58 PM

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Good evening. I'm a licensed commercial fisherman in Massachusetts, please consider my comments when making your final decision.

#1 YES- Im in favor of the proposed slot limit for Striped Bass from 32"-44". I know this will help protect the largest most productive spawning females and will allow us to fill the MA quota with a healthier size range of fish.

#2 YES- I'm in favor of extending the no gaff rule to commercial fisherman. This rule will protect the sub-legal fish that are mistakenly gaffed and injured during commercial fishing.

#3 YES on a more consistent method of measurement of striped bass by using these squeeze tail method mouth closed .

Thankyou for your time Paul Woodard  
Massachusetts commercial permit lic#186828



**From:** [MILES SCHLICHTE JR](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** upcoming striper season Attn Daniel McKieran  
**Date:** Wednesday, March 12, 2025 1:28:25 PM

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Hi Dan,

I was at the Gloucester meeting Monday. Sorry we had to listen to the nitwit rant, you did well allowing him just enough rant to get beyond him.

First, I think that last year's Tues/Weds fishing days was successful in it's intent to prevent the weekend warriors from holding then selling fish on Mondays. That should continue. Also, the couple of enforcement presences in Ipswich Bay seemed to make some difference in at least making some persons abide by the rules a little bit. Please encourage more of that and possibly see if the Coast Guard could be asked to show up occasionally to check licenses and more importantly ticket all the fools running around with no lights on.

Another way to make a big impression for little effort would be to have enforcement occassionally at the boat ramp behind Gloucester High School in the early morning hours, say from 4am to 7am. I tie up across the river at Cape Ann Marina and I see the night crew showing up at the ramp at that time. Some guys are fine but others you can tell have something to hide. The boat will power to the dock just long enough for someone to jump off and run up the ramp to get the truck/trailer while the boat then backs away from the dock and goes downriver a bit either way. As soon as the trailer is backed into the water the boat flies up on to it and the driver quickly hauls the boat away not stopping until they are in the high school parking lot someplace where I imagine they finish securing the boat and the persons still in the boat climb into the truck. A couple of enforcement actions there will spread the word quickly.

My opinion on the release of the larger fish and the banning of gaffing is two fold.

First, as someone stated at the meeting, the commercial guys don't gaff anything that appears to be around the 35in minimum. Every guy I see either grabs those fish by hand or uses a liplock tool to lift the fish out of the water. Prohibiting commercial gaffing of fish will create a dangerous situation for the many persons who fish alone.

Trying to manage a rod in one hand while attempting to get larger fish in a net leaves no hands to maintain contact with the boat. On numerous occasions while recreational fishing while attempting to either net or release a large fish I've slipped and fallen against my rail. Being in that position at certain places where there are boats all on top of each other will lead to persons getting hurt especially at night.

On a different note, I would like to see the season extended. We could do this without increasing the quota by lowering the bag limit from 15 to 10 fish a day. That would help prevent a glut on the market on any given day thus keeping prices up while keeping striper on the restaurants menu longer.

Just my 2 cents worth. Thanks for trying.

Miles Schlichte

FV Producer II

Deputy Fire Chief Miles Schlichte-retired

EFO,CFO, MA Accredited Fire Chief

IAEM Certified Emergency Manager

USCG Licensed Ship Captain

**From:** [David Fewster](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Proposal comments  
**Date:** Tuesday, March 11, 2025 9:30:09 PM

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Good evening. I'm a licensed commercial fisherman in Massachusetts, please consider my comments when making your final decision.

#1 YES- Im in favor of the proposed slot limit for Striped Bass from 32"-44". I know this will help protect the largest most productive spawning females and will allow us to fill the MA quota with a healthier size range of fish.

#2 YES- I'm in favor of extending the no gaff rule to commercial fisherman. This rule will protect the sub-legal fish that are mistakenly gaffed and injured during commercial fishing.

Thankyou for your time David Fewster Massachusetts commercial permit lic#175755

Sent from my iPhone

**From:** [Stephen Kalinick](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Proposed Slot & Gaffing  
**Date:** Tuesday, March 11, 2025 7:05:52 PM

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Hello Mass DMF,

Have emailed already prior to the meeting today. Now emailing again after attending the meeting at Mass Maritime. Fine with pinching the tale to measure. That's how I've always done it. Generally fork tale pinched and broad tale flat. Status quo for slot options. Want it to stay the same. Would rather see all the fish in the protection zone have an opportunity to get big and be able to spawn vs killing them before they have a chance to mature. There's gunna be a lot of un-skilled

Fisherman taking 32-33in fish filling the quota fast and killing what's trying to be protected between commercial and rec. Gotta think about all the overs as well that will die. On another note we take 1/5 the amount rec does each year.

All these fish could get big but they don't. Against no gaffing. Bite windows can be short not wasting my fishing time untangling nets. I'm not a kill everything guy. I Recreational fish as well and do more conservation for these fish than most. Catching and releasing them the right way so no one else can. The amount of recreational/slot/commercial fish i release before the season even starts could re-boot the population. I'm all for conservation but the amount of fish there is also ridiculous. Feel like numbers aren't getting accounted for. Not like i see anyone one doing research all year on these school other than me. Also feel these fish are adapting and spawning elsewhere and it's going un-noticed. 1/2 population in Maine. Why are they there and why? Know guys catching cows

In April up there. That's not normal and have eggs in fish here in late April.

Sincerely,  
Stephen Kalinick.

Sent from my iPhone

**From:** [choicemusic@comcast.net](mailto:choicemusic@comcast.net)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Striped Bass Fishery  
**Date:** Tuesday, March 11, 2025 4:03:02 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.

Director McKiernan,

Regarding the proposed amendments address: (1) total length measurement, commercial size limits, and gaffing in the striped bass fishery.

- I OPPOSE THESE NEW REGULATIONS
- KEEP 35" MINIMUM FOR COMMERCIAL STRIPED BASS
- MEASURE FROM SNOUT OR JAW TO "FANNED" TAIL
- DO NOT ELIMINATE GAFFING

Salvatore Santuccio  
9 1/2 Carlisle St  
Gloucester, MA 10930-2655  
(978) 879-3346  
Permit #150462

**From:** [Paul Aldrich](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Attention: Director Daniel McKiernan  
**Date:** Tuesday, March 11, 2025 9:57:36 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.

Hi Daniel,

I think one simple way to increase the Striped Bass population and survival rate in Massachusetts is more enforcement during the season. I understand manpower issues, but every harbor has one or two guys who don't obey the rules, and the Cape Cod Canal is legendary due to the blitzes and 24/7 fishing, especially during evening hours. If the state could impound a couple of boats, or cars, where fish are being hidden, that would send a clear message. The word would get around pretty quickly.

I don't understand why the management trend isn't a steady annual decrease in commercial fishing limits on striped bass. Many of the "commercial" fishermen today are actually professionals and successful tradesmen who use the commercial angle to write off their fishing hobby. It is certainly legal, but doesn't help the striped bass.

There are enough environmental stresses on the population where I think it makes sense to compensate where we can. Global warming, pesticides, etc. are going to take a very long time to address. The measures I suggest could be done much more quickly.

It would be great to have several strong spawning years in a row!

Paul Aldrich  
[www.capecodsonarcoach.com](http://www.capecodsonarcoach.com)

**From:** [Germain Cloutier](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Commercial Striped Bass Regulations  
**Date:** Monday, March 10, 2025 9:01:51 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.

Hello,

First off thank you for considering a more conservation minded approach to commercial striped bass fishing. The “No gaffing of striped bass” even in the commercial fishery is a great move to provide more protection to these fish. It may be worth also taking a look at the Treble hook and bait methods of the “snag and drop” style when fishing around Menhaden schools. The Best option to conserve the bigger breeding bass would be to have the 32”-38” slot option! This also would allow a 30% reduction to the quota and would save thousands of the large breeding class striped bass that are desperately needed to help these very poor recent spawning years. The science has shown that we really need to keep those bigger bass in the population at this time before it’s too late. A slot limit under 40” would help this tremendously!

Thank you for your time and help with efforts to conserve the striped bass fishery for future generations.

Thank you,  
Germain

[Sent from Yahoo Mail for iPhone](#)

**From:** [Scott Wain](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Striped Bass Commercial Harvest  
**Date:** Monday, March 10, 2025 12:12:10 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.

Hello,

I was greatly disappointed to hear that the marine fisheries board made no changes to the commercial harvest of the striped bass fishery. How can you honestly make no changes, with poor spawns and poor year classes of young fish. Do you not understand that without changes to the Gulf of Maine cod fishery that future generations would not have the iconic Cod? Well, simple logic should tell you it's the same thing with the Striped Bass. Why on earth are you people afraid to stand up to commercial fisherman who only care about making a profit off the fishery?!!! It's maddeningly frustrating to me that with your inaction, you again don't protect the #1 sportfish in New England and take a wait and see approach. While the commercial fisherman harvest large spawning females, with disregard for the future of the fishery only to profit, this is put squarely on you people who are supposed to be stewards of what's best. If you don't have the courage to stand up for what's right, then frigging resign, and let someone with courage to stand up for the fish and future generations to enjoy this mighty and storied great animal. I catch and release because I'm responsible and understand that that stock and biomass is not doing well. Now do your jobs and grow a backbone . Thank you.

Best,  
Scott Wain



**From:** [Mark Mattson](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** attention of Director Daniel McKiernan Comments on Regulations  
**Date:** Monday, March 10, 2025 11:40:30 AM

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Dear Director Daniel McKiernan,  
thank you for the opportunity to comment on proposed changes. It appears some fisheries are overfished. Even black sea bass and fluke are hard to catch legal sizes. I ask that commercial fisheries be eliminated, or at least very strictly limited. The fish belong to the people, not the industry. It is your job to protect them. Do your job.  
thanks Mark Mattson

**From:** [Stephen Kalinick](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Commercial Striped Bass Proposed Amendments for Length, size limit and Gaffing.  
**Date:** Sunday, March 9, 2025 2:24:39 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.

Hello Mass DMF,

My name is Stephen Kalinick and hold a commercial striped bass permit in the state and Voting status quo as ASMF recommended. Find it contradicting trying to change the size limit based off why it was changed in the first place to protect the most abundant size class. Yes they are growing and will eventually be big but as of now the 31-35in fish are the ones that need to have the most focus. These fish are also the younger ones and produce almost 100% fertile eggs versus the older fish that have spawned their whole life and produce less fertile eegs now at this point in their life. Regardless of this I'm out there almost every day while the fish are here and what I see and every talented fisherman I know sees

just doesn't add up with the research that's been done. This will also result in a faster quota filling because anyone can go catch a 32in striper. It's easy. I'm also against no gaffing proposal. Not dealing with hooks in nets and wasting my fishing time while im trying to fill my limit. 6 hook points on doc style lures and x-raps it tangles the whole net and biggest waste of time even trying to net. Some of those bites are 30min and need every minute to get them. To me it's common sense to net borderline fish but if you can't tell what a 36in looks like you shouldn't be doing it. I'm 25 and been fishing my whole life and it feels this is being ripped away every chance there is from my generation and it's not right to me and everyone I know who loves to do this.

Thank you,  
Stephen Kalinick.

Sent from my iPhone

**From:** [Kevin Diaz](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Comment on DMF 2025 Proposed Commercial Reg Changes  
**Date:** Wednesday, February 19, 2025 1:03:06 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.

Director Daniel McKiernan,

I am writing to express my strong support for a reduction of the minimum slot size for commercial striped bass from 35" to 32." Specifically, I support a new slot of 32" to 44."

I and other commercial fisherman in the state have continually discussed our concern over the seemingly irrational policy the current regulations promote in that they encourage taking of the BOFFFFs — those that have potential to sustain the population. Plus, as a general rule, the bigger the fish the worse eating/mercury concerns. Additionally, lowering the minimum size makes sense and is crucially necessary. Opening the slot up to 32" smaller fish will allow for less catch and release mortality. Instead of throwing back a 34" fish with hopes it survives, that fish could be kept, and less overall fish would need to be caught and released. Less fish would be handled and put at risk. Of course, lowering the maximum size to 44" would require some catch and release here, but these huge fish are harder to catch and less prevalent. Thus there'd be less catch and release at this end of the slot.

In all I support the reduction of the size from 35" to 32" and also a capping at 44."

As a young fisherman, I hope DMF acts NOW to protect the stock in this way. The current regulations are outdated and lacking any justification beyond that credence they have garnered from their longevity.

If you could respond and let me know this has been received and considered that'd be great.

Thanks,  
Kevin

**From:** [Russ Iuliano](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Written comments to the 2025 Commercial and Recreational Fishing Regulatory Changes  
**Date:** Tuesday, February 18, 2025 3:18:24 PM

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Dear Director McKiernan,

I would like to submit written comments to the proposed regulatory amendments.

Striped Bass:

#2: Would like the minimum to remain at the current 35". keep more breeding fish in the water to spawn more fish.

False Albacore

#1: Clarify the language. What does five fish per day mean? five comprised of either species, or five false albacore and five bonito?

Commercial Summer Flounder

#1 and #2: I agree with the reduction. (summer flounder fishery needs this help, IMHO.)

Recreational Black Sea Bass Season

I agree, and thank you! Moving back to the Saturday Open date is a tradition that I appreciate and eagerly await. Shifting the closing date to keep the fishery window the same makes sense.

I appreciate your willingness to accept public comment.

About me: I am a recreational fisherman, in the Buzzards Bay, Vineyard Sound, Nantucket Sound, and sometimes Cape Cod Bay. I try to help DMF by participating in Kimberly Trull's SADCT program, and Michele's Striped Bass Mortality Study.

Thank you,

Russ Iuliano

27 Rockland St

So Dartmouth ma, 02748

781 820 3677

**From:** [Paul Sarkisian](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Striper bass.  
**Date:** Monday, February 17, 2025 10:10:24 PM

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Danial Mckieman

Please limit the killing of the breeders of Striper bass so we can have our fishery of small fish back

Thank you from Paul Sarkisian

[Sent from the all new AOL app for iOS](#)

**From:** [Capt. R. Todd MacGregor](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Commercial Striper Fishery 2025  
**Date:** Monday, February 17, 2025 10:59:01 AM

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My suggestions are my personal beliefs and not the position of any organizations of which I am a member.

I suggest that we try the 32" to 40" Commercial slot for 2025, for just 1 year, and see how it works out.

I predominantly fish Buzzards Bay, the Elizabeth Island and west parts of M.V. For the last few years, we have had literally millions of 24-38" fish with the majority of these fish being 27-34". Last year, the fish came through in waves with the Moons and we had good fishing until the Wind Farm pounding, South of Cuttyhunk and East of Coxes, resumed in August.

My reasoning is below:

When charter fishing, I have to keep moving my boat off the fish to make sure people don't catch too many fish. I am almost always trolling with short wire (90' plus mono leader) and light homemade jigs or J Plugs which are all using single hooks. If we catch 30-50 fish a ½-day trip and can only keep 5, this means that I release 25-45 fish. Although I would like to think that all released fish will live and I am very careful with the fish, I surmise that roughly 2% die -- even though we horse them to the boat and they are quickly released and swim away. If we catch a bleeder, the fish goes in the fish-box, regardless of size, and that counts as one of our keepers. I won't waste fish. I love all species of fish and recognize how charter and commercial rod and reel fishing has positively affected my life since the 70's. Throwing back a fish that we know will die violates the oldest moral concept of hunting and fishing; Wonton Waste.

I now commercial fish in the same manner. Unfortunately, to get 4, 6, 8, or 10 -- 35+" fish, I literally have to catch 150+ fish. How is this good for the fishery, even if the mortality rate of released fish is 2%? The answer is that it is not good for the fishery. I have totally stopped live Scup, live Eel, live Poggy and Yo-Yo fishing because I am sick of hooking fish too deep and I have also had straight circle hooks gut and gill hook Stripers. So, I only use single hook artificial lures now.

Very simply, if we adopt the 32-40" slot, it is my opinion that it will take fishermen less effort to get 15 fish and so many less fish will have to be caught and released. A secondary benefit is this size limit is more in line with the size fish that the NY and Philly restaurants want. They don't really want big fish. This 32-40" slot may even increase the per pound value. We will have to wait and see if this comes to fruition. The largest benefit is that we leave more individual fish in the water - unharassed - to eventually spawn.

The final point that I would like to make is that much less than 1/2 of our fish are Chesapeake / Delaware fish. The majority of our fish are Hudson River, CT River, Thames River and all the smaller rivers and estuaries along the coast. I base this on the literally hundreds of tagged fish I have caught and where they were caught since the mid 80's. Most of my Chesapeake and Delaware tagged fish have been caught at the Vineyard, and some at Cuttyhunk, mid to late summer. We don't see some of the Chesapeake fish coming back through Buzzards Bay in the fall like they used to in some years. This is partially due to the absence of Menhaden in Buzzards Bay in the fall, which is partially due to persistent Northeast winds. Also, we now lack effort chasing stripers in the fall as charters seem to want to Tautog fish and chase Bonito and False Albacore more now. I don't care, I will take them to fish for anything that is legal to target.

I appreciate you Gentlemen taking the time to read my email. Thank you for attempting to keep a

balance for all Groups (Rec, Charter, Comm) fishing for Stripers and all the species in our diverse and vibrant ecosystem. I realize that your jobs are not easy.

Thanks -- Todd Mac

**Capt. Todd MacGregor;** *USCG licensed Master*

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**From:** [Tom Bolinder](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Proposed regulations  
**Date:** Monday, February 17, 2025 7:52:16 AM

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It is my belief that all commercial fishing for striped bass should be stopped. I know that recreational fishermen are accused of killing most fish, but the practice of catching and killing all the breeder fish over 35 " is to me ridiculous. The current slot limit here is a good one. Perhaps the one fish a day per fisherman could be reduced voluntarily to one a week.

Our Stripers are vital to the economy here on the Cape folks come from all over to fish here and have the opportunity to catch one of these magnificent creatures. I'll be 77 in April have fished for stripers all my life. I mostly catch and release all fish unharmed. Would be devastating not to be able to fish for them due to dumb regulations or their extinction. Please end commercial fishing for them. Last year was the poorest year ever in my lifetime.

As far as albies go, I'd like to see it a catch and release species only. Not used a bait for lobstermen .

Black Sea bass should be reduced to 3 per day limit.

Thanks for all you do to keep our waters teeming with fish.

Enforcement and arrest of violators would go a long way to end illegal taking of game fish.

Thank you

Tom Bolinder 241 shore Rd Bourne.

Sent from my iPhone



**From:** [jmacari1](#)  
**To:** [Fish\\_Marine \(FWE\)](#)  
**Subject:** Commercial Striped Bass Regulations  
**Date:** Sunday, February 16, 2025 3:20:59 PM

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**My input for forthcoming Striped Bass Public Hearing**

I would like to support either a 32" - 44" slot or 35" - 44" slot. These options would have the least reduction in quota.

Additionally, these slots would have the least release mortality. My experience has been that the majority of caught commercial STB would fall within these limits.

Thank You-

Joe Macari  
[jmacari1@cox.net](mailto:jmacari1@cox.net)

Permit# 050878

**From:** [Mark Sherer](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Cc:** [Mark Sherer](#); [Joe Macari](#); [Bill Barbour](#); [Kenny Landry](#)  
**Subject:** Commercial STB slot  
**Date:** Sunday, February 16, 2025 11:40:17 AM

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32" - 44" or 35" - 44" would be preferable as these options would have the least reduction in quota. Additionally, these slots would have the least release mortality since the majority of caught commercial STB would fall within these limits.

**From:** [Randy Sigler](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Commercial Striped Bass Regulation Comment  
**Date:** Saturday, February 15, 2025 10:39:32 AM

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Dear Director McKiernan,

I am excited to provide my thoughts relative to the proposed/possible management measures for the commercial striped bass fishery in MA.

As I suspect you are aware, I am a long time participant in the MA commercial striped bass fishery, and (I believe) among the larger harvesters in the fishery. As such, I hope you will weigh my input accordingly.

In terms of potential changes to size limits: **I am strongly in favor of a maximum size limit for the commercial Striper Bass fishery.** The “BOFF”s that you referred to are the lifeblood of our striped bass population, and I have long been concerned that our commercial fishery preys upon these valuable fish.

**I would be fine with a 42” maximum size limit.** My sense is that you are going to have great resistance on this issue, and certainly to going less than 44”, but I would feel much better about my commercial fishing activities if we were all constrained to a 42” maximum size limit.

I don’t feel fully informed enough to comment on the conservation pros/cons of lowering the minimum size ... seems like going down to 32” would be a little excessive, so my gut tells me that 34” or 35” is reasonable. That being said, I am ambivalent about this and would trust your judgement.

Lastly, **I fully support DMF taking unilateral action to protect the resource for our future.** DMF has long shown the willingness to lead, and be on the forefront of sound management of our marine resources. The fact that ASMFC has not yet embraced slot limits for the commercial fishery should not deter DMF from continuing to lead in this arena.

Regarding gaffing: **I fully support prohibiting gaffing of any striped bass.** I never did buy the argument that for safety reasons we need a gaff to get fish in the boat as quickly as possible. I have seen more than one angler fall out of a boat trying to gaff a fish, and a large net is just as effective (probably more so) at getting a large fish in the boat.

Furthermore, if someone is using a gaff to get fish in the boat, they likely are using it for all fish they think are legal size ... so fish close to the minimum or maximum size are at risk. Lastly, we know that high-grading does still exist in the fishery, and when the bite is hot, there are definitely fish released after being brought in as “keepers” ... having been previously gaffed, these fish would be less likely to survive.

To summarize my input:

- I am in full support of implementing a maximum size of no larger than 42" - 44" on the commercial striped bass fishery.
- I would tend to think a 34" - 35" minimum size would be reasonable
- DMF should not shy away from acting unilaterally to protect the marine resources of the Commonwealth.

Thanks so much for considering my input on this issue. Having been a long time and high volume participant in this fishery, I hope my input can be considered in final rule making.

Sincerely,

Randy Sigler  
1 Peabody Ln  
Marblehead, MA, 01945  
617-459-1798  
randy@striper.com

**From:** [Randy Sigler](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Total Length Measurement in the Striped Bass Fishery - Comment  
**Date:** Saturday, February 15, 2025 10:39:26 AM

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Dear Director McKiernan,

I am excited to provide my thoughts relative to the proposed measurement standards for the recreational and commercial striped bass fishery in MA.

As you know, I run a substantial charter business here in the state. Between our Kids Fishing Camp and our private charters, our eight boats ran over 1,200 charters in 2024 ... accounting for 5,000 (+/-) angler days. The vast majority of these trips targeted striped bass. And to be clear, our business thrives because there are striped bass to be caught ...not because there are striped bass to be harvested. We strive to release the vast majority of the “legal” striped bass we catch. Our seasonal average of fish retained hovers in the 150 - 200 fish per season. This is less than 1 fish per 20 “angler days”. Our business would suffer far less if there were a possession moratorium vs not having fish to catch.

I share this background in order to give you a sense of scale and perspective into the value of my comments.

I have been highly concerned over the past two to three years at the incredible lack of fish in the 16 - 24” range. These fish have, for the last 40 years, been prolific in our local waters. We have noticed a dramatic fall off in their numbers over the last few years ... and that brings me much stress, concern and fear for my business (and the eight to ten charter captains that I employ). Although our current fishing conditions have been robust, without these young fish coming up the ladder, it won’t be long before our catch rates (and likely our business volume) begin to plummet.

Even if we have several banner recruitment years over the next few years, there is a large void in the population that will need to work it’s way through.

This is not directly relevant to the measurement issue, but I share for the sake of showing that we welcome ANY management measures that will help protect/enhance the number of fish summering in our local waters. Reduced harvest ability is far less a concern compared to reduced “catching” opportunity.

In regards to the proposed measurement options and rationale, I (and my guides) fully support a unified approach to measurement. It seems to us that the “squeezed tail” method offers the best approach because it would result in the least variability in how it is performed. The “fanned tail” method still leaves variability as to “is that really fanned the most? I can manually fan it further, but when I let go it returns to a different shape” Furthermore, the “squeezed tail” approach protects larger (more fecund) fish from the harvest slot.

Please accept this comment as being in **full support of enacting a defined measurement of striped bass by fully squeezing the tail to when measuring.**

As always, many thanks to all at the DMF who work with such commitment to managing and preserving the incredible array of marine resources we have in our state.

Sincerely,

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

**From:** [Captain H](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Please, this is kind of silly The solution is easy...  
**Date:** Friday, February 14, 2025 10:43:18 PM

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Every recreational saltwater license should come with 1 optional striped bass tag.

If the recreational fisherman chooses to purchase a tag it could be used on one fish that does not fit the "Slot"

The cost of the tag could be \$20.00 and only one tag / season could be purchased/ year

If the fisherman keeps a "schooly" or a "trophy" fish the rules are the same. He/she must surrender the tag to the department

Of marine fisheries, If he or she inadvertently mortally injures a non-legal fish again he/she must surrender the tag.

The fish could be taken to any approved facility where the tag could be turned in and the fish weighed and measured.

(For instance, Bass Pro accepts tags for Deer.)

Most bait shops would also be approved.

The check in station would keep the tag and would be able to redeem it for 10.00 with the state.

The other 10.00 would go to marine fisheries.

Thanks for reading...

Howard Orel





**From:** [Jeff Clabault](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Striped Bass mgmt!  
**Date:** Friday, February 14, 2025 5:11:30 PM

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Director McKeirnan-

Hello- the commercial striped bass season in MA is as unnecessary as it is damaging. In the 20 years I owned a tackle shop on Cape Cod, Forestdale B and T in Sandwich, I met less than 5 people who were actual "commercial fishermen". All of the others killed fish to pay for gas and boat upkeep. If a season must exist, an upper size limit of 38"...or less...makes the most sense as the larger female fish produce the most eggs.

Re gaffing...no brainer. Why would anyone support sticking a gaff into a fish that may have to be released? I knew MANY "commercial" guys who cared zero about damaging bass and then releasing them to float away. Bottom line- Striped bass are a precious resource that must be protected, on both the recreational and commercial sides of the fishery.

Jeff Clabault  
Forestdale, MA

**From:** [Mike Alesse](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Commerical public response  
**Date:** Sunday, March 16, 2025 3:44:41 PM

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Dear director Dan ,

Preposition 1 “ measuring fish”

I suggest we adopt the pinch the tail method. Making clear rules helps with the recreational slot limit

Preposition 2 “adopting size limit on commercial “

Absolutely no way! Lot of science shows that the big females do not swim back to the breeding grounds. The peak spawn age for bass is 4-8 years old “32-38”. This is a no brainer for me the amount of dead discards will be way greater than 9% ! You would be looking more around 20-25%. Thats not conservation! If we want to protect the next years spawning fish there needs to be more action taken on gill nets and the crazy amount of pounds on the Chesapeake commercial quota.

I cant even fathom the amount of damage this can bring to the markets. Mass is know for having the big best quality fish.

If any action was taken should be on management of are quota and how we can ensure the best price for the fisherman. Cutting the amount of permits is the start. If you are active and use the permit for the right reasons. Too many use this for (catching a big one, using it to get tax free parts) some even make up trip reports “ just to fill them out”. Wish we were taking about sub quotas and trip triggers. I oppose this.

Preposition 3 “gaff”

The gaff is the number 1 tool in a fishermans arsenal! Makes handing fish a breeze. The net can be unsafe and tangle. Short fish get the net and big ones get the gaff its that simple. If we see some one using a gaff on smaller fish you know they will

Get an ear full. I oppose this !



# 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 K. O'SHEA  
Commissioner

DANIEL J. MCKIERNAN  
Director

### MEMORANDUM

TO: Marine Fisheries Advisory Commission  
FROM: Daniel J. McKiernan, Director  
DATE: March 21, 2025  
SUBJECT: **Recommendation for 2025 Commercial Menhaden Management**

#### Recommendation

I recommend that the Marine Fisheries Advisory Commission (MFAC) vote in favor of revising the trigger that drops the limited entry fishery's trip limit from 25,000 pounds to 6,000 pounds so that it occurs if 98% of the quota is reached on or after September 1 (rather than if 90% quota-use is reached prior to September 1).

Additionally, I intend to use the August 1, 2023 control date to further limit access to the limited entry menhaden fishery in 2026. This will be done by limiting renewals of the Menhaden Endorsement to only those permit holders with a minimum of one landing of at least 6,000 pounds of menhaden between January 1, 2014 and August 1, 2023 or those who hold a Menhaden Endorsement in conjunction with a Fish Weir Endorsement. I am not taking any action relevant to the CAP-Purse Seine Endorsement control date to limit entry into the small-scale menhaden purse seine fishery. As this is a permitting action being proposed pursuant to the Director's authority at G.L. c. 130, §80, rather than G.L. c. 130, §17A, its implementation does not require an affirmative vote by the MFAC. However, I do seek consensus from the MFAC to move this forward and encourage members to provide me with their feedback on this decision.

Lastly, I am using my discretion to initiate a Harvester Partnership Pilot Program in 2025 through the issuance of Letters of Authorization. This program will allow eligible menhaden purse seine vessels to share the catch from their net with another similarly permitted and rigged vessel. Because this will be a "pilot program" and not result in a regulatory change at this time, this decision does not require an MFAC vote. However, I do seek the MFAC's support to initiate this program for 2025 and encourage members to provide me their feedback as part of the broader menhaden management discussion.

These recommendations differ in several ways from the hearing proposals that I presented to the MFAC at its November 2024 meeting<sup>1</sup> in response to public input received during the February

<sup>1</sup> Refer to page 18 of the November 2024 MFAC [meeting materials](#) for more details.

14–March 16, 2025 public comment period, including two hearings on March 10 (Gloucester) and March 11 (Bourne), as described herein.

## **Background and Rationale**

### Trip Limit Trigger Adjustment

Under current rules, Menhaden Permit Endorsement holders begin the directed fishery with a 120,000-lb trip limit on May 15<sup>2</sup>. If 50% of the quota is taken prior to September 1, the trip limit drops to 25,000 lb; if 90% of the quota is taken before September 1, it drops again to 6,000 lb; and if 90% of the quota is taken after August 31, the trip limit is 25,000 lb. Additionally, on October 15, should 10% quota remain, the trip limit increases to 360,000 lb. At 100% quota use, purse seining is prohibited for both limited entry and open access harvesters, the latter of which have a 6,000-lb limit beginning May 15.

This management approach, which has been refined over time, attempts to balance quota utilization and season length for the range of harvesters and across varying resource availability conditions. In particular, the 90% quota-use trigger was added when—under the interstate plan—purse seines were removed from the gears that may continue fishing at 6,000 lb limit after a state’s quota is taken. While effective at preventing an early season closure as intended, the 90% trigger—at current quota and fishery participation levels—is also hindering full quota utilization and preventing state access to the Episodic Event Set-Aside (EESA). The EESA, a 1% set-aside of the coastwide quota managed by the Atlantic States Marine Fisheries Commission, is only accessible to the eligible states if they use 100% of their quota prior to September 1. To more fully utilize our state quota and allow our fishers potential access to the EESA, DMF proposed to either rescind the 90% quota-use trigger or revise it to be in the range of a 95–98% quota-use trigger.

Public comment was entirely in favor of DMF’s proposal to modify the 90% quota-use trigger for the reasons stated. This support came from across the range of fishery participants (i.e., open access and limited entry permit holders). However, there remained a desire for some assurance of small-scale access at the 6,000-lb limit into late-August and September and there was concern that fully rescinding the trigger could result if a complete fishery closure should the EESA or state quota transfers not be available.

To balance these competing interests, I am recommending a trigger that drops the trip to 6,000 lb only if 98% of the quota is reached on or after September 1. Under this approach, the fishery will not be hindered from reaching 100% quota use if prior to September 1—when the EESA may be available. However, if the quota lasts into September, when EESA is no longer available, the last 2% of quota (over 200,000 lb at the current quota level) will be reserved for small-scale access.

Explained in more detail, if the fishery achieves 100% quota use prior to September 1, Massachusetts will opt into the EESA to continue the purse seine fishery. By state regulation, the default trip limit for the EESA is 6,000 lb but the Director may establish a different trip limit by permit conditions (in consideration of such factors as date of entry, amount of EESA available, and the number of participating states). The trip limit would be set to ensure small-scale access

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<sup>2</sup> The Inshore Net Areas do not open until June 1 however.

throughout the season. If the EESA were already taken in this scenario, DMF would request a quota transfer from another state(s) to continue the purse seine fishery. The default trip limit would be 25,000 lb (based on the quota transfer bringing quota use back to between 50 and 100% prior to September 1). DMF would aim to get enough transferred quota to not reach 98% quota-use until September, such that the 6,000-lb limit would be triggered later.

Alternatively, if the fishery carries into September (at the 120,000 or 25,000-lb trip limit), the trip limit would drop to 6,000 lb if 98% quota use is reached. EESA would not be accessible (per the FMP opt-in deadline) and the trigger would allow the small-scale purse seine fishery to continue. If the 2% set-aside were insufficient to continue the small-scale fishery into the fall, or if other conditions such as high resource availability and strong bait demand warrant it, DMF could still request a quota transfer in an amount that would either extend the 6,000-lb fishery or temporarily revert the trip limit back to 25,000 lb.

### Permitting and Effort Control

Menhaden Endorsements—the regulated fishery permit endorsement needed to access the higher trip limits—have been limited in entry since their inception in 2014. While issuance has declined to some degree through non-renewal, only a fraction of Menhaden Endorsements are regularly active. CAP-Purse Seine Endorsements—the permit needed to operate in the small-scale purse seine fishery at the 6,000-lb limit—are open entry. While few CAP-Purse Seine Endorsements are regularly active, their issuance has increased seven-fold in the last decade.

In 2023, DMF adopted a control date of August 1, 2023 for both the Menhaden Endorsement and the CAP-Purse Seine Endorsement. This was done to address industry concerns about potential new effort amidst declining quotas for other bait fisheries that would jeopardize the current management approach and participant profitability. These concerns were discussed again at a fall 2024 scoping meeting for 2025 menhaden management, which led DMF to propose employing the control dates to effect 2026 permit issuance.

In consideration of the public input received on this issue, I am planning to limit the renewal of Menhaden Endorsements in 2026 to those with a minimum of one landing of at least 6,000 pounds of menhaden between January 1, 2014 and August 1, 2023 or those held in conjunction with a Fish Weir Endorsement. I estimate that this will decrease the number of Menhaden Endorsements from 51 in 2024 to as few as 18 in 2026: 13 based on the activity threshold and five based on a Fish Weir Endorsement.

Current fishery participants and other types of stakeholders supported removing the large amount of latent effort in the limited access fishery. Activation of this latent effort would drastically impact the fishery’s current operation, with consequences to season length, market price, profitability, and user group conflict. Regarding the selected activity threshold, the 6,000-lb criteria aligns with operating beyond the open entry level and is consistent with criteria used for the initial issuance of the endorsement. There was skepticism of the alternative 1-lb criteria with the potential for misreporting to make a permit eligible. Two permits are excluded by using the 6,000-lb threshold instead of 1-lb, only one of which appears to have legitimate small-scale landings, but by a surface gillnet. Regarding the selected reference period, the ten-year “lookback” encompasses all the years of Menhaden Endorsement issuance and provides for the

inclusion of several traditional participants that helped establish Massachusetts' initial quota allocation. Several of the eligible permits are now associated with mid-water trawl vessels that have recently and successfully engaged in menhaden fishing off Mid-Atlantic states, as was raised with concern in several public comments. Importantly, we don't anticipate this activity will come to Massachusetts state waters based on permit requirements and/or minimum mesh sizes, nor would federal waters catch be landed here based on our trip limits, with the possible exception of the late season 360,000-lb trip limit designed to encourage such landings should quota remain.

Public comment on my other proposal to stop issuing new CAP-Purse Seine Endorsements in 2026 has compelled me not to move forward with the proposal at this time. It was noted that these endorsements offer an opportunity for the next generation to gain experience in the fishery, for lobstermen to collect their own bait, and that the open entry fleet's potential impact on quota use is sufficiently limited by the 6,000-lb trip limit, particularly given that most do not have Inshore Net permits. Current endorsement holders preferred to keep future issuance open even while recognizing that their permits would appreciate in value from limiting entry. Should a more tangible threat to the current operation of the fishery materialize from the open-entry nature of this endorsement, the control date will remain in the regulations should its use (or an updated version) be warranted in the future.

#### Harvester Partnership Program

At the scoping meeting this past fall, I was asked to consider an allowance for menhaden purse seine vessels to share their net's catch with another vessel, such as in the instance of making a set that exceeds the trip limit or the vessel's carrying capacity. The proponents argued this could reduce the release of dead fish and help get vessels off the water faster with a benefit to reduced user-group conflict, and they referenced a similar allowance in the state of Maine. Such sharing is currently not allowed in Massachusetts unless the second vessel is a documented carrier vessel, and in that case, the aggregate landing of the harvester vessel and the carrier vessel can not exceed the trip limit, whereas the proposed allowance would enable both harvester vessels to land the trip limit individually. The potential allowance was widely supported by current fishery participants at the hearings. Others cautioned that the allowance not be established in such a manner as to encourage new effort.

For the reasons given by the requestors, I intend to grant this allowance—in a limited manner—under a pilot program in 2025. This will be accommodated through the issuance of Letters of Authorization and Statement of Permit Conditions. I am not interested in establishing an allowance that leads to new effort in the fishery or fundamentally changes its characteristics. For this reason, vessels working together will need to be similarly permitted (i.e., both having a Menhaden Endorsement or both having a CAP-Purse Seine Endorsement) and rigged with purse seine gear capable of catching what they land. A vessel will only be allowed to partner with one other vessel per day (through vessels could change who they partner with day to day as suggested in comment). Each partnering vessel can only take fish from the net, not from the other vessel (i.e., no transfers at sea), and must bring the fish ashore themselves. Participation will be limited to current fishery participants as follows: all Menhaden Endorsement holders will be eligible to participate because we are moving forward with reducing latent effort as described above; and only those CAP-Purse Seine Endorsement holders that have documented landings in

the year prior (in this case 2024) will be eligible to participate. Permit holders will have to apply for an LOA, and the LOA will list those vessels with which they may partner. These restrictions are designed to proceed with an appropriate level of caution into this new pilot program.

**Enclosed**

Written public comment

**From:** [ANDREW GYLYNN](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Pogies  
**Date:** Saturday, March 15, 2025 5:18:38 AM

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My name is Andrew Glynn .I have been building my new boat Bre-Jay for the last two years . I got my cap for seine fishing and rigged the boat for the 2025 seasons. I also rigged my other boat the Ridla . A control date of August 1 of 2025 would allow me to stay in the fishery. My lobstering uses a lot of bait and the price has soared for bait. I'm hoping that I can help lower that cost for a few other captains. Pogie seining on my boats will add maybe 6-10 jobs to my area both land and sea .Thank you very much Dan M and to whom it may concern. Sincerely Andy Glynn  
Sent from my iPhone



**From:** [Paul Axelsson](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Cc:** [Silva, Jared \(FWE\)](#); [Reed, Story \(FWE\)](#)  
**Subject:** Menhaden Permitting March 10th  
**Date:** Friday, March 14, 2025 10:47:41 AM

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Director Daniel Mckiernan,

Hello My name is Paul Axelsson, Axelsson Seiner Inc. Purse seiner Opportune and fish carrier Onnered.

I attended the meeting on March 10th in Gloucester.

I am one of the seiners largely responsible for the coastwise quota percentage that Massachusetts now enjoys. During the qualifying years there were millions of pounds caught by the Opportune transferred to carrier vessels and landed in Massachusetts from the Mid Atlantic when there was no fish north of Rhode Island.

I believe it appropriate to limit the number of menhaden endorsements to the most restrictive set! One 6000 pound trip from January 1st 2019- August 1, 2023. Making it 13 qualifying Menhaden endorsements. There are two reasons for my rationale behind this decision.

1. The one pound qualifying criteria can easily be a lie made up by someone who wants to get an endorsement and flip it for for money. A person with no experience or investment in the fishery!
2. Out of the 13 qualifying menhaden endorsements I know of only 11 active since 2019 and who I would consider them experienced in the fishery. Also within the 13 endorsements only 3 or 4 have the carrier boats capable of the three truck limit, with that being said limiting the endorsements to the most restrictive would keep the fishery viable and give incentive to the smaller operations to invest more, knowing that it is limited to the current participants with no threat of new entrance.

It may look as though this statement is a greedy one. I don't believe so. Before quotas it took the form of "may the best man win" sort of thing. Limited only by nature, ones experience, and efficiency. Purse seining is an intense and can be a highly stressful fishery with a lot of moving parts involved. If there is to be quotas then I also believe in limited entry.

I request that you leave the fishery to the experienced ones in it and not hand the fishery over to many people with fantasies of being seiners. The fishery looks easy on the outside but to the ones that are where we stand now know what it takes to call yourself a seiner! Capping it at the most restrictive would also benefit the whole by less conflict between coastal residents and the recreational community.

Also I move to ask and agree with being allowed to pass off extra fish to another boat if you catch too much. Only if it is limited to the most restrictive 13 number. The reason for this is just for say you have the 25 number of boats out there and only half who have experience in the fishery. This could easily become a tempting double load for some that may go that route, then leads to complication and enforcement issues.

Kindly and thank you for reading,

Paul Axelsson



**From:** [Daniel](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Menhaden  
**Date:** Thursday, March 13, 2025 1:53:06 PM

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Dear Director McKiernan,

I am writing to comment on the three Menhaden Proposals.

I would like to ask DMF to please consider rescinding the 90% catch trigger. I believe it is important that we catch 100% of our allocation and take it a step further to apply for EESA and quota transfers. I believe by doing these measures will bolster our fishery and it will secure it for the future.

I would like to ask DMF to please consider limiting renewals for Menhaden endorsements. I feel that a one pound landing as a threshold is not active commercial fisherman. In fact, it is easy for somebody to buy a box or two of menhaden and turn around and resell it to keep a landing on their permit.

I support reference period 1/1/2019-8/1/23 (5 years) with a landing threshold of One 6,000-lb trip. I feel a 6000-lb landing is a legitimate catch with a seine or net.

The fishery is operating at a good balance right now. Any more effort could exhaust quota faster, lower the price and make the season shorter.

I would like to ask DMF to please consider allowing vessels to transfer fish from their nets. The proposal has many benefits. First, it will help with slippage of stressed or dead fish. Second, there will be less interactions with other fisheries. Finally, there will be a fresher landed product. I do not support having a partner vessel assignment. Having a partner vessel will have its challenges. For instance, your partner vessel maybe not fishing that day, or they are 2 hours away from you. I feel it should be left up to the catcher to whom he gives fish to.

All the Best,

Daniel Murphy  
FV Tribiah Lee

**From:** [Brian Kelly](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Director Daniel McKiernan: Proposed Regulatory Amendments  
**Date:** Thursday, March 13, 2025 12:48:28 PM

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Dear Director Daniek McKiernan,

Thank you for your time and consideration to my insight as a Full-Time Captain and Fishing Guide from May-October on a calendar year. Targeted species are primarily catch and release trips of Striped Bass and False Albacore. I serve the Sportfishing enthusiast who has limited to no interest in taking a fish home. So I will be commenting on the amendments that directly serve them. I am reliant on a healthy stock of Striped Bass and False Albacore and Mendhaden as a primary food source for the large adult breeding class of Striped Bass as well the other species that rely on the food source (whales, dolphins, tuna, sharks, seals, blue fish and striped bass).

**Striped Bass Management (322 CMR 6.07). To benefit striped bass conservation, DMF proposes to:**

- 1. Amend how total length is measured by requiring commercial and recreational fishers squeeze the tail together to determine compliance with minimum and maximum sizes.**
- 2. Establish a slot limit for the commercial striped bass fishery with a minimum size no smaller than 32" and a maximum size of up to 44".**
- 3. Extend the recreational fishery prohibition on the use of gaffs and other injurious tools to the commercial fishery.**
- 4. Delete outdated language regarding filleting restrictions.**

As a conservationist who devotes his time in educating the public of an overfished fishery of Striped Bass. With 6 prior years of failed spawns we are reliant on a stock of larger fish now to serve the recreational and commercial fishery. Any measures to be put in place are strongly recommended from a science based approach of the American Saltwater Guide Association an organization with a message of better business through conservation.

Around the world, fish are measured to the fork. Not to the tip of the tail. These are how world records are measured.

A slot limit for a commercial fishery will further protect the breeding classes of fish, measuring over 44 inches. What's a total age of at least thirty years from recent scientific studies. While still allowing a commercial fishery.

Gaffs are a fatal tool used prior to measurement and should have no allowance in a declining fishery.

Having racks of fileted fish help enforce a slot limit for recreational fishing. As long as that is in the language you have a improved system.

**False Albacore and Atlantic Bonito Limits (322 CMR 6.42). To address emerging growth in the fisheries for these species absent stock assessments and fishery management plans, DMF proposes to:**

- 1. Limit the retention of false albacore and Atlantic bonito by any fisher to no more than five (5) fish per person per calendar day.**
- 2. Adopt a minimum size for retention by any fisher at 16” fork length.**
- 3. Consider an exemption to the proposed possession and size limits for the incidental catch of these species in commercial mackerel jigging operations.**

My charter season arrives of 60 trips a year targeting False Albacore with a bi-catch of Bonito. Some of my anglers will take Bonito home as it is a tastier fish. I am in favor of two items on the outline for a limit of 5, Minium size of 16 inches, with no exemption for commercial operations.

**Commercial Menhaden Management (322 CMR 6.43, 7.01, and 7.04). In response to recent fishery performance and the high level of latent permits, DMF proposes to:**

- 1. Rescind the quota use trigger that drops the limited entry fishery’s trip limit from 25,000 pounds to 6,000 pounds when 90% of the annual quota is taken.**
- 2. For 2026, use the existing August 1, 2023 control date for the limited entry Menhaden Endorsement to limit renewals only to those permit holders who reported selling at least 6,000 pounds of menhaden during the period of January 1, 2019 – July 31, 2023 or who hold this endorsement in combination with a Fish Weir Endorsement and have a history of taking fish by weirs during the period of January 1, 2010 – December 31, 2024.**
- 3. For 2026, limit issuance of Coastal Access Permit – Purse Seine Endorsements to only those persons who held the endorsement prior to the existing August 1, 2023 control date.**

**Then adopt a control date of December 31, 2024, which may be used in the future to further limit entry based on to-be-determined eligibility criteria.**

With any measures to enact to ensure conservation for a vital source for our coastal fishery is needed. From the gulf coast to the east coast these bait fish are a primary food source.

Regards,  
Captain Brian Kelly

**From:** [Mark Mattson](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** attention of Director Daniel McKiernan Comments on Regulations  
**Date:** Monday, March 10, 2025 11:40:30 AM

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Dear Director Daniel McKiernan,  
thank you for the opportunity to comment on proposed changes. It appears some fisheries are overfished. Even black sea bass and fluke are hard to catch legal sizes. I ask that commercial fisheries be eliminated, or at least very strictly limited. The fish belong to the people, not the industry. It is your job to protect them. Do your job.  
thanks Mark Mattson

**From:** [Damian Parkington](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Attn Director McKiernan re: proposed regulation changes.  
**Date:** Friday, February 28, 2025 8:54:11 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.

To whom it may concern,

Thank you for the opportunity to comment on the proposed regulation changes. I unfortunately will not be able to attend either of the public in person meetings but wanted to include my opinion on a few of the proposals.

The wording of the “prohibition of mechanized deployment of baits “ 4.9:2 would seemingly prohibit all methods of line fishing that are not explicitly casted rod and reel. This would make illegal: tub trawling, power trolling and buoy drop line fishing with a baited hook. Certainly most of the dogfish fleet is still tub trawling with baited hooks. Until his passing a few years ago Eddie Rittter was tub trawling fluke in his strip plank dory in the sandy areas of Provincetown harbor. I can’t imagine that DMF wants to include this historical and very “clean” fishing method in the prohibition.

I also would disagree with not allowing the presentation of real baits in power trolling for Bass, blues, tuna, Bonita etc.. often a strip of bait is added to a jig when utilizing mechanical reels.

In regards to the proposed control date additions and modifications to the menhaden and groundfish fisheries; I encourage Ma DMF to use the regulation to encourage small boat and younger fishermen as well as protect the versatility of established Massachusetts commercial fishing enterprises. I believe the CAP purse seine should remain an open access 6000lb fishery. The issue of bait for lobstermen is and will be ongoing and keeping bait harvester direct to fishermen or fishermen bait harvester options is important.

Lastly I believe when the Groundfish control date was updated in 2018 there were many comments during the public meeting encouraging DMF to not take any action that would address latent effort. The general feeling was that younger and older fishing operations need to remain as versatile as possible and that as we are all adopting to changing ocean conditions. I want to reiterate this sentiment. The regulation and management needs to support our ability to have diversified fisheries.

Sincerely  
Damian Parkington  
Wellfleet, Ma

Sent from my iPhone





## Massachusetts Striped Bass Association

*Since 1950*

March 11, 2025

Massachusetts Division of Marine Fisheries  
30 Emerson Avenue  
Gloucester MA 01930

Dear Director McKiernan.

Please accept the following as formal comment by MSBA in response to the suite of state management proposals presented during the public hearings held on March 10 & 11, 2025.

### **Striped Bass Management**

#### **Total Length Measurement:**

MSBA supports the proposed change. We agree with the rationale that current regulations can cause an angler to manipulate total length to comply with the slot limit. MSBA agrees the proposed change will clarify proper measurement and enhance enforcement.

#### **Commercial Slot Limit:**

MSBA neither supports nor opposes a specific change in the commercial slot limit and offer the following comments to inform your final decision:

- Many of our members support a maximum size limit in relation to the BOFF management strategy
- Many of our members feel post release mortality increases & survival is less likely for very large fish of 50" and higher.
- Some of our members feel it is more important to leave a fish in the spawning stock for as many years possible prior to harvest and feel removing a 32" or 33" fish from the spawning population is too soon based on current stock status. These members would rather not see a drop in the commercial size limit below 35" or 36"
- MSBA is concerned lowering the MA commercial size limits will focus harvest on year classes the recreational slot is attempting to protect. We feel this aspect of the proposal was not explained in a way that we can choose the best commercial slot limit for the overall health of the stock.
- MSBA believes allowing harvest of fish below 35" may put MA commercial fish in direct competition with other states in the coastal market and this competition may lower the price per pound & overall value of the fishery. We advise MA DMF to obtain input from commercial buyers to better understand the proposed changes.

#### Prohibition on Gaffing in the Commercial Fishery:

MSBA members have voted on this subject multiple times. MSBA supports prohibiting the use of gaffs in the striped bass fishery. In our experience the best anglers cannot consistently distinguish between lengths of only a few inches while a fish is in the water.

We have heard the claim that fish under 40” do not require a gaff and “are swung into the boat.” We feel this behavior should also be prohibited. Swinging a fish into the boat to land hard on a deck prior to release significantly decreases the chance of post release survival.

We also reject claims that use of a net over a gaff causes a safety issue due to time required especially when fishing within a fleet. The operator of a vessel should never be in a situation where a few extra seconds puts the boat in jeopardy. MSBA urges MA DMF to prohibit the use of a gaff in the striped bass fishery

#### Consistency in Striped Bass Management:

MSBA believes that due to the open access nature of both the MA For Hire permit and the MA Commercial Striped Bass Endorsement; there is no “fleet wide” skill difference between private anglers, for hire anglers & commercial anglers when it comes to the striped bass fishery. It is our experience each of these modes has a range of anglers with various levels of experience and skill when it comes to use of gear and the desire, willingness and ability to care for fish intended for release.

MSBA urges MA DMF to consider consistent regulations when it comes to prohibition on gear & technique. An example of this is the use of a weighted treble hook. If use is prohibited for one fleet of striped bass anglers; it should be prohibited for all who participate in the striped bass fishery.

### **Menhaden Trip Limit Triggers & Permitting**

MSBA participated in a twenty-year campaign to improve the coastal management of Atlantic Menhaden and restore abundance to Ma state waters. We feel the stock is in good shape and the current size of the active commercial fishery is sustainable.

MSBA understands that a majority of the existing MA Menhaden permits & the lesser 6000-pound permits are inactive. We predict that if even half of these latent permits suddenly became active there would be numerous problems in the MA commercial menhaden fishery. Those problems would include localized depletion, user conflict with the recreational fishery and value of menhaden in the market.

MSBA urges MA DMF to take action that freezes the current size of the MA commercial menhaden fishery. We further encourage MA DMF to create a pathway for the transfer or sale of existing active permits to be passed on to further generations of commercial anglers. We want to lock in the current size of the fleet in perpetuity and make sure future generations of small boat commercial anglers can participate in this traditional fishery.

Our largest concern is the recent development that former large scale high catch volume mid water herring vessels have entered the menhaden fishery in other New England States. MSBA urges MA MDF to take Emergency Action to prohibit these oversized industrial fishing vessels from disrupting the inshore state waters menhaden fishery.

### **False Albacore Management**

MSBA supports establishing regulations but is opposed to combining regulations for False Albacore & Atlantic Bonito. Although we acknowledge both species are targeted in the same inshore fishery with lesser present species such as Spanish mackerel and southern kingfish; harvest and use of both species is not the same. Atlantic Bonito have a high food value and False Albacore have little to no food value. Both species are not the same size at all ages and are harvested in other locations at different sizes. Both species also have established value as bait but are used as bait in different ways.

MSBA supports MA DMF creating a minimum size limit for False Albacore. We feel the minimum size limit should be 19” but are not opposed to the proposed minimum size limit of 16”.

MSBA supports a daily possession limit of not more than THREE False Albacore. This allows for their use as bait in the Big Game offshore fishery, their use as chunk bait for bottom fishing, lobster bait and for the very few people with a desire to harvest this species for personal consumption or pet consumption.

### **Atlantic Bonito**

MSBA supports establishing regulations but is opposed to combining regulations for False Albacore & Atlantic Bonito. Although we acknowledge both species are targeted in the same inshore fishery with lesser present species such as Spanish mackerel and southern kingfish; harvest and use of both species is not the same. Atlantic Bonito have a high food value and False Albacore have little to no food value. Both species are not the same size at all ages and are harvested in other locations at different sizes. Both species also have established value as bait but are used as bait in different ways.

On the South side of NY & NJ there are for hire head boats that both target and encounter Atlantic Bonito in the same manner as they would mackerel. On those boats it is not uncommon to harvest a few dozen small bonito for table fare.

MSBA supports MA DMF creating a minimum size limit for Atlantic Bonito. We feel the minimum size limit should be the proposed 16”.

MSBA supports a daily possession limit of not more than FIVE Atlantic Bonito per person. This allows for their use as table fare in both small and larger sizes and as live bait. We feel five fish is a reasonable balance between conservation and harvest.

### **Constraints on Shore Based Shark Fishing**

MSBA is opposed to the proposed prohibition of shore-based shark fishing.

MSBA believes this is an overreaction to a few instances of social media content creators intentionally & illegally targeting Great White Sharks and a related failed enforcement case. MA DMF has not presented evidence of any injuries or harm done by recreational anglers legally shark fishing from shore and we see no reason to punish a few thousand without actual evidence legal shark fishing causes harm.

MSBA is aware of existing shore-based shark angling on the North side of Cape Cod and in Boston Harbor.

Shore based Shark Fishing is 100% catch & release, provides most of the tagging data for inshore shark research & we feel there is no scientific reason to prohibit this small niche fishery.

MSBA also sees this as an issue of equity and fairness. For example, why would shark fishing in Duxbury Bay be allowed from a boat or a kayak but not from shore. We see this as unfair.

### **Prohibition on Shore Based Chumming**

MSBA is opposed to a prohibition on shore-based chumming.

Shore based chumming is done in many ways and in multiple fisheries including shark, winter flounder, scup, blue fish and striped bass fisheries.

We understand there is a fear of drawing a shark to a bathing beach however there is no evidence this has happened even once.

Most shore-based shark fishing happens at night and in remote locations

local authorities already can prohibit fishing on bathing beaches.

Again, this is an issue of equity and fairness. If chumming is allowed on a boat, why would it be prohibited from shore without reason.

### **Limit Shore Based Anglers to Launching Baits by Casting Only**

MSBA is opposed to this proposal.

Anglers have been setting baits “beyond the breakers” in various ways for many decades and there is no evidence this causes a problem that requires prohibition.

The most popular method besides a rod is a kite with a release clip. Are we going to ban the use of kites off a million-dollar offshore boat or just the guy trying to get a bait past the breakers.

Dorys were used in the 1950's. Sling shots were sold to anglers in the 1960's. Radio Controlled boats have been around since the 1970's. Kayaks became popular in the 1990s. Bait cannons driven by CO2 were introduced in the early 2000's and the newest technology is the Drone. All of these products are part of the Billion-dollar recreational fishery and contribute to the economy. MSBA sees no reason to ban any of this gear.

### **Prohibition on Sale & Use of Lugworm**

MSBA agrees with the MA DMF concern that this bait could become an invasive species.

MSBA agrees this bait could be a biological threat to the local environment.

MSBA agrees this bait and its use should be prohibited

MSBA appreciates the opportunity to provide these comments.

Sincerely;

Patrick Paquette  
Massachusetts Striped Bass Association  
Government Affairs Officer



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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



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Governor

KIMBERLEY DRISCOLL  
Lt. Governor


REBECCA L. TEPPER  
Secretary

THOMAS O'SHEA  
Commissioner

DANIEL J. MCKIERNAN  
Director

### MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: March 21, 2025

SUBJECT: **Recommendation on Commercial Summer Flounder Management for 2025**

#### Recommendation

I recommend the MFAC approve the following actions affecting commercial summer flounder management in Massachusetts:

1. Reduce the Period I (January 1 – April 22) annual quota allocation from 30% overall to 15% overall.
2. Reduce the Period I trip limit from 5,000 lb to 2,000 lb.
3. Reduce the Period II trip limits during the summertime season (April 23 – September 30) from 600 lb to 500 lb for net fishers and from 400 lb to 325 lb for hook fishers.
4. Amend the in-season trip limit reduction trigger during the summertime season so trip limits are decreased should 75% of the quota be taken on or before August 15, rather than August 1. If triggered, the resulting trip limits would be 400 lb for net fishers and 250 lb for hook fishers.
5. Add a subsequent in-season trip limit reduction trigger during the summertime season to reduce trip limits to 200 lb for all gear types should 90% of the quota be taken on or before September 1.
6. During the summertime fishery, eliminate Saturdays as an open fishing day to start the season, resulting in six open fishing days per week (Sunday – Friday) during the period of April 23 – August 31. The fishery will maintain seven open fishing days per week in September (and beyond) given the predictable effect that deteriorating seasonal weather has on inshore fishing opportunities.

Additionally, I intend to renew the Consecutive Daily Limit Program for 2025. This is a pilot program for which annual renewal is at the discretion of the Director. Therefore, this decision does not require an affirmative vote by the MFAC. However, I do seek the MFAC's support to renew this program for 2025 and encourage members to provide me with their feedback as part of the broader summer flounder management discussion.

These recommendations differ in several ways from the hearing proposals that I presented to the MFAC at its November 2024 meeting<sup>1</sup> in response to public input received during the February 14–March 16, 2025, public comment period, including two hearings on March 10 (Gloucester) and March 11 (Bourne), as described herein.

### **Background and Rationale**

At our November 2024 business meeting, DMF provided an extensive review and analysis of the agency’s public hearing proposals affecting commercial summer flounder management. The crux of this proposal was to shift quota to the summertime fishery when the resource is more valuable to more of our permit holders<sup>2</sup> and to prevent an early season closure to allow some level of inshore fishing to continue into September to accommodate the Nantucket Shoals fishery that occurs later in the season and to allow Nantucket Sound trawlers to retain a bycatch of summer flounder when targeting other species (e.g., horseshoe crabs, whelk).

For 2024, Massachusetts was allocated a commercial quota of 599,507 lb. This represented a near 56% reduction in the quota available to the state compared to 2023<sup>3</sup>. Despite this quota reduction, the 2024 quota was in-line with landings in recent years. Accordingly, for 2024, DMF sought to only reduce the Period I trip limit from 10,000 lb to 5,000 lb and adopt in-season trip limit reduction triggers during the summertime period to reduce trip limits by about 20% if 75% of the annual quota was taken on or before August 1. I felt these adjustments were sufficient to prevent an early season closure. In terms of performance, the 2024 Period I fishery took its full 30% quota allocation on February 6. This left approximately 420,000 lb available to the Period II fishery, which lasted until August 27. The fishery was closed for the year on August 28. Quota consumption proceeded at a slightly higher rate than anticipated. This was driven by some younger fishers transferring into the fishery and being more active than the prior permit holders and a poor summertime squid season driving effort onto summer flounder.

DMF held an industry scoping meeting in November 2024 to discuss the performance of the 2024 fishery and how the fishery should be managed in 2025 given the 571,147-lb quota. The meeting was open to the public, but the attendees principally represented inshore, summertime commercial trawl and hook and line fishing interests. The discussion focused primarily on the late-August closure. Some fishers felt this closure occurred too early in the season and prevented the retention of summer flounder in September, while others felt this fishery performed optimally, as the quota was taken before value of the fish decreases in September. While opinions varied, there was a general sentiment that DMF could tweak the management program to ensure that some amount of quota remains available into September but not at the expense of taking the lion’s share of the quota before that point. Additionally, varied concerns were raised

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<sup>1</sup> Refer to page 26 of the November 2024 MFAC [meeting materials](#) for more details.

<sup>2</sup> From 2022 – 2024, average ex-vessel value for May – September is \$3.40 compared to \$1.90 for October – April.

<sup>3</sup> This reduction was driven by a 42% reduction in the coastwide quota that responded to the 2023 stock assessment which demonstrated that while the stock is not overfished, overfishing was occurring despite recent catch limit underages. The prior assessment had overestimated abundance, in large part due to the promising 2018-year class being much smaller than initially assessed. This also dropped the coastwide quota below 9.55 million pounds, which is the threshold at which quota is reallocated per Amendment 21. As a result, Massachusetts’ quota share reverted to its baseline 6.82%, rather than the near 9% share we received the two prior years.

about the Consecutive Daily Limit Program<sup>4</sup>, which are discussed in more detail later in this memorandum.

DMF then began to pursue a management strategy to ensure more quota is made available to the summertime fishery. This included the development of the public hearing proposals described in the November 2024 memorandum and an in-season adjustment approved by the MFAC at its December 2024 meeting to decrease the Period I trip limits from 5,000 lb to 2,000 lb for 2025<sup>5</sup>. Additionally, DMF informed the MFAC at this time that it would not renew the Multi-State Program<sup>6</sup> due to concerns that it was contributing to the early consumption of the Period I quota allocation and the lack of symmetry in state permitting systems across the participating states that results in Massachusetts vessels not having the same opportunities to land their summer flounder in other participating states as they have here.

In part due to the combined effect of the in-season adjustment to reduce the Period I trip limits and not renew the Multi-State Program, the Period I fishery in 2025 has landed just over 20,000 lb as of March 19 and approximately 96% of the annual quota remains. Accordingly, I expect a rollover of approximately 120,000 lb to the Period II fishery. Note that had this additional quota been available to the Period II fishery last year the fishery would have likely continued into the fall months under status quo rules.

It is with this backdrop that I make the final regulatory recommendations enumerated above and discussed in more detail below.

### Period I Management

My recommendation here is two-fold. The first element is to reduce the regulatorily set Period I trip limit from 5,000 lb to 2,000 lb consistent with this year's in-season adjustment. This limit is similar to the 4,000-lb bi-weekly landing limit authorized for 2025 in Rhode Island. The second element is to reduce the Period I quota allocation from 30% to 15%. By halving the quota allocation, I am dedicating more fish to the Period II fishery, particularly the summertime fishery. This is consistent with my plan to manage this state's quota to maximize its value to our commercial permit holders and seafood industry.

Public comment on this aspect of the public hearing proposal was limited to a single written comment by International Seafood, a wholesale dealer and primary buyer in New Bedford. The dealer advocated for DMF to adopt a 2,500-lb trip limit during Period I and renew the Multi-State Program. The comment also expressed concern that an underutilization of the Period I allocation would result in an underutilization of the overall quota given diminished participation in the summertime fishery. This is similar to what staff have learned through conversations with industry—Period I landings in 2025 have been limited by my decision to not renew the Multi-

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<sup>4</sup> This program allows permit holders participating in the summertime mixed species trawl fishery south of Cape Cod to land two days' trip limits of certain species (principally summer flounder) that were lawfully caught and retained over consecutive open fishing days.

<sup>5</sup> Refer to page 15 of the December 2024 MFAC [meeting materials](#) for more details

<sup>6</sup> This program was initiated among the northeast states in 2020 to allow vessels who hold fluke landing permits in multiple states to possess nonconforming quantities of summer flounder when offloading a state's limit provided fish destined for each state are segregated and clearly labeled and the limit for each state is not exceeded.



State Program, as permit holders with summer flounder permits in other states have opted to forgo landing in Massachusetts to land their catch in the other participating northeast states.

If my recommendation is approved as provided, I would consider renewing the Multi-State Program in 2026. However, it would be most appropriate for DMF to investigate if there are policies or rules in some of the other states that through residency permit requirements have resulted in any reduced opportunities for Massachusetts based vessels to land in those states. The reinstatement of the Multi-State Program would provide the offshore fleet with more robust access to a smaller Period I allocation and a 2,000-lb trip limit would allow for DMF to reliably monitor landings to avoid exceeding the allocation or closing the fishery without ample notice to accommodate offshore vessels who are fishing and intending to land in Massachusetts (which may potentially result in at sea discarding if the retained fish cannot be lawfully landed elsewhere).

#### Period II Summertime Fishery Management

There are several aspects to my recommendation affecting the management of the Period II summertime fishery. Each aspect is designed to slow the consumption of the annual quota to accommodate some level of fishing during September to the benefit of the Nantucket Shoals fishery and those inshore draggers seeking to retain a catch of summer flounder while also targeting horseshoe crabs and other species (e.g., whelks and scup).

First, I am recommending reducing the daily trip limit from 600 lb for net fishers and 400 lb for hook fishers to 500 lb for net fishers and 325 lb for hook fishers. This should modestly reduce daily catch limits by constraining the few vessels landing at the high end of the trip limit. However, it will maintain a trip limit sufficient to encourage participation in this fishery, including by the offshore fleet, to take the available quota.

Public hearing testimony and written comment on this trip limit reduction was similar to the feedback provided at the November meeting. There is a group of permit holders, primarily small-scale draggers, who prefer a lower trip limit more suitable to their scale of vessel which would limit landings and disincentivize participation by larger scale vessels and thereby ensure the quota lasts through the season. Then there are another group of permit holders and dealers who are most interested in ensuring the quota is taken and less interested in preserving quota for September when the fish have tended to be less valuable. I think this recommendation strikes a balance between the two. I also recognize that there are concerns about additional effort moving into the summertime fishery from both displaced local groundfish boats and out-of-state boats looking to take advantage of our trip limits and ex-vessel value. While it may be appropriate to buffer against some of this uncertainty, I am worried about taking too drastic an action and adopting a management program that would make it so we cannot take our quota. I think the expected Period I rollover this year and the reduced Period I quota allocation moving forward (should it be approved) mitigate against this. Additionally, DMF can build and refine additional regulatory mechanisms to slow harvest in-season to ensure quota lasts into the late-summer period.

To this latter point, I strongly favor the use of quota-use triggers to lower trip limits. These mechanisms allow the commercial fishery to maintain robust access to the quota through

elevated trip limits to start the season. Then based on landings, predictable reductions in trip limits may occur at the end of the summer to safeguard some quota access into the early fall. This allows us to buffer against uncertainty going in both directions—more effort and higher quota-use rates, as well as less effort and lower quota-use rates.

Accordingly, the second aspect of my recommendation addresses these triggers. I recommend we fine tune the existing quota-use trigger so that trip limits are decreased to 400 lb for net fishers and 250 pounds for hook fishers<sup>7</sup> should 75% of the quota be taken on or before August 15, rather than August 1. By delaying this by two weeks, the time-period in which this reduction can occur is extended. Were the use-by date August 15 in 2024, the trip limit reduction would have been triggered in early August and the fishery would have likely been extended into early September. Additionally, I recommend the adoption of a new, subsequent trip limit trigger. This will further reduce the trip limit to 200 lb for all gear types if 90% of the quota is taken on or before September 1. This effectively allows access to nearly all of the quota but sets aside a portion of it for the end of the summertime fishery to accommodate a bycatch allowance for the dragger fishery and the continuation of a small-scale hook fishery. We did not receive any written public comment or public hearing testimony on this aspect of the recommendation.

Lastly, I recommend the elimination of Saturdays as an open fishing from April 23 – August 31. This will result in six open fishing days per week occurring Sundays through Fridays. This should lower weekly catch rates and slow quota consumption, while also reducing vessel traffic and user group conflict on the fishing grounds on Saturdays during the summer. The fishing week would then automatically expand to seven fishing days on September 1. This would buffer against the predictable constraints that deteriorating seasonal weather has on inshore fishing opportunities. September is also a time when I expect potential user group conflicts will be diminished given waning recreational vessel traffic and recreational anglers along the South Cape are primarily targeting false albacore and bonito.

Note that my public hearing proposal considered potentially eliminating both weekend fishing days. However, this was not supported by those who commented. At the Buzzards Bay hearing, a representative for Red's Best—a prominent wholesale dealer and primary buyer—noted the economic and market benefit of maintaining Sundays as open fishing day throughout the season as it provides fish to the market for the start of the week. Additionally, a number of small boat inshore draggers advocated for DMF to maintain the seven day per week fishery as it allows them to maintain profitability while being able to take off days when the sea state is too heavy for them to safely fish. Ultimately, I think my recommendation balances the varying interests within the regulated fishery and considers interests of other user groups.

#### Consecutive Daily Limit Program

As indicated in my November 2024 memorandum, I will be renewing the Consecutive Daily Limit Program this summer. I recognize that there are some industry concerns that this program has evolved beyond its initial purpose and accommodates larger offshore vessels who fish it more similar to an aggregate program raising concerns about trip limit compliance and

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<sup>7</sup> Note this also corrects a typographical error in the 2024 regulation which adopted a 200-pound trip limit for hook fishers if 75% of the quota were taken before August 1. This trip limit should have been 250 pounds, as is recommended here. The summertime hook fishery has historically been granted a trip limit that is two-thirds that given to the net fishery.

discarding, and that these larger scale vessels played a role in the expedient quota consumption last summer. However, I view this program as being critical to the success of the summertime fishery, as it provides much needed regulatory flexibility to the small boat inshore fleet and allows seafood dealers to regularly service discrete Cape Cod fishing ports at a time when it is a challenge to maintain the working waterfronts necessary to accommodate our commercial fishing industry.

With this in mind, I am considering several modifications to the program in 2025. This includes mandating that vessels actively in the program (i.e., possessing and offloading more than one daily limit) not offload within 24 hours of the start of the trip. This will curb the highly criticized activity of vessels leaving port in the evening, fishing federal waters overnight, and returning to port the next day with two-days-worth of catch by virtue of fishing several hours over a two-calendar day span. Additionally, I will not require the first days catch to be stored in a discrete container sealed with a plastic single use tag. This requirement is likely too cumbersome and can be simplified by requiring catch from day one be labeled and segregated from catch from day two.

Lastly, looking forward to 2026, participating vessels should expect to be required to have a low-cost electronic cellular vessel tracker installed onboard their vessel. This will allow DMF and MEP to better monitor and analyze the time and location of fishing activities occurring in this program and to enhance enforcement and compliance consistent with industry concerns. Rhode Island has a similar vessel monitoring requirement for their aggregate programs. Please note that the satellite-based VMS systems required under certain federal fishery management plans would likely not be sufficient to meet this vessel tracking requirement given their lesser ping rate and limited data availability to state managers, so an additional low-cost cellular device would be required for vessels in this program. This requirement is standard among other Massachusetts vessel tracking programs.

**Enclosed**

Written public comment

**From:** [Tim Power](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Summer flounder. I (Tim power f/v Gloria Jean) would like to see a 5 day week an a limit of 400/500 lbs daily.  
**Date:** Sunday, March 16, 2025 11:56:59 AM

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Sent from my iPhone

**From:** [david.meservey](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Cc:** [McKiernan, Dan \(FWE\)](#)  
**Subject:** Attn: Dan McKiernan Fluke  
**Date:** Sunday, March 16, 2025 8:54:55 PM

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Dear DMF,

Thank you for the opportunity to comment on upcoming regulation changes. Please consider a 7 day fishing week at a 400 pound a day limit. This will allow the opportunity to fish when the weather is conducive. Also, consider a trigger to up the trip limit if the quota is in jeopardy of not being filled. Thank you very much.

David Meservey

**From:** [Philip Brazao](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Attention Dan Mckiernan fluke season.400lbs no days off yes to pilot program 2 if you can clean up the mess of last year if not eliminate thank you Phil Brazao F/V Sarah Ann  
**Date:** Saturday, March 15, 2025 3:29:03 PM

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Sent from my iPhone

**From:** [Paul Unangst](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Cc:** [Silva, Jared \(FWE\)](#)  
**Subject:** 2025 Fluke Season  
**Date:** Saturday, March 15, 2025 10:16:47 AM

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Dear Dan McKiernan,

I am writing to share my thoughts regarding the recent fluke season and to offer some suggestions on what I believe could be beneficial for fluke fishing in state waters.

First and foremost, I believe that reducing the trip limit to 400 lbs per day would be a more effective approach. Last year, with the trip limit set at 600 lbs, we saw an influx of larger boats that would start fishing at sunrise and continue until dark, only to resume the next day. While this is just a guess, I believe that high-grading may have been occurring, which affects the overall sustainability of the fishery.

One positive adjustment I want to highlight was the decision to allow fishing every day of the week. The flexibility to fish on good weather days was incredibly valuable, and I would encourage you to continue with this approach. Given the challenging wind conditions in Nantucket Sound last season, I found that there was not a single week where I could fish for all seven days. Keeping the season open every day would allow fishermen to make the most of the optimal weather conditions.

Regarding the two-day limit, I believe it was working well, especially for boats of a reasonable size. However, the introduction of larger boats created issues, as they were not adhering to the intended guidelines for this system. I don't think we should eliminate the two-day limit entirely because of the actions of a few larger boats, but perhaps we could explore adjustments to make the system work better across all vessel sizes.

Thank you for considering my perspective. I appreciate your ongoing efforts to improve the management of our fisheries, and I hope my suggestions are helpful in shaping future regulations.

Sincerely,  
Paul Unangst

Paul S. Unangst

F/V Destiny

Marshfield, MA

**From:** [Debra Melanson](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Attn: Director Daniel McKiernan  
**Date:** Friday, March 14, 2025 12:15:33 PM

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In regards, to the Proposed Regulatory Amendments for the Commercial Summer Flounder Management: For Period 1 (1/1 - 4/22), It is approx a 16-18hr steam to reach the fishing grounds, during this period the fluke prices range between \$2.00 - \$2.50 per lb and with the quota being at 2,000lbs and no other states quota allowed, it is too costly for both instate and out of state vessels and is why only 4% of the quota has been used. Also, when the summertime fishery opens, most if not all hook and line fishers change to catch Black Sea Bass which is going to leave a lot of quota left to be caught. I propose to increase the period 1 fluke limit to 2,500 lbs with other states limits being allowed on board, it would give the vessels a more cost efficient option and still allow enough quota for the summertime fishery.

Sincerely,  
International C Food



**From:** [Mark Mattson](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** attention of Director Daniel McKiernan Comments on Regulations  
**Date:** Monday, March 10, 2025 11:40:30 AM

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Dear Director Daniel McKiernan,  
thank you for the opportunity to comment on proposed changes. It appears some fisheries are overfished. Even black sea bass and fluke are hard to catch legal sizes. I ask that commercial fisheries be eliminated, or at least very strictly limited. The fish belong to the people, not the industry. It is your job to protect them. Do your job.  
thanks Mark Mattson

**From:** [Russ Iuliano](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Written comments to the 2025 Commercial and Recreational Fishing Regulatory Changes  
**Date:** Tuesday, February 18, 2025 3:18:24 PM

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Dear Director McKiernan,

I would like to submit written comments to the proposed regulatory amendments.

Striped Bass:

#2: Would like the minimum to remain at the current 35". keep more breeding fish in the water to spawn more fish.

False Albacore

#1: Clarify the language. What does five fish per day mean? five comprised of either species, or five false albacore and five bonito?

Commercial Summer Flounder

#1 and #2: I agree with the reduction. (summer flounder fishery needs this help, IMHO.)

Recreational Black Sea Bass Season

I agree, and thank you! Moving back to the Saturday Open date is a tradition that I appreciate and eagerly await. Shifting the closing date to keep the fishery window the same makes sense.

I appreciate your willingness to accept public comment.

About me: I am a recreational fisherman, in the Buzzards Bay, Vineyard Sound, Nantucket Sound, and sometimes Cape Cod Bay. I try to help DMF by participating in Kimberly Trull's SADCT program, and Michele's Striped Bass Mortality Study.

Thank you,

Russ Iuliano

27 Rockland St

So Dartmouth ma, 02748

781 820 3677

March 16, 2025

Director Dan McKiernan  
Massachusetts Division of Marine Fisheries  
30 Emerson Avenue  
Gloucester, MA 01930

RE: Public Comment

Dear Director McKiernan,

Thank you for the opportunity to submit comment to the recent Notice of Public Hearing document. If there are any questions or follow-up clarifications, please feel free to contact me.

Striped Bass Management:

1. I agree with the Division that total length measurements need to be consistent across sectors.
2. I agree with the Division's proposal for a slot-limit for the commercial striped bass fishery.
3. I oppose the Division's proposal to prohibit the use of gaffs for the commercial striped bass fishery. A gaff is an invaluable tool to a commercial fisherman particularly in a situation where they are fishing alone or when multiple fish are being landed at the same time. The commercial striped bass fisherman is not a weekend warrior and can ascertain quickly whether a fish is close to legal size and if it should be landed by hand or by net.

False Albacore and Atlantic Bonito Limits:

1. I agree with the Division's proposal of a daily retention limit of 5 fish per person per calendar day. I would like to suggest that there be a 10 fish possession limit for each species. Fall fishing includes fishermen who dedicate multiple days in a row of targeting these species from boat and from shore (particularly Over-The-Sand fishermen). Having 2 days of retention limits should be allowed.
2. I agree with the Division's proposal of for a 16-inch minimum size.

State Waters Groundfish Management:

I agree with the Division's proposals.

Commercial Summer Flounder Management:

I agree with the Division's proposals.

### Restrictions on Casting, Chumming, and Shore-based Shark Fishing:

1. In regards to this complex issue, I have some serious concerns as to the breadth and width of the proposed regulations. I spoke with several north shore tackle shops and they confirmed that there is very little, if any, people that frequent their shops who indicate they target or are going to target shark species from shore. More importantly, they don't have customers returning to their shop showing pictures of a successful shore-based shark fishing trip. I also surveyed approximately a dozen surf anglers from Quincy to Newburyport whether they have targeted or have heard of fishermen targeting shark species from shore anywhere north of Scituate. It was a unanimous 'No'.

I agree with you in defining what should be considered shore-based shark angling. I have concerns that the proposal to prohibit any shore-based shark fishing north of Plymouth misses the mark for any white shark conservation or protection. Your memorandum states 'However, in recent years, a small number of shore-based anglers have been observed targeting and landing white sharks, particularly along the eastern facing beaches of Cape Cod.' And also, 'Compounding this issue is the fact that this discrete fishing activity is difficult to detect, particularly as it is primarily occurring on the remote beaches along the eastern shore of Cape Cod.' I don't see the justification or the conservation correlation to protecting white sharks by prohibiting any shore-based shark fishing on the north shore, especially while allowing shark fishing to continue on the south Cape beaches. This clearly appears to be a Cape Cod issue. This is apparent as you stated, 'Shore-based shark fishing effort primarily occurs along the south shore of Cape Cod, and on Martha's Vineyard and Nantucket islands.' Where are white sharks more prominent and likely to be encountered in shore-based fishing, south Cape beaches or Cape Ann? To quote the late, great Kemp Maples, 'You don't need a buffalo gun to shoot a mouse'. This is a Cape and Islands issue that should be dealt with on the Cape and Islands.

**COMMENT:** At this time, I respectfully request you exempt from this proposed regulation all shoreline north of the 'Three Bays'.

2. As far as the proposal to prohibit shore-based chumming, I am confused by the first sentence of your memorandum. Is this proposal a ban on chumming when "Shark" fishing from shore (as defined) throughout the Commonwealth? If so, that seems reasonable, given that you will create a definition of shore-based shark fishing activity. However, if this is a blanket prohibition on the use of chum while fishing from shore, I feel this would be a draconian measure that may not have been thought through. If taken as written, this would prohibit fishermen fishing from piers, docks, jetties, etc, from using chum and/or chum pots to attract species like mackerel, harbor pollock, scup, black sea bass, flounder, fluke, smelt and striped bass. This tactic is used at probably all public and private docks in some capacity.

**COMMENT:** At this time, I respectfully request that the verbiage of the regulation reflect something to the effect that ‘chumming is prohibited while engaged in shark-fishing activity (as defined)’.

3. Casting Mandate – I feel that water-based bait delivery systems should be allowed.

Thank you,

Chuck Casella  
1 Pine Plain Rd  
Georgetown, MA 01833  
C – 978-290-0705



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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



MAURA T. HEALEY  
Governor

KIMBERLEY DRISCOLL  
Lt. Governor


REBECCA L. TEPPER  
Secretary

THOMAS O'SHEA  
Commissioner

DANIEL J. MCKIERNAN  
Director

### MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: March 24, 2025

SUBJECT: **Recommendation on 2025 State Waters Groundfish Management**

#### Recommendation

I recommend the MFAC approve the following actions affecting state waters groundfish management in 2025:

1. Increase the Gulf of Maine yellowtail flounder trip limit from 350 lb to 500 lb.
2. Increase the monkfish trip limit from 536 lb tail weight (1,559 lb whole weight) to 1,000 lb tail weight (2,910 lb whole weight).
3. Adopt definitions for the Western Gulf of Maine of Southern New England cod stock areas consistent with pending changes to the federal stock boundary delineations.
4. Establish a moratorium on the possession and retention of Southern New England cod by all fishers.

I also intend to update the control date for the Groundfish Endorsement from December 31, 2018 to December 31, 2024. This will establish a more inclusive control date should DMF need to reduce latent effort in this fishery moving forward, particularly given the likelihood of persistent low annual catch limits for cod. As this is a permitting action being proposed pursuant to the Director's authority at G.L. c. 130, §80, rather than G.L. c. 130, §17A, its implementation does not require an affirmative vote by the MFAC. However, I do seek consensus of the MFAC to move this forward and encourage members to provide me with their feedback on this decision.

Lastly, I am not pursuing any adjustments to the commercial state waters cod trip limits in the Gulf of Maine. This trip limit will remain status quo at 400 lb year-round. DMF will continue to monitor the performance of the state waters fishery against this sub-component and future action may be necessary should catch rates increase above recent levels.

These recommendations differ in several ways from the hearing proposals that I presented to the MFAC at its January 2025 business meeting<sup>1</sup>. These modifications respond to the public input

<sup>1</sup> Refer to page 15 of the January 2025 MFAC [meeting materials](#) for more details.

received during the February 14–March 16, 2025 public comment period, including two hearings on March 10 (Gloucester) and March 11 (Bourne), as described herein.

## **Background and Rationale**

The Magnusson Stevens Fishery Conservation and Management Act (MSA) establishes the federal fishery management framework and allows states to also manage fisheries for which there is a federal FMP within the waters under state jurisdiction provided it is consistent with and does not undermine the federal FMP. Accordingly, DMF manages its state waters groundfish fishery to ensure state regulations backstop federal regulations (e.g., recreational fishing rules, harvest moratoriums) and so that state-waters-only landings do not exceed any state waters sub-components for groundfish<sup>2</sup>. While exceeding the state waters sub-component for a stock is neither strictly prohibited under the FMP nor implementing federal law, it increases the likelihood that the Total Annual Catch Limit (ACL) for a stock is exceeded and this would then trigger an accountability measure affecting the broader federally managed fishery.

For FY25, the NEFMC approved Amendment 25 and Framework 69 to the FMP. In combination, these adopted a four-stock approach to managing codfish (Figure 1); established annual catch limit specifications for various groundfish stocks, including Western Gulf of Maine cod and yellowtail flounder; and enacted a moratorium on the retention, possession, and landing of Southern New England cod.

In response, DMF drafted a suite of public hearing proposals that affected the state waters groundfish management program. This suite of actions focused on complementing the federal cod stock management approach and the moratorium on the harvest of Southern New England cod. With regards to Western Gulf of Maine cod, Framework 69 established an annual catch limit for FY25 and FY26. The resulting state waters sub-components for these upcoming years are very low and little buffer exists between the sub-components (particularly in FY25) and state-waters-only landings in FY22 and FY23<sup>3</sup> (Table 1). This raised a concern about the potential for the state-waters fishery to exceed the sub-component and trigger accountability measures for the federal fishery. Accordingly, the public hearing proposal sought comment on reducing landings for this stock to ensure a greater buffer against the potential triggering of accountability measures. In consideration of potential cod trip limit reductions, DMF also took public comment on increasing trip limits for other available and commercially viable non-cod species, namely yellowtail flounder and monkfish<sup>4</sup>. Lastly, given the likelihood of persistently

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<sup>2</sup> State-waters sub-components are not based on a biological metric but on the three-year average of catch from all New England state waters, not just Massachusetts. Each sub-component is therefore for use by the various New England states that may harvest that stock from state waters. While Massachusetts state waters commercial fishery is responsible for all of the harvest of certain groundfish stocks (e.g., WGOM cod), harvest may come from other states for others (e.g., pollock), and if there is not a sub-ACL for the recreational fishery then state waters recreational catch is counted against the state waters sub-component (e.g., GOM winter flounder)

<sup>3</sup> FY22 and FY23 are the two most recent years with complete landings data that followed DMF's 2022 increase of the state waters Gulf of Maine cod trip limit from 200 lb to 400 lb. FY24 data is not yet available because the fishing year is ongoing and landings data are not final.

<sup>4</sup> There are other commercially important species to the state waters groundfish fishery. This principally includes Gulf of Maine winter flounder and haddock (when abundant). The Gulf of Maine winter flounder trip limit is set at 500 lb and adjusting rules is complicated by the localized nature of this species, conflicts with the recreational fishery, and any increase requiring approval by the Atlantic States Marine Fisheries Commission's Winter Flounder Board. At present, there is no trip limit for Gulf of Maine haddock. However, catch and landings are limited by the combined effects of seasonal availability, groundfish mortality closures,

low cod catch limits moving forward and the high level of latent effort in among Groundfish Endorsement permit holders, DMF proposed renewing the control date for this regulated fishery permit endorsement to make it more current should the agency need to use it to further restrict access in the future.

#### Yellowtail Flounder Trip Limits

DMF's public hearing proposal sought to increase the state waters yellowtail flounder trip limit from 350 lb to 500 lb. State waters landings have been declining in recent years, likely due to both attrition and fishery economics, and the anticipated state-waters landings are well below the FY25 sub-component (Table 2). Moreover, in the unlikely event that the state waters fishery exceeds the sub-component, the full annual catch limit will likely be underutilized, so concerns about accountability measures are negligible at this time. This proposal generally received broad support in both the written public comment and in the public hearing testimony. Accordingly, I am moving it forward as a final recommendation.

#### Monkfish Trip Limits

Similar to yellowtail flounder, DMF's public hearing proposal on monkfish was designed to provide access to non-cod stocks that the state waters groundfish fishery can target. This proposal marks a deviation from the historic management of the monkfish resource in state waters. Historically, DMF has managed monkfish trip limits at or below the federal Northern Fishery Management Area days-at-sea program for Category B and D permits. The current monkfish trip limit for these federal permit classes is 600 lb tail weight and 1,746 lb whole weight. However, Chris Chadwick—a state waters gillnet fisher—advocated for DMF to increase the state waters trip limit to 1,000 lb tail weight to make targeting monkfish more viable. I do not believe it will result in a significant increase in harvest given the limited availability of this resource in state waters and the small and declining number of state waters gillnetters (~5) who have participated in the state waters fishery in recent years. This proposal generally received broad support in both the written public comment and in the public hearing testimony. Accordingly, I am moving it forward as a final recommendation.

#### Southern New England Cod Moratorium and Cod Stock Boundaries

Under Amendment 25 and Framework 69, the NEFMC approved new cod stock management boundaries and a moratorium on the retention of Southern New England cod by recreational fishers and commercial common pool vessels for FY25. Federal rule making is pending and will not likely be finalized for the start of the FY25 fishing year on May 1. However, given this rule making is ultimately necessary under federal law to prevent overfishing, I suspect that it moves forward without significant delays. Accordingly, I am recommending DMF complement these pending federal actions.

The state's adoption of a possession and retention moratorium for Southern New England cod will backstop federal rules for enforcement and compliance purposes. This will not impact fishing in state waters as there is no spatial overlap between the state waters portion of this

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cod spawning closures, and minimum net mesh requirements. I have serious concerns about liberalizing these measures given the likelihood it would increase bycatch of non-target species including cod. To a lesser extent the state waters fishery also catches American plaice ("dabs") and witch flounder ("grey sole"), but these fish are generally more available in deeper offshore waters.



management area (i.e., Nantucket Sound, Vineyard Sound, Buzzards Bay, and Mount Hope Bay) and where cod are commonly caught. Note that if state rules are implemented prior to federal rules, our affected federal permit holders (i.e., common pool vessels and for-hire operations) will not be subject to the more restrictive state rule, as existing state regulations allow federal permit holders to possess non-conforming groundfish limits provided they were lawfully harvested in federal waters pursuant to federal regulations.

Of the four new cod stock areas delineated in Amendment 25, only the Western Gulf of Maine and Southern New England cod stock areas overlap with the waters under the jurisdiction of the Commonwealth and have spatial components that are subject to state management. I am recommending DMF adopt new state waters cod management area boundaries for Western Gulf of Maine and Southern New England cod. This will move us away from using the Gulf of Maine and Southern New England Groundfish Management Area designations for cod, however, we will continue to use these spatial management areas designations (GOM and SNE) for other groundfish stocks (e.g., SNE and GOM winter flounder, GOM haddock, GOM yellowtail flounder). In effect, for cod management, those state waters along the backside of Cape Cod and east of Nantucket that are south of 42°00' will be within the Western Gulf of Maine cod stock area (Figure 2).

There was limited written public comment and public hearing testimony on these proposals. The comment received focused on concerns about the federal actions approved by the NEFMC in Amendment 25 and Framework 69, specifically how a federal moratorium impacts the for-hire industry in southern New England. While these comments speak to the broader economic and conservation concerns related to Southern New England cod, they are not germane to state rule making.

#### Groundfish Endorsement Control Date

The Groundfish Endorsement is the regulated fishery permit endorsement necessary to participate in the state-waters-only groundfish fishery above the open access limit of 25 pounds of groundfish species in aggregate. This endorsement has been limited in entry since it was first established in 2006, and in 2024, DMF renewed 484 endorsements. However, among these endorsement holders only 40 permit holders reported landing some amount of groundfish in calendar year 2023 and about 15-20 permit holders account for most of our groundfish fishing activity. This represents a significant amount of latency, that if activated, could pose substantial issues for the fishery given the relatively nominal levels of the waters sub-components (e.g., 44,000 lb of Western Gulf of Maine cod in FY25). Accordingly, DMF should be fully prepared to further restrict activity in this fishery should the activation of latent effort become an issue. To ensure this process would be inclusive as possible, DMF is updating the control date for the Groundfish Endorsement from December 31, 2018 to December 31, 2024. This would ensure any new entrants in the past six years would be considered should the control date be used to restrict access in future rule making.

As is typical of control date proposals, most of the public comment received focused not on the actual proposal, but on concerns about DMF using the control date in the future and how it may limit access. To this point, numerous permit holders highlighted their interest in maintaining a deep portfolio of permits to remain economically viable and encouraged DMF to consider

broader qualification standards if a control date were used (e.g., most recent years data; overall commercial fishing activity, not groundfish landings). This is good feedback from the industry should we initiate rule-making to use control dates in the future.

#### Gulf of Maine Cod Commercial Trip Limits

DMF proposed reducing the Gulf of Maine cod trip to create a more robust buffer between anticipated state-waters-only catch and the state-waters sub-component to avoid exceeding the sub-component and potentially triggering accountability measures for the federal fishery (Table 1). In addition to a straight, year-round trip limit reduction, Chris Chadwick requested DMF consider a lower limit during the winter period (November – March) to maintain the current 400 lb during the summer period (April – October).

To investigate this, DMF reviewed landings data from FY22 and 23. This analysis demonstrated that about 96% of the state-waters-only catch of Gulf of Maine cod occurred between April and October. During this summer period trips landed about 150 lb of cod on average, compared to less than 70 lb during the corresponding winter period. Additionally, only 28% of trips that landed cod during the summer period landed more than 200 lb and only 13% of those trips landed more than 300 lb. For the winter period, the same analysis shows only 5% of trips landed more than 200 lb of cod and no trips landed more than 300 lb. Accordingly, the public hearing proposal outlined potential year-round trip limit (as low as 200 lb), as well as seasonal adjustments (winter bycatch fishery or closure potentially coupled with a more nominal summer trip limit reduction).

Generally, the written public comment and public hearing testimony demonstrated that neither option was palatable to participants in the state waters fishery. Rather, their preference was to maintain status quo limits for FY25. They argued that attrition in this fishery, particularly among gillnet fishers, was likely sufficient to create the requisite buffer. Moreover, additional restrictions on trip limits would make the fishery less profitable and increase discarding in the gillnet and trawl fisheries.

I am willing to pursue status quo management for 2025. I find the argument made about attrition to be reasonably compelling given historic activity and landing trends. However, management changes in future years may be severe and unavoidable should the state waters fishery exceed its sub-component and trigger accountability measures. It bears reminding that the maintenance of reasonable state waters sub-components for important commercially viable stocks to support our small state waters fishery has been challenging given constraints on the federal fishing limits. We have been able to prevail in our arguments to support the state waters fishery given the modest nature of the sub-components and the commercial fishery they support. However, challenges would be even more acute, and the position of the state waters fishery even more tenuous, should this small fishery trigger federal accountability measures.

#### **Enclosed**

Written public comment

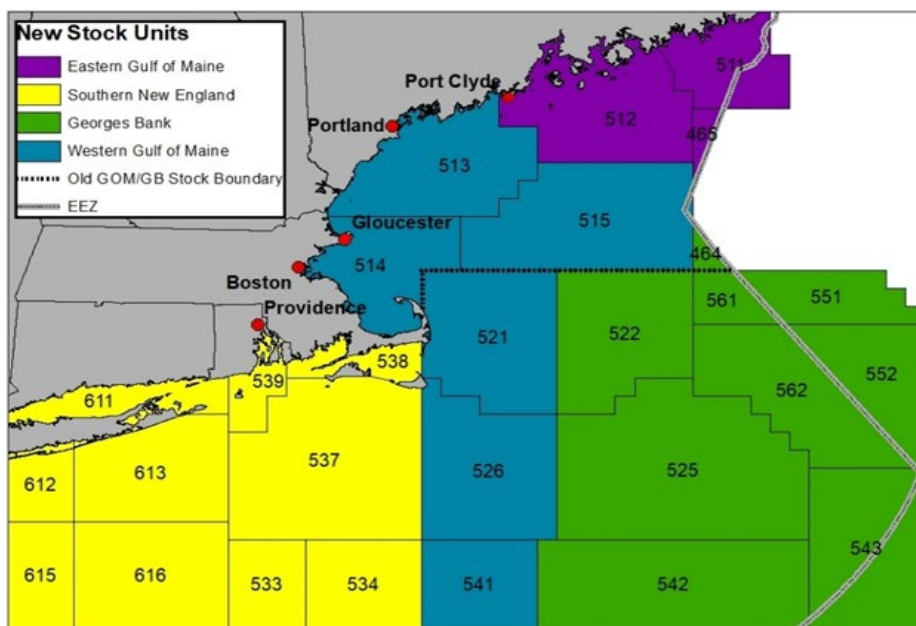


Figure 1. Four Cod Stock Units Approved for Management in Amendment 25

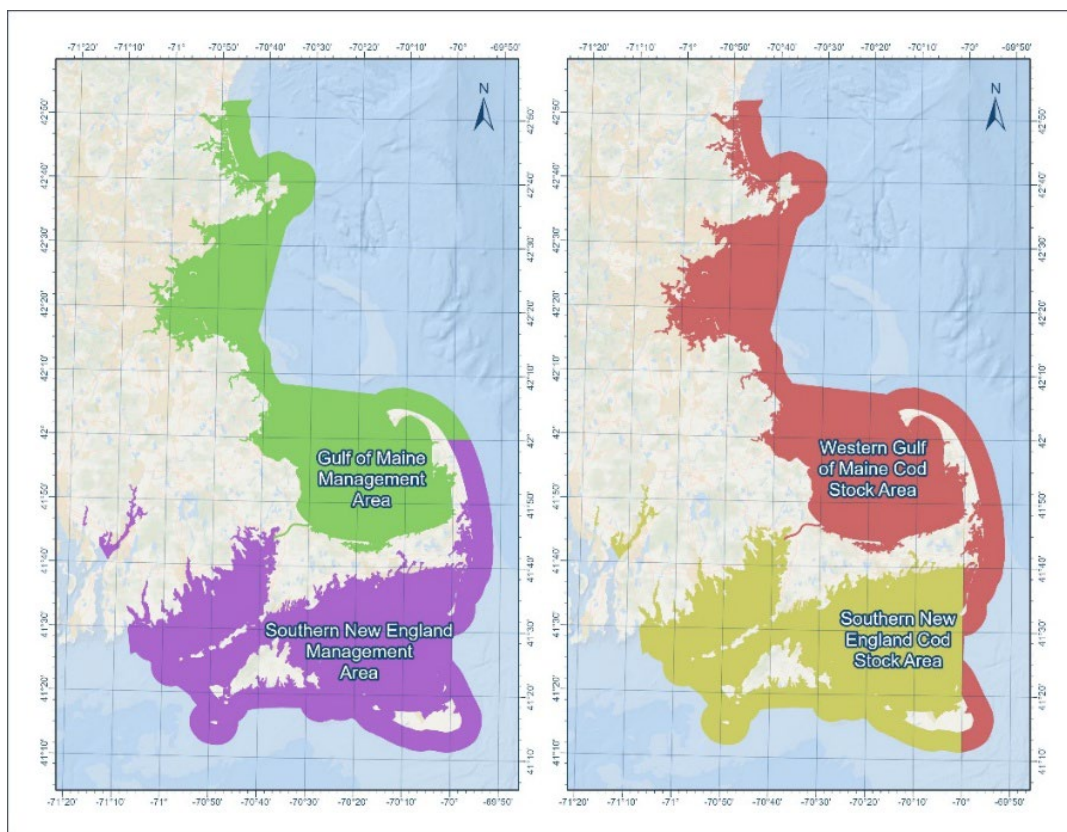


Figure 2. Recommended Changes to State Cod Management Areas

Table 1. Total Gulf of Maine Cod FY23 State Waters Catch in lb (rounded to the nearest thousand) Compared to State Waters Sub-Component for Western Gulf of Maine Cod Approved in Framework 69 for FY25 and FY26 in lb (rounded to the nearest thousand)

<b>Stock</b>	<b>FY22 State Waters Catch*</b>	<b>FY23 State Waters Catch*</b>	<b>FY25 sub-component</b>	<b>FY26 sub-component</b>
WGOM Cod	55,000	43,000	44,000	51,000

\*FY22 and FY23 state waters catch is of the GOM stock which is comprised of the new WGOM cod stock and Eastern Gulf of Maine cod stock.

Table 2. Federal year-end state waters catch estimates (FY19-23) in lb (rounded to nearest thousand) of CC/GOM yellowtail flounder and FY25 State Waters Sub-Component.

<b>Stock</b>	<b>FY19 State Water Catch</b>	<b>FY20 State Water Catch</b>	<b>FY21 State Water Catch</b>	<b>FY22 State Water Catch</b>	<b>FY23 State Water Catch</b>	<b>5-Year Average State Waters Catch</b>	<b>FY25 sub-component</b>
CC/GOM Yellowtail Flounder	94,000	73,000	58,000	42,000	19,000	57,000	62,000

March 16, 2025

Director Dan McKiernan  
Massachusetts Division of Marine Fisheries  
30 Emerson Avenue  
Gloucester, MA 01930

RE: Public Comment

Dear Director McKiernan,

Thank you for the opportunity to submit comment to the recent Notice of Public Hearing document. If there are any questions or follow-up clarifications, please feel free to contact me.

Striped Bass Management:

1. I agree with the Division that total length measurements need to be consistent across sectors.
2. I agree with the Division's proposal for a slot-limit for the commercial striped bass fishery.
3. I oppose the Division's proposal to prohibit the use of gaffs for the commercial striped bass fishery. A gaff is an invaluable tool to a commercial fisherman particularly in a situation where they are fishing alone or when multiple fish are being landed at the same time. The commercial striped bass fisherman is not a weekend warrior and can ascertain quickly whether a fish is close to legal size and if it should be landed by hand or by net.

False Albacore and Atlantic Bonito Limits:

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2. I agree with the Division's proposal of for a 16-inch minimum size.

State Waters Groundfish Management:

I agree with the Division's proposals.

Commercial Summer Flounder Management:

I agree with the Division's proposals.

### Restrictions on Casting, Chumming, and Shore-based Shark Fishing:

1. In regards to this complex issue, I have some serious concerns as to the breadth and width of the proposed regulations. I spoke with several north shore tackle shops and they confirmed that there is very little, if any, people that frequent their shops who indicate they target or are going to target shark species from shore. More importantly, they don't have customers returning to their shop showing pictures of a successful shore-based shark fishing trip. I also surveyed approximately a dozen surf anglers from Quincy to Newburyport whether they have targeted or have heard of fishermen targeting shark species from shore anywhere north of Scituate. It was a unanimous 'No'.

I agree with you in defining what should be considered shore-based shark angling. I have concerns that the proposal to prohibit any shore-based shark fishing north of Plymouth misses the mark for any white shark conservation or protection. Your memorandum states 'However, in recent years, a small number of shore-based anglers have been observed targeting and landing white sharks, particularly along the eastern facing beaches of Cape Cod.' And also, 'Compounding this issue is the fact that this discrete fishing activity is difficult to detect, particularly as it is primarily occurring on the remote beaches along the eastern shore of Cape Cod.' I don't see the justification or the conservation correlation to protecting white sharks by prohibiting any shore-based shark fishing on the north shore, especially while allowing shark fishing to continue on the south Cape beaches. This clearly appears to be a Cape Cod issue. This is apparent as you stated, 'Shore-based shark fishing effort primarily occurs along the south shore of Cape Cod, and on Martha's Vineyard and Nantucket islands.' Where are white sharks more prominent and likely to be encountered in shore-based fishing, south Cape beaches or Cape Ann? To quote the late, great Kemp Maples, 'You don't need a buffalo gun to shoot a mouse'. This is a Cape and Islands issue that should be dealt with on the Cape and Islands.

**COMMENT:** At this time, I respectfully request you exempt from this proposed regulation all shoreline north of the 'Three Bays'.

2. As far as the proposal to prohibit shore-based chumming, I am confused by the first sentence of your memorandum. Is this proposal a ban on chumming when "Shark" fishing from shore (as defined) throughout the Commonwealth? If so, that seems reasonable, given that you will create a definition of shore-based shark fishing activity. However, if this is a blanket prohibition on the use of chum while fishing from shore, I feel this would be a draconian measure that may not have been thought through. If taken as written, this would prohibit fishermen fishing from piers, docks, jetties, etc, from using chum and/or chum pots to attract species like mackerel, harbor pollock, scup, black sea bass, flounder, fluke, smelt and striped bass. This tactic is used at probably all public and private docks in some capacity.

**COMMENT:** At this time, I respectfully request that the verbiage of the regulation reflect something to the effect that ‘chumming is prohibited while engaged in shark-fishing activity (as defined)’.

3. Casting Mandate – I feel that water-based bait delivery systems should be allowed.

Thank you,

Chuck Casella  
1 Pine Plain Rd  
Georgetown, MA 01833  
C – 978-290-0705

**From:** [Philip Powell](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Att. Dan McKiernan; DMF Written Comment  
**Date:** Saturday, March 15, 2025 3:17:14 PM

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Att. Dan McKiernan; DMF Written Comment

In regards to the proposal on state waters groundfish, I would prefer that the current codfish limit be maintained at 400 pounds and the control date for state water groundfish permits be set to December 31st 2025 or later. I just heavily invested in the gear to go hook and line fishing to target state waters groundfish (specifically cod and haddock). I do not believe that targeting codfish using this gear would be problematic for the stock in the same way as those who have latent mobile gear and gillnet endorsements suddenly re-entering the fishery would. Hook caught fish are handled one at a time with live discards, and groundfish are historically difficult to hook during spawning seasons. Between the state water lobster closure and the additional closure of the wedge, this is my next best available option to maintain my crew and operation but I was not aware of the impending control dates. Dropping the cod limit lower than 400 pounds would make targeting these fish with this gear type no longer economically viable; there are few additional bycatch species compared to other gear types such as monkfish and flats. I understand as stated at the meeting that these are not conservation quotas. So perhaps an alternative option would be to do cuts at different quota percentages like in the menhaden fishery to allow both substantive access to fisherman while taking care of the codfish population. There has been a clear and steady decline in the usage of groundfish endorsements as stated in your memorandum; "in 2023, 40 permit holders reported landing groundfish; looking back over the past three years (2021-2023), this number increases to 61; then over five-years (2019-2023), the number increase to 88; and then over 10- years (2014-2023), it increases to 146." The activation of latent effort should not be a concern for this fishery when it has already shown such natural matriculation. Between endorsements no longer being transferable, aging of the highly active fishermen, and costs going up, the state waters groundfishery is already on its way out, further restrictions would just speed up the process.

I wish I could be gillnetting on my own boat like I dreamed as a kid; but instead I am seeking help to continue fishing with the permits I've renewed since the day I got them, utilizing the most restrictive gear type left allowed to me. Please modify the control date and keep our cod limits to allow me to continue pursuing a career as a proud Massachusetts commercial fisherman.

Sincerely,  
Philip Anthony Powell  
F/V Gannet  
3/15/25



**From:** [Charles Cooper](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Proposed changes to regulations  
**Date:** Thursday, March 13, 2025 7:16:34 PM

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Dear Director McKiernan,

Thank you for requesting comments on proposed changes to the commercial and recreational regulations for a variety of species. Based on my academic background in Marine Biology and more than sixty years of recreational fishing experience in New England and Atlantic Canada, I support most of these changes (such as the further restrictions on take of cod, entanglement reporting and limitations on gaffing).

However, there is one form of continuing regulation which makes absolutely no biological sense, and you know it but never act on it. Please ELIMINATE all your minimum size limits, even though you would be pioneering departure from recommended limits of the regional entities including ASFMC and NEFMC. I know you understand this because you present the rationale (at least in part) by your description of the Big Old Fat Fecund Female Fish science for stripers. You can accomplish EVERYTHING you need to manage stocks by a combination of bag and maximum length limits giving you biomass outcomes. Minimum lengths are completely unnecessary and give you nothing but discards which may or may not survive. In the late 60s and early 70s, I was quite happy to keep a few 22-28 inch stripers from Nova Scotia's Annapolis River, as I was to keep the occasional 30" fish more recently off Cape Cod.

Just leave in place a one fish 38-44" limit for stripers and a back-calculated possession limit for smaller fish to maintain the desired spawning potential for stripers and other species like sea bass and summer flounder.

It would be more important to push the squid draggers further offshore to put an end to the ridiculously high by-catch mortality of stripers (in the thousands) they can and do cause.

A couple of other comments:

Do you really need a limit of any kind on False Albacore? Bonito I can understand, but (practically) no one keeps False Albacore (though they're not as bad to eat as advertised).

Finally, why do you think it's important to have different limits on length for commercial and recreational catches?

As a marine biologist, I don't get that one, although I know you hear different things from those constituents.

Thanks again for the opportunity to comment.

Charles Cooper  
978-771-8977

Sent from my iPhone

**From:** [Mark Mattson](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** attention of Director Daniel McKiernan Comments on Regulations  
**Date:** Monday, March 10, 2025 11:40:30 AM

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Dear Director Daniel McKiernan,  
thank you for the opportunity to comment on proposed changes. It appears some fisheries are overfished. Even black sea bass and fluke are hard to catch legal sizes. I ask that commercial fisheries be eliminated, or at least very strictly limited. The fish belong to the people, not the industry. It is your job to protect them. Do your job.  
thanks Mark Mattson

**From:** [Damian Parkington](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Attn Director McKiernan re: proposed regulation changes.  
**Date:** Friday, February 28, 2025 8:54:11 AM

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To whom it may concern,

Thank you for the opportunity to comment on the proposed regulation changes. I unfortunately will not be able to attend either of the public in person meetings but wanted to include my opinion on a few of the proposals.

The wording of the “prohibition of mechanized deployment of baits “ 4.9:2 would seemingly prohibit all methods of line fishing that are not explicitly casted rod and reel. This would make illegal: tub trawling, power trolling and buoy drop line fishing with a baited hook. Certainly most of the dogfish fleet is still tub trawling with baited hooks. Until his passing a few years ago Eddie Rittter was tub trawling fluke in his strip plank dory in the sandy areas of Provincetown harbor. I can’t imagine that DMF wants to include this historical and very “clean” fishing method in the prohibition.

I also would disagree with not allowing the presentation of real baits in power trolling for Bass, blues, tuna, Bonita etc.. often a strip of bait is added to a jig when utilizing mechanical reels.

In regards to the proposed control date additions and modifications to the menhaden and groundfish fisheries; I encourage Ma DMF to use the regulation to encourage small boat and younger fishermen as well as protect the versatility of established Massachusetts commercial fishing enterprises. I believe the CAP purse seine should remain an open access 6000lb fishery. The issue of bait for lobstermen is and will be ongoing and keeping bait harvester direct to fishermen or fishermen bait harvester options is important.

Lastly I believe when the Groundfish control date was updated in 2018 there were many comments during the public meeting encouraging DMF to not take any action that would address latent effort.

The general feeling was that younger and older fishing operations need to remain as versatile as possible and that as we are all adopting to changing ocean conditions.

I want to reiterate this sentiment. The regulation and management needs to support our ability to have diversified fisheries.

Sincerely  
Damian Parkington  
Wellfleet, Ma

Sent from my iPhone

**From:** [James Walsh](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Fwd: Ground Fishing Concern  
**Date:** Thursday, February 20, 2025 6:02:03 PM

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Sent from my iPad

Begin forwarded message:

**From:** Jared Walsh <rupanrx@gmail.com>  
**Date:** February 20, 2025 at 4:33:11 PM EST  
**To:** Dad <captjimwalsh@yahoo.com>  
**Subject:** Ground Fishing Concern

**ATTN: Daniel McKiernan**

Good afternoon,

My name is Captain Jim Walsh, and I own the vessel *American Classic*, a party boat/head boat operating out of Lynn, Massachusetts. I have been a captain since 1976, having started the Boston-to-Hingham commuter service and the New England Aquarium Whale Watch. Over the years, I have witnessed significant changes in our fisheries, particularly in ground fishing.

As a party boat captain, I've seen firsthand the impact ground fishing can have on fish populations. While we may not fish as intensively as commercial operations, the cumulative effect over time is still considerable.

Lately, I've noticed fluctuations in the codfish population. There are occasional days when we catch a good number, but overall, it's nothing like it used to be. I strongly believe a two-year moratorium on cod fishing—across the board—would be beneficial to help their numbers recover. Similarly, I recommend a moratorium on winter flounder. I see anglers heavily targeting them in the spring, and without intervention, I fear they may never fully rebound.

Federal and state fisheries management did an excellent job with striped bass. I remember the 1970s and early 1980s when stripers were scarce, with only an occasional large catch. Thanks to the five-year moratorium, their population has flourished, and today, we catch them regularly. It's a great example of how proper conservation efforts can yield long-term benefits.

I understand that such measures may be met with resistance, but in the end, I truly believe it's in the best interest of our fisheries. Thank you for your time and consideration.

**Captain Jim Walsh**



6 Resnik Road, Suite 208  
Plymouth, MA 02360  
[www.stellwagenbank.org](http://www.stellwagenbank.org)

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March 12, 2025

Mr. Daniel J. McKiernan, Director  
Commonwealth of Massachusetts  
Division of Marine Fisheries  
251 Causeway St., Suite 400  
Boston, Massachusetts 02114

### **RE: Proposed MassDMF 2025 Commercial & Recreational Rules**

Dear Mr. McKiernan:

On behalf of the Stellwagen Bank Charter Boat Association (“SBCBA”) whose membership includes the for hire fleet and recreational anglers, recommendations and comments associated with the Proposed MassDMF 2025 Commercial & Recreational Rules is detailed below.

#### **Striped Bass Management (322 CMR 6.07)**

*SBCBA supports the “squeeze the tail” to determine striped bass length. It should be noted that the ASMFC is not recommending any changes to the commercial striped bass measures at this time. To implement a slot on the commercial fishery would increase mortality via discards. In addition, to reduce the size with a slot and no quota change will result in more fish being caught that could result in fewer fish available to reproduce. Until additional data is provided to support such measures and the ASMFC recommends such, the SBCBA cannot support the proposed commercial striped bass measures.*

#### **False Albacore and Atlantic Bonito Limits (322 CMR 6.42)**

*The ASMFC, Councils and HMS do not currently have a Fishery Mgt Plan (FMP) nor stock assessments associated with these species nor are there any interested in or seeing the need to do such. ICCAT does include false albacore that is not subject to commercial or recreational Mgt measures. How can any measure be proposed without a stock assessment or FMP? SBCBA cannot support these measures until stocks assessments are conducted and an FMP is developed for each species other than what is noted below.*

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*There are no commercial measures being proposed other than for jigging operations. This seems inconsistent with the reports of the unregulated commercial harvest of select species. If such measures are implemented, it needs to apply to the commercial and recreational fishery with appropriate MassDMF endorsements and reporting.*

*The only science based issue being proposed is the 16 inch fork length requirement where 50% of the population reaches sexual maturity. If a 16 inch fork length is implemented such needs to apply to commercial and recreational users. This conflicts with RI that does not have any size threshold for commercial or recreational users that leads to an enforcement issue. As a result, SBCBA cannot support this measure.*

State Waters Groundfish Management (322 CMR 6.03 and 7.04)

*The SNE cod spawning stock biomass has been exceeded the last 3 years, the model used is flawed, ultimately the moratorium on cod retention is not based on sound science. 93% of the SNE catch is recreational yet the setting of the recreational and commercial quota is not based on that percentage even if cod could be retained. Flawed science has resulted in zero retention, disaster declaration is unfortunately in our future.*

Commercial American Eel Management (322 CMR 6.30, 7.01, and 7.04)

*SBCBA supports this measure for this critical forage species in our fishery and recommends a control date and limited access and we don't support a moratorium as many of our members use eels for bait and would not want to lose access to the bait.*

Restrictions on Casting, Chumming, and Shore-Based Shark Fishing (322 CMR 4.09 and 6.37)

- *The SBCBA does not recommend banning recreational shark fishing or chumming in state waters and denying the public access to the fishery for those shark species that can be legally landed in state or federal waters.*
  - *It should be noted that in federal waters such is permitted consistent with "50 CFR § 635.26 (c) Sharks. Notwithstanding the other provisions of this part, a person may fish for white sharks (*Carcharodon carcharias*) with rod and reel, provided the*
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*person releases such fish to the sea immediately with a minimum of injury, and that such fish may not be removed from the water.”*

- *The research vessels and experienced shark fishing recreational community will attest to the fact that chumming and attracting great white sharks is difficult. If the public observes a fin in the water ranging from a bluefin tuna or wide array of other species there is mass hysteria that it is a great white shark. Public education and outreach is recommended to address this mass hysteria.*
- *MassDMF notes “in recent years, a small number of shore-based anglers have been observed targeting and landing white sharks, particularly along the eastern facing beaches of Cape Cod.” The proposed measures are being recommended as a result of a small number of anglers. Public outreach and enforcement is recommended to educate the public not a ban on chumming or shark fishing denying the public access to the fishery.*
- *There are presently means and methods to deploy baits beyond the beach or a vessel that MassDMF noted includes kayaks. Measures are being proposed as a result of a small number of anglers. As a result the SBCBA does not recommend any deployment prohibitions since a kayak achieves the same objective as the other methods noted.*
- *There are fewer and fewer opportunities for the private recreational shoreside angler to have access to the fishery yet along access to those species that can be legally caught and/or released. Many cannot afford to buy a boat or go on a for hire vessels and as a result shoreside angling is the only mechanism for them to catch and/or release sharks.*
- *Consistent with the lines of evidence above the SBCBA does not support the proposed shark related measures.*

Recreational Black Sea Bass Season (322 CMR 6.28)

*SBCBA supports a May 17<sup>th</sup> opening date.*

To address biosecurity concerns related to reports regarding the use of Pacific lugworms as bait in the northeast, DMF is proposing to prohibit





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Plymouth, MA 02360  
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the sale and use of non-native seaworm species. (13) the use and sale of non-native seaworms.

***The SBCBA supports this measure.***

We thank you for the opportunity to comment on this important matter. If you have any questions or comments, please contact the SBCBA at the email below.

Very truly yours,

*Tom Depersia*

Capt. Tom Depersia  
SBCBA, Founding President & Trustee  
[hugetuna@aol.com](mailto:hugetuna@aol.com)

*Damon Saco*

Capt. Damon Saco  
SBCBA, Board of Directors  
[captdamon@gmail.com](mailto:captdamon@gmail.com)

*Eric Morrow*

Eric Morrow  
SBCBA, Board of Directors  
[capteric@fishbountyhunter.com](mailto:capteric@fishbountyhunter.com)

*William Hatch*

Capt. William Hatch  
SBCBA, Board of Directors  
[machacafishing@gmail.com](mailto:machacafishing@gmail.com)

*Stacie Delzingo*

Stacie Delzingo  
SBCBA, Secretary  
[stacie9229@gmail.com](mailto:stacie9229@gmail.com)

*Capt Mike Delzingo*

Capt. Mike Delzingo  
SBCBA, Board of Directors  
[ff\\_boston@yahoo.com](mailto:ff_boston@yahoo.com)

*Capt Jeff Depersia*

Capt. Jeff Depersia  
SBCBA, Board of Directors  
[jeffchasintail@gmail.com](mailto:jeffchasintail@gmail.com)



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*Capt Paul Diggins*

Capt. Paul Diggins  
SBCBA, Trustee  
[captain\\_paul@bostonfishing.com](mailto:captain_paul@bostonfishing.com)

*Capt Rob Savino*

Capt. Rob Savino  
SBCBA, Trustee  
[robsavino@mac.com](mailto:robsavino@mac.com)

cc: Tom O'Shea, MassF&G  
Ray Kane, MassFAC

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*Capt Rick Golden*

Capt. Rick Golden  
SBCBA, Trustee  
[captrick@1620anglers.com](mailto:captrick@1620anglers.com)



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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



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Governor

KIMBERLEY DRISCOLL  
Lt. Governor


REBECCA L. TEPPER  
Secretary

THOMAS O'SHEA  
Commissioner

DANIEL J. MCKIERNAN  
Director

### MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: March 21, 2025

SUBJECT: **Recommendation to Extend Conch Pot Gear Regulations to State Permit Holders in Federal Waters**

#### Recommendation

I recommend the MFAC approve<sup>1</sup> the following rules affecting conch pot fishing by Massachusetts permit holders in federal waters:

1. The commercial fisher must hold a DMF-issued conch pot regulated fishery permit endorsement to possess or land whelks taken by conch pot gear in federal waters;
2. Require a valid annual conch pot trap tag be affixed to all conch pot gear present on the vessel or set in the water; and
3. The commercial fisher adhere to the maximum pot limit of 200-conch pots and April 15 – December 15 conch pot fishing season.

This final recommendation does not differ from my public hearing proposal as presented to the MFAC in December 2024<sup>2</sup>.

#### Background and Rationale

If adopted, this recommendation would effectively extend the permitting requirements and effort control rules affecting the state waters conch pot fishery to conch pot fishing that may be bleeding over into the federal zone. While federal waters conch pot fishing effort is likely limited—and has been so historically—DMF has observed evidence that suggests there is some effort in federal waters, particularly east of Nantucket attributable to state permit holders. This is likely a product of shifting geographic availability driven primarily by nearshore depletion. Recall that DMF considers the principal target species—channeled whelk—to be depleted throughout its range in state waters and DMF's 2018 stock assessment of channeled whelk demonstrated the resource is overfished with overfishing occurring within the primary harvest area of Nantucket Sound.

<sup>1</sup> This regulatory recommendation is being proposed pursuant to the authorities at G.L. c. 130, §§17(10) and 17A and thusly requires approval of the MFAC.

<sup>2</sup> Refer to page 22 of the December 2024 MFAC [meeting materials](#) for more details.

Without a federal fishery management plan for whelk, there are no current federal controls in place to prevent the proliferation of conch pot gear in these waters. This is of significant concern to me as it presents a serious and avoidable entanglement risk to protected whales and sea turtles. Moreover, should an entanglement occur, it may be misattributed to the Massachusetts Mixed Species Trap/Pot Fishery<sup>3</sup> (MMSTF) given the likelihood that our permit holders who are fishing in federal waters may not be changing their buoy lines when they cross jurisdictional boundaries to comply with the federal Atlantic Mixed Species Trap/Pot Fishery (otherwise referred to as Other Trap Pot or “OTP”) in Northern Nearshore Trap/Pot Waters<sup>4</sup>. Should this occur, it could negatively impact the status of the state’s current draft Incidental Take Permit (ITP) application, or the ITP itself should we obtain one. By implementing these state controls, DMF can limit this risk by constraining effort to the existing management program for the state’s conch pot fishery.

Another way DMF must manage this risk is through educating permit holders on buoy line marking requirements. This spring, DMF will endeavor to remind its commercial pot fishery participants that if they are fishing conch or fish pot gear in the federal zone then they must mark their buoy lines in compliance with the federal rules for the OTP in Northern Nearshore Trap/Pot Waters. Additionally, DMF intends to encourage MEP and NOAA Fisheries to do targeted buoy line marking inspections in federal waters. As discussed in December 2024 memorandum, I remain concerned about the similarities between the buoy line marking rules for the MMSTF and the OTP in Northern Nearshore Trap/Pot Waters. However, the best way to address this is through the Atlantic Large Whale Take Reduction Team (TRT). The status of the TRT's deliberations is uncertain at this time as NOAA Fisheries has cancelled the meetings that were scheduled for spring 2025.

DMF did not receive any written comments or public hearing testimony on this proposal.

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<sup>3</sup> The MMSTF is a state-waters-only fishery that is inclusive of all state waters pot and trap fisheries (i.e., lobster and edible crab trap, black sea bass pot, scup pot, and conch/whelk pot) and is the fishery for which we are seeking Incidental Take Permit (ITP) from NOAA Fisheries under the Endangered Species Act.

<sup>4</sup> For more information, please view the [2022 Atlantic Large Whale Take Reduction Plan Guide](#).



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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Lt. Governor


REBECCA L. TEPPER  
Secretary

THOMAS O'SHEA  
Commissioner

DANIEL J. MCKIERNAN  
Director

### MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: March 21, 2025

SUBJECT: **Recommendation to Adopt Possession and Size Limits for False Albacore and Atlantic Bonito**

#### Recommendation

I recommend the MFAC approve the following measures affecting the retention, possession and landing of false albacore and Atlantic bonito:

1. Adopt a five-fish per person possession limit for both species combined; and
2. Adopt a 16-inch fork length minimum size for retaining either species.
3. Exempt commercial weir fishers and vessels using mechanized mackerel jigs from these limits.

This last aspect of this recommendation differs from the public hearing proposal that I presented to the MFAC at its December 2024<sup>1</sup> business meeting in response to public input received during the February 14–March 16, 2025 public comment period, including two hearings on March 10 (Gloucester) and March 11 (Bourne), as described herein. The other two aspects of this final recommendation are consistent with the December proposal.

#### Background and Rationale

False albacore and Atlantic bonito (so called “hardtails”) are managed under the umbrella of the International Commission for the Conservation of Atlantic Tunas and NOAA Fisheries’ implements the requirements thereof through their Highly Migratory Species Division. At present, there is little understanding of the species life history, the populations are not assessed, and there are no federal or interstate fishery management plans (FMP) governing harvest. Absent such oversight, it is up to each state’s discretion as to whether they want to unilaterally manage the possession and harvest of these migratory species within their jurisdiction. Historically, Massachusetts—like most other Atlantic coastal states—has opted not to manage these species.

<sup>1</sup> Refer to page 41 of the December 2024 MFAC [meeting materials](#) for more details.

Over the past several years there is a coastwide movement among a variety of recreational fishing interests to advocate for states to use their management authority to proactively control the harvest of these fish. This is being driven by several factors. There has been a tremendous expansion of the recreational fishery (increased catches) for hardtails in southern New England over the past decade. This is likely driven in part by a changing environment and warmer water temperatures increasing the local summertime availability of hardtails while concurrently reducing the local availability of other target species recreational species, such as striped bass. During the 2012 – 2024 time-series, MRIP data shows low levels of recreational landings in the early years then spikes above the time series median for false albacore landings in 2015, 2016, 2019 and 2022 and spikes above the time-series median for Atlantic bonito in 2020, 2022, and 2024 (Figures 1 and 2). In fact, landings of Atlantic bonito this past year in Massachusetts were nearly six-fold the time-series median. Additionally, there have been on-the-water anecdotes that suggest juvenile hard tails are being increasingly used as bait for large pelagic species (e.g., bluefin tuna, sharks) in response to declining mackerel and herring abundance. Couple these factors with the lack of a stock assessment and overarching coastwide FMP and there is compelling call for precautionary management.

With this in mind, DMF developed a public hearing proposal that included a five-fish retention and possession limit for both species combined; a 16-inch minimum size limit for both species; and an exemption to both the possession limit and the size limit for commercial industrial mackerel jigging operations.

#### Harvest Limit

In Massachusetts, the fishing activity for hardtails is almost exclusively recreational in nature and most recreational fishing is catch and release (Figures 1 - 4) My five-fish combined species possession limit recommendation would cap recreational harvest at a level that would be sufficient to cover nearly all recreational fishing activity currently occurring—including the retention of these species for fishing derbies—while controlling additional growth in recreational retention. Note that Massachusetts MRIP data show the average daily retention of Atlantic bonito was 2 and false albacore was 1 for those anglers that harvested fish in 2024.

On the commercial side, our landings of hardtails are negligible, so my recommendation serves to constrain the potential development of a commercial fishery moving forward. Commercial harvester data from 2021 – 2023<sup>2</sup> demonstrates that commercial landings have been limited to Atlantic bonito. During this time period, between five and 15 active permit holders have reported selling Atlantic bonito in any of these years; aggregate landings did not exceed 400 lbs annually over the past three years (2021-2023) or 1,000 lb in any of the last five years (2019- 2023); and the average ex-vessel price has been about \$5.00 per pound since 2021. While 2024 harvester data has not yet been finalized, SAFIS dealer data demonstrates that only 1,297 pounds of Atlantic bonito were reported sold to primary buyers last year. At present, Massachusetts does not have a directed commercial fishery for false albacore and there are no harvester or dealer reported landings since 2021. Note that the occasional catch of hardtails in the commercial

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<sup>2</sup> Given the substantial jump in the recreational catch of Atlantic bonito in 2024 in Massachusetts (Figure 2), I anticipate there may have been some limited growth in our commercial fishery as well. However, commercial harvester data is not yet available to quantify landings in 2024.

mechanized jig fishery may not be visible in SAFIS because the catch is not sorted by species and is likely all being misreported and sold as mackerel.

The written public comment and public hearing testimony on the harvest limit proposal was extensive and overwhelmingly supported DMF's proposal to adopt a catch limit. However, it is noteworthy that the two prominent Massachusetts' for-hire associations—the Stellwagen Bank Charter Boat Association and the Cape Cod Charter Boat Association—and the American Sportfishing Association objected.

The for-hire organizations argued that there is no scientific evidence to support a state limit and that there is a management framework for these species should management be necessary. It is true that there is no scientific data to demonstrate conservation is needed for these species and there is a framework to manage these species through ICCAT and HMS. However, the scientific literature regarding these species is exceptionally limited, there is no assessment information to evaluate their abundance, and without this there is no ability to utilize the existing ICCAT and HMS framework. Therefore, DMF is pursuing the logical course that given the growing importance of these recreational fisheries, it is warranted (in my view) for state authorities to exercise their discretion and adopt precautionary and conservation-minded management measures in the absence of sufficient data. Should we reach a point-in-time where we have a stock assessment and management framework that allows for the liberalization of catch limits and the further development of commercial fisheries, I would certainly expect DMF will cooperate with other state partners to embrace those regional standards.

The American Sportfishing Association objected to a possession limit applied to recreational anglers and instead preferred an approach that focused on curbing the development of a commercial fishery and better managed the bycatch of these species in industrial gears. I believe my recommendation adequately curbs the development of a directed commercial fishery as the limit applies broadly to any person, not just recreational fishers. This is a similar approach to how we manage our blue crab and sand lance fisheries, and it prevents an individual from obtaining an inexpensive open access commercial fishing permit to avoid low recreational fishing limits. I think the application of this limit to all fishers is warranted in the context of precautionary management to constrain the development of a commercial fishery and to codify existing recreational retention practices in light of an expanding recreational fishery for these species.

DMF also received a comment from several commercial fishers who objected to this limit because it would constrain their ability to target this species commercially in the future. Should population data be developed that supported the development of a commercial fishery, then I would consider how best to accommodate that. However, absent any population data on this species, I am challenged to support the development of a commercial fishery. Moreover, I struggle the development of a commercial fishery where the preferred gears would be purse seines or floating gillnets, both of which could have some bycatch implications and cause user group conflicts. I also think these issues were also concerns among the various interests who favorably commented on DMF's public hearing proposal.

Lastly, there were several comments that objected to adopting a combined retention limit for both species, rather than a species-specific bag limit. DMF debated this extensively internally. I certainly recognize that a combined species limit is novel and departs from the typical management of marine fish species. Moreover, there are potential benefits to adopting species-specific bag limits. For instance, should there be more robust population data in the future and one species warrants more or less conservation than the other, it may be challenging for DMF to separate management. However, this is a hypothetical issue that we can address in the future should we gain the benefit of population estimates to inform management. At this point, we are managing for precaution; the fisheries for these species are similar and the animals are of a similar appearance particularly to more novice anglers, and these are new rules. I think there is a substantial enforcement and compliance benefit to the combined species limit approach. With that said, I am open to revisiting this approach moving forward.

#### Minimum Size Limit

While my December memorandum to the MFAC did not include a proposal for a minimum size limit, I consented to propose a 16-inch limit for both species at the business meeting in response to your feedback. The reason I chose the 16-inch limit is that it represents the estimated size-at-maturity for both species (Figure 5 and 6). It also my understanding that most of the recreational catch being retained for both species exceeds 16-inches.

This proposal was broadly supported in the public hearing testimony and the written public comment. However, several commentors advocated for larger size limits. I do not think this is necessary or supported by the available data at this time.

It is notable that the Cape Cod Charter Boat Association opposed the size limit because smaller hardtails are often used as tuna baits when preferred baits such as mackerel and herring are not available. I think this is a fair criticism of the recommendation. However, I'd argue that constraining general harvest of these fish to that segment of the population that is sexually mature is more beneficial than carving out an allowance to use these targeted recreational species as bait when other bait fish are unavailable. A similar challenge exists with the management of our recreational scup fishery, where we have an 11-inch minimum size for boat-based anglers to address the principal activity of retaining scup for consumption, but there is a segment of the fishery that would like to retain small scup as striped bass bait.

The Stellwagen Bank Charter Boar Association also opposed the size limit because it could place Massachusetts fishery at a disadvantage compared to neighboring Rhode Island, which as no size limit. I understand limit difference across states can be challenging for the for-hire industry, however, I think Rhode Island is closely monitoring where DMF and the MFAC land on this issue and are likely to adopt similar rules moving forward.

#### Commercial Bycatch Allowances

I am recommending the MFAC approve two exemptions to both the possession limit and size limit rules. The first is to codify the previously proposed exemption for mechanized mackerel jigging for the reasons stated in the initial proposal. The second is to exempt bycatch in the weir fisheries. This responds to the written comment from a weir fisher, Jacob Angelo.



The written public comment did express some concern about exemptions to the proposed size and possession limits to accommodate commercial fishing activities and some comments suggested bycatch allowances be limited to a small set amount (e.g., 5% of all catch). I recognize the interest in adopting firmer standards on bycatch allowance, but DMF does not have the data to support specific standards at present. However, I intend to dedicate staff to better understand the incidental catch of hardtails in our commercial fisheries, particularly the mechanized jig fishery for mackerel.

I am not concerned that these exemptions are going to open the door for directed fishing effort on hardtails. There are various economic constraints on operating a mechanized mackerel jig fishery. Accommodating hardtail bycatch is likely not going to further encourage participation in this small seasonal fishery around Cape Cod. Similarly, operating a fish weir requires extensive municipal permitting and successful operation is episodic as it requires large quantities of fish coming into the inshore areas where the weirs are set. Moreover, the interactions between weirs and hardtails are likely limited as demonstrated by the low level of reported weir landings of either species over the past decade. Rather, I think these exemptions reduce the regulatory burden on these commercial fishing operations through allowing them to functionally operate without onerous requirements to discard hardtail should they be incidentally caught.

#### Enclosed

Written public comment.

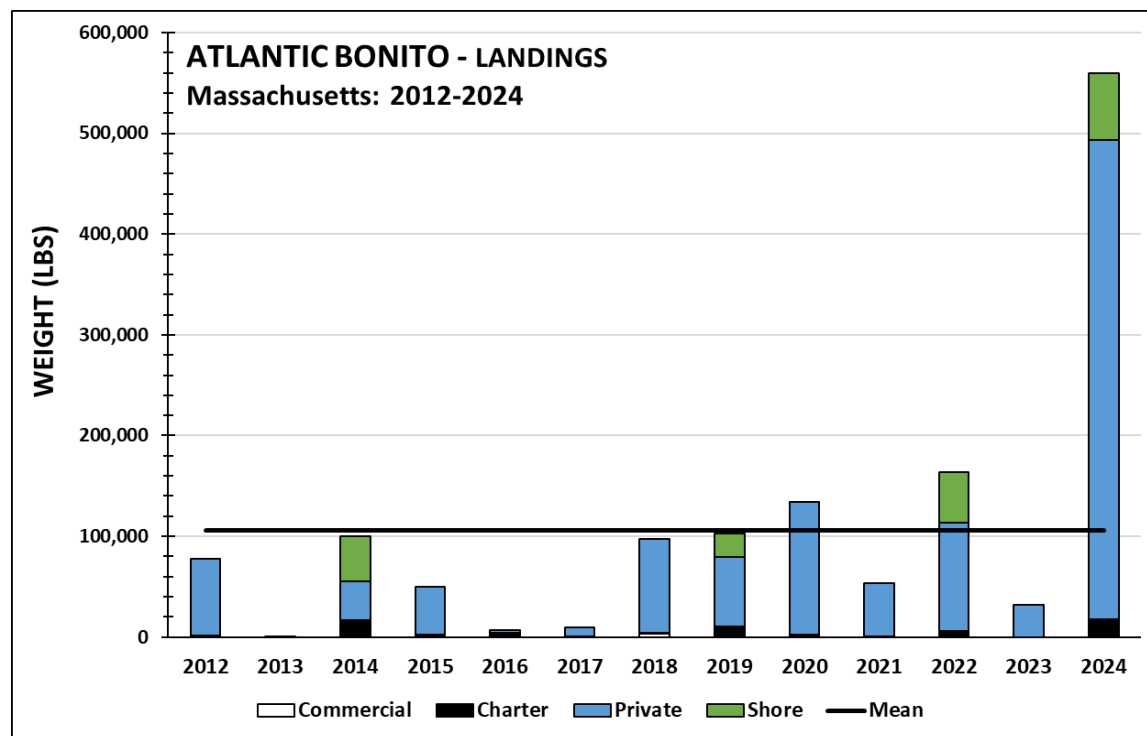


Figure 1. Total Landings of Atlantic Bonito (2012 – 2024) by All Sectors and Modes in Massachusetts. Source MRIP and SAFIS Data.

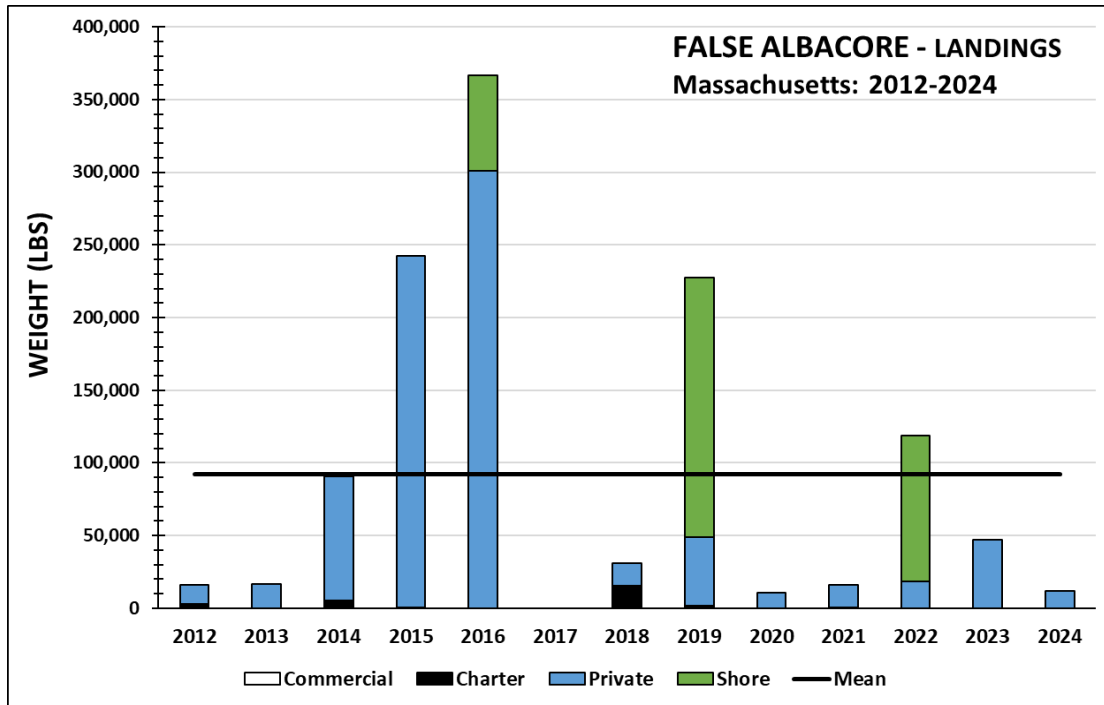


Figure 2. Total Landings of False Albacore (2012 – 2024) by All Sectors and Modes in Massachusetts. Source MRIP and SAFIS Data.

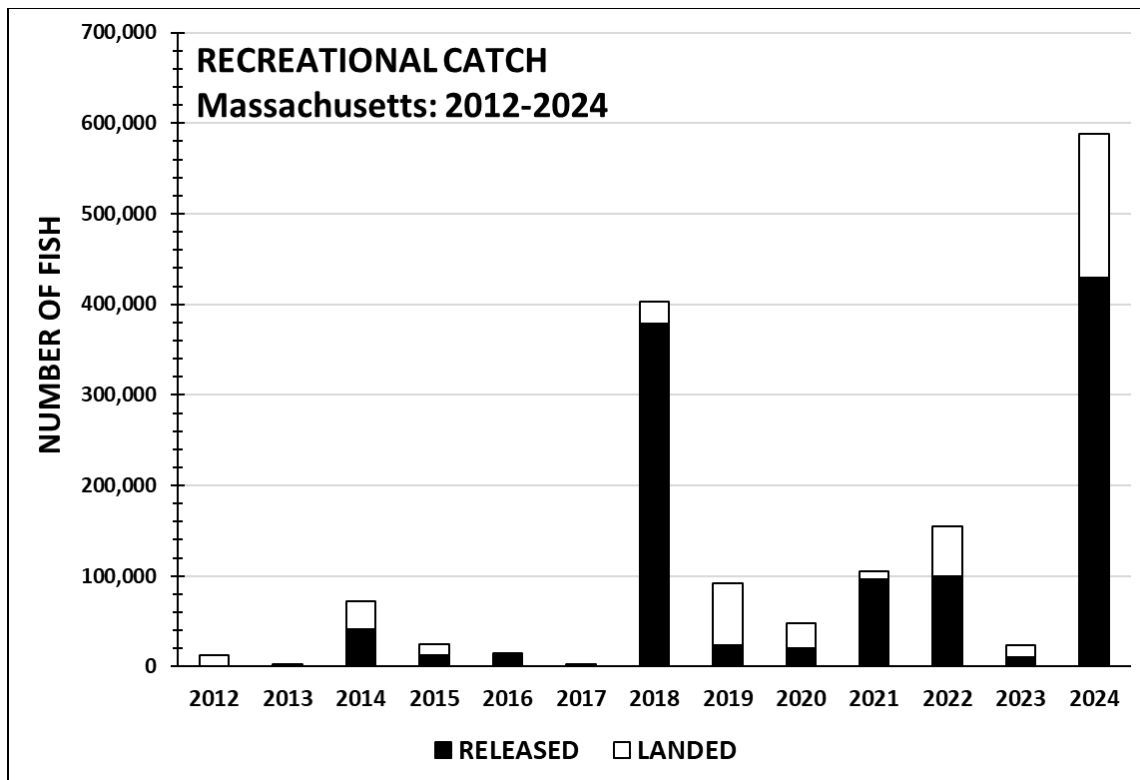


Figure 3. Total Catch of Atlantic Bonito (2012 – 2024) in Massachusetts. Source MRIP.

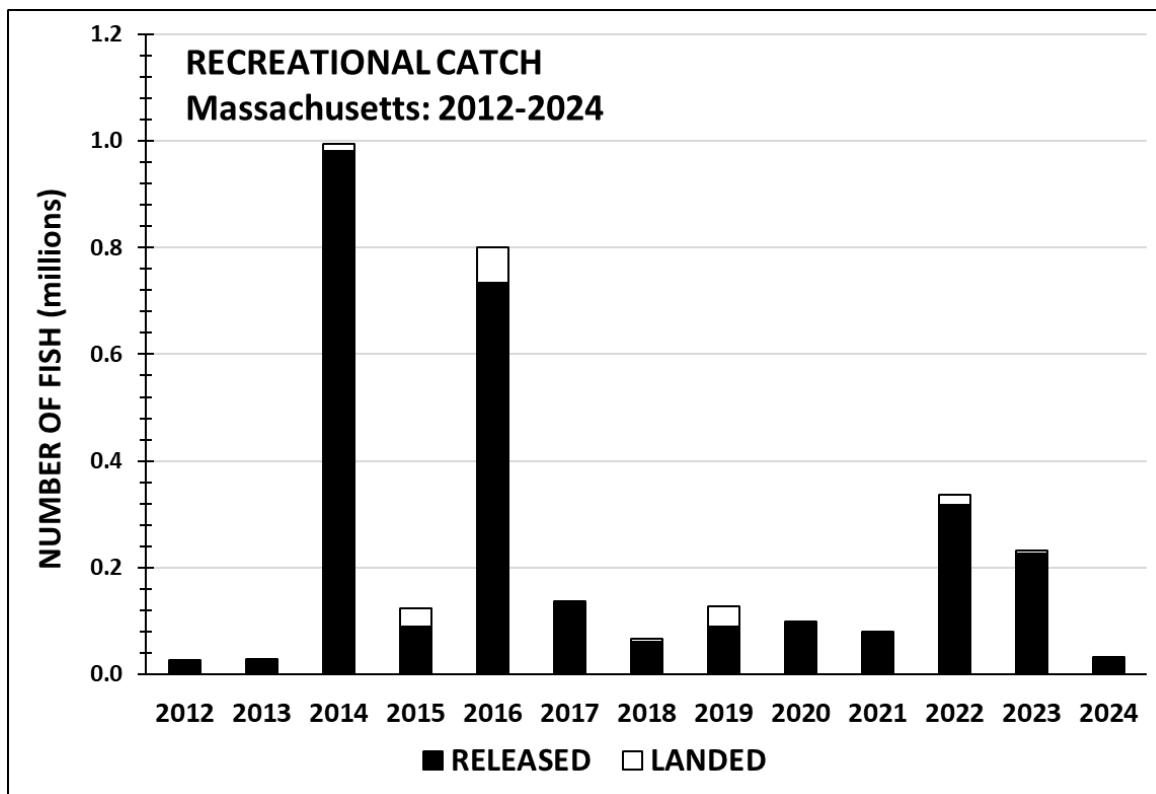


Figure 4. Total Catch of False Albacore (2012 – 2024) in Massachusetts. Source MRIP.

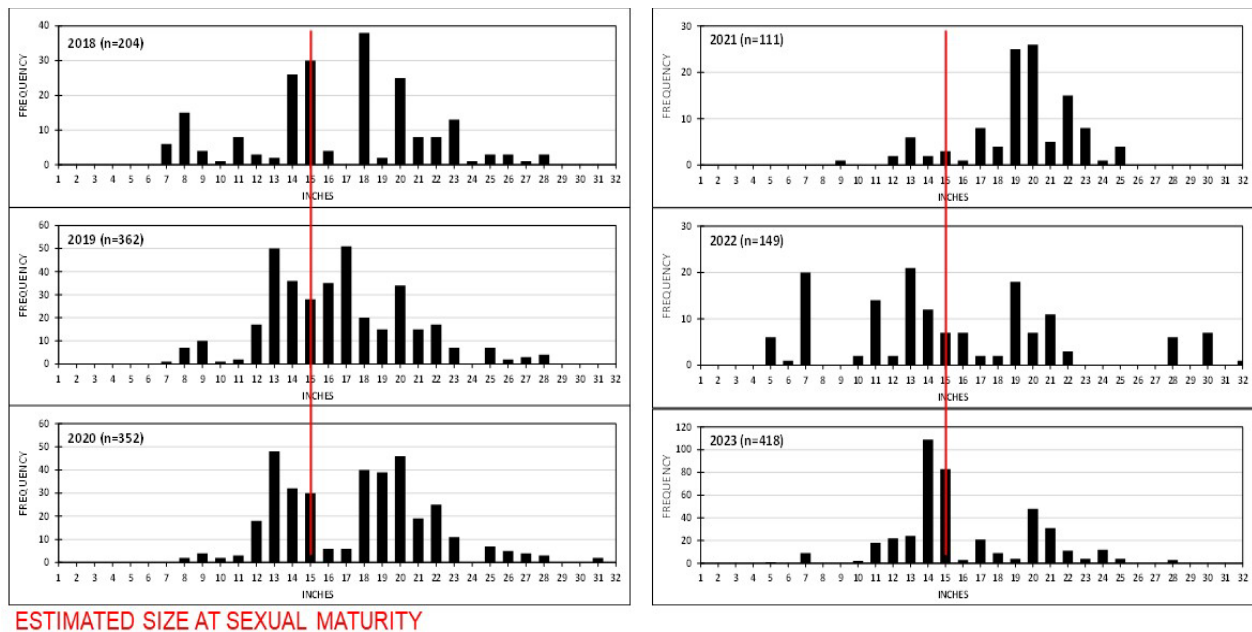


Figure 5. Atlantic Bonito Length Frequencies for Retained Catch in Massachusetts (2018 – 2023) and Estimated Size Sexual Maturity. Source MRIP.

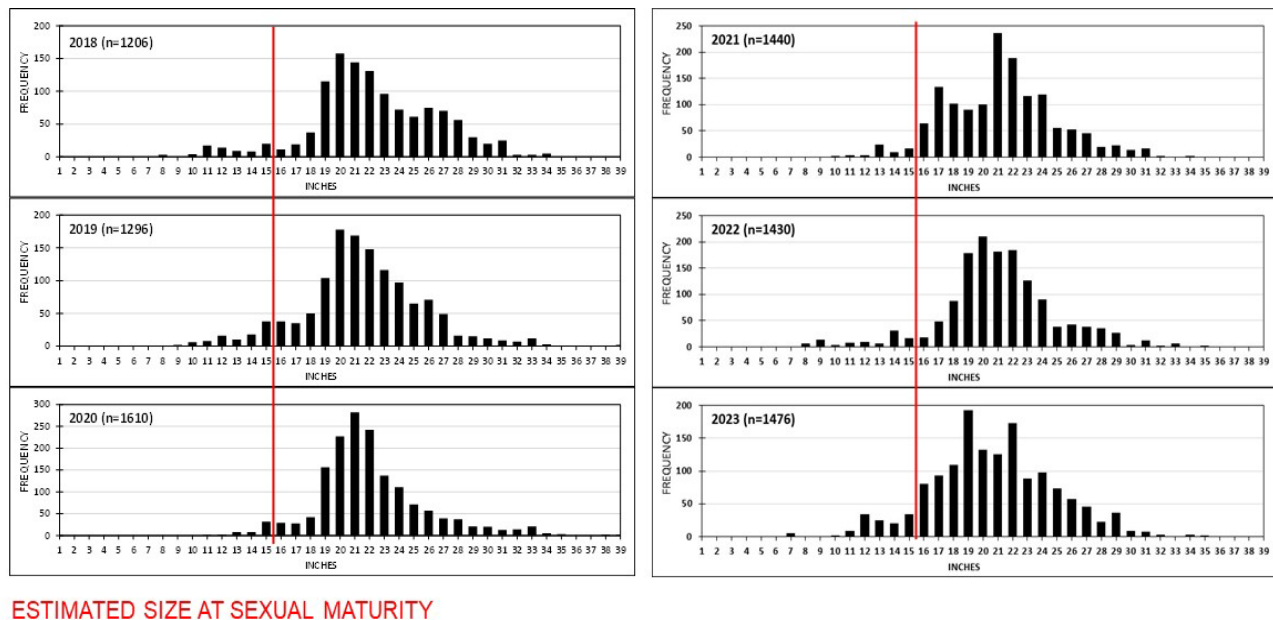


Figure 6. False Albacore Length Frequencies for Retained Catch in Massachusetts (2018 – 2023) and Estimated Size Sexual Maturity. Source MRIP.

**From:** [Geoffrey Fiedler](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** In support of Proposed Albie Regs  
**Date:** Monday, March 17, 2025 8:17:20 AM

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Dear MA DMF,

Like many recreational anglers, I wait all year for the fall run of false albacore. It's a thrilling, fast-paced fishery that keeps me engaged in saltwater fishing and connected to the ocean. But without basic regulations, we risk losing what makes it special.

A 5-fish daily limit and 16" fork length minimum is a reasonable step that protects these fish while allowing anglers to enjoy the experience. Let's take action before we see declines that are harder to reverse.

Thank you,

Geoff Fiedler  
Falmouth, MA

**From:** [Will Poston](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for False Albacore and Atlantic Bonito Rulemaking  
**Date:** Sunday, March 16, 2025 6:47:42 PM

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I support the proposed rulemaking for false albacore and Atlantic bonito. I regularly travel from Maryland to fish Mass waters specifically to chase Albies. This is a great opportunity for Mass DMF to continue being a leader in effective, proactive fisheries management. Other coastal states will follow Mass' leadership.

Anecdotally, I do not think there is any problem with this stock, BUT there were concerning observations of under the table quasi commercial fisheries emerging the past few seasons. And the boom in Atlantic bonito definitely caused some rec anglers to harvest an unreasonable amount of fish.

In this day and age, it is irrational that any fishery with the level of participation and importance as these inshore hardtails has no management.

Kudos go out to Mass DMF for leading on this important issue, and for the Mass MFAC for having the foresight to see the need to act proactively to maintain this great fishery.

Will Poston

Sent from my iPhone

**From:** [Robert Fox](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** In support of Proposed Albie Regs  
**Date:** Sunday, March 16, 2025 5:45:46 PM

---

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Dear MA Department of Marine Fisheries,,

Like many recreational anglers, I wait all year for the fall run of false albacore. It's a thrilling, fast-paced fishery that keeps me engaged in saltwater fishing and connected to the ocean. But without basic regulations, we risk losing what makes it special.

**A 5-fish daily limit and 16" fork length minimum** is a reasonable step that protects these fish while allowing anglers to enjoy the experience. Let's take action before we see declines that are harder to reverse.

Thank you,

Bob Fox  
Mashpee, MA



March 16, 2025

Daniel J. McKiernan, Director  
MA Division of Marine Fisheries  
836 South Rodney French Blvd  
New Bedford, MA 02740

Dear Director McKiernan,

The American Sportfishing Association (ASA), representing the interests of the sportfishing industry and the broader recreational fishing community, writes to offer an alternative management solution to the Massachusetts Division of Marine Fisheries' (DMF) proposal to establish a five-fish per person possession limit for Atlantic bonito (*Sarda sarda*) and false albacore (*Euthynnus alletteratus*). While ASA acknowledges the intent to address concerns about unconstrained growth in these fisheries, we believe the proposed action disproportionately burdens recreational anglers, fails to effectively target the primary management concern, and overlooks better alternatives.

The recreational fisheries for Atlantic bonito and false albacore enjoy considerable popularity among anglers. Atlantic bonito is highly regarded as a superior food fish, whereas false albacore is predominantly a catch-and-release species. Recreational catch data for these species appear to be inconsistently estimated, with certain years reflecting minimal to no harvest and others exhibiting notable increases. Due to the episodic availability of these species to nearshore anglers, the Marine Recreational Information Program (MRIP) catch estimates are likely unreliable, as the survey design inadequately samples these populations. Nevertheless, anecdotal evidence suggests that the recreational harvest of these species remains minimal compared to other species accessible to commonwealth anglers.

### **The Proposed Issue**

The DMF proposal frames this action as a precautionary measure to address unconstrained growth in the Atlantic bonito and false albacore fisheries, with a specific aim to limit the potential development of a commercial fishery for these economically important recreational species. However, the proposed five-fish possession limit applies uniformly to both recreational and commercial sectors, despite the state's stated focus on constraining commercial expansion. This uniform limit unfairly restricts recreational anglers while providing exemptions to commercial harvest.

### **ASA's Recommendation**

Rather than imposing a blanket possession limit that disproportionately impacts recreational anglers, ASA urges DMF to adopt a more tailored regulatory framework that directly addresses the state's concerns about commercial fishery development while supporting the recreational sector's interest in these species. We propose the following alternative measures:

- 1. Prohibit Directed Commercial Harvest with a 5% Incidental Catch Limit:**

Massachusetts should implement regulations modeled after the river herring management framework. Specifically, we recommend prohibiting directed commercial harvest of Atlantic bonito and false albacore, while allowing an incidental catch retention limit of 5% by weight relative to the total commercial catch on a trip. This approach would effectively constrain the

AMERICAN SPORTFISHING ASSOCIATION

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potential development of a purse seine fishery, as well as limit any existing or future commercial harvest, without unduly burdening recreational anglers. The 5% incidental catch limit aligns with existing precedents, such as the incidental catch of river herring in the federal waters trawl fishery for Atlantic herring.

**2. Implement a 16-Inch Minimum Size Limit for Recreational Fisheries:**

To address documented concerns about the use of young-of-the-year Atlantic bonito as bait in recreational fisheries—a practice noted several years ago alongside mackerel jigging—ASA recommends a 16-inch fork length minimum size limit for recreational harvest of both species. Scientific studies indicate that 50% of Atlantic bonito reach sexual maturity at approximately 16 inches, making this a scientifically defensible precautionary approach to continued population sustainability. This size limit would discourage the harvest of immature fish for bait, align with precautionary management goals, and maintain the recreational fishery's focus on larger, mature individuals -- that DMF already acknowledges is predominately catch and release -- without the need for an arbitrary bag limit.

**Conclusion**

The American Sportfishing Association opposes the proposed five-fish possession limit that targets recreational anglers who aren't the threat to these fisheries. DMF's proposal risks curbing a thriving, angler-driven fishery that's largely catch-and-release, while letting commercial fisheries slip through with exemptions. Instead, we urge DMF to pursue regulations that prohibit directed commercial harvest with a 5% incidental catch limit and establish a 16-inch minimum size limit for recreational fisheries. These measures would better achieve the state's goals of constraining commercial fishery development, protecting juvenile fish, and sustaining the recreational fishery that supports Massachusetts' valuable outdoor recreational economy.

Thank you for considering ASA's input on this important recreational issue in the Commonwealth.

Sincerely,



Michael Waite  
Atlantic Fisheries Policy Director  
American Sportfishing Association



**To: Danniell McKiernan, Director Mass DMF/ Raymond Kane, Chairman Mass Marine Advisory Commission**

**Date: 3/16/25**

Dear Dan, Ray, and Members of the Marine Fisheries Advisory Commission,

The American Saltwater Guides Association (ASGA) is grateful for the opportunity to comment on False Albacore and Atlantic Bonito Limits (322 CMR 6.42). The Massachusetts Division of Marine Fisheries should be applauded for taking a precautionary approach to these species. Far too often, we are slow to react to changing fisheries and lose the opportunity to conserve a resource. This is a shining example of a state agency being proactive rather reactive. We could not be more grateful to the state agency.

Several years ago, ASGA initiated The Albie Project because our guides cannot afford to lose another species. False Albacore and Atlantic Bonito provide several months of income for guides and fishing-related businesses from Massachusetts to Florida and countless angling opportunities for Massachusetts recreational anglers. Our preliminary results show a connected coastal stock. Through traditional and telemetry tagging we now understand that our guides and anglers are catching the same fish from Massachusetts to North Carolina and even Florida.

In 2024, Rhode Island and Massachusetts combined to land approximately 900,000 of these two species. If we applied an extremely conservative minimum of \$30 of angler expenditure per fish, this represents a \$27,000,000 angling economy for both states annually. This is a gift that needs protection.

The dramatic decline of striped bass, weakfish, and bluefish drives angling effort to other species. Rather than witness another decline, this proposal addresses the situation. While we fully support this effort, **we ask for consideration to change the five fish limit to three.** That is still 18 fish for a boat of six anglers. No one needs that many False Albacore, and while Atlantic Bonito is excellent table fare, the meat is delicate and must be prepared quickly while not freezing well.

ASGA supports False Albacore and Atlantic Bonito Limits (322 CMR 6.42) for the following Reasons:

- **Economic Drivers:** Albies and bonito fuel tourism, drawing anglers from around the country. They provide abundant opportunities for recreational anglers and professional guides. These “hard tail tourists” pump millions of dollars of tourism into tackle shops, marinas, hotels, restaurants and other local small businesses.

- **Conservation Hope:** These efforts display a shift in management mentality. We can't afford to fish any more species to the brink and then try to bring them back. Proactive management ensures we never reach the "point of no return". Setting these limits now prevents overharvest and safeguards False Albacore and Atlantic Bonito for generations.
- **Science Driven:** Proposing a 5-fish daily limit and 16" fork length minimum shows foresight, addressing the species' sexual maturity in the new regulations. This management action builds on ASGA's Albie Project data, proving that Mass DMF utilizes the latest research to inform effective decision making. ASGA is proud to have conducted a [false albacore acoustic tagging study](#) in Massachusetts waters with several community partners. With data collected from the Albie Project, fishery managers are gaining a better understanding of this species and their distinct connectivity between key coastal communities from Massachusetts to North Carolina and Florida. We share one connected stock.

**ASGA offers our thanks for taking on this important issue and asks for a vote of support.** We work with state agencies from Maine to Louisiana. Massachusetts Division of Marine Fisheries is one of the best. This isn't just about two important species. It is also about a shift towards proactive management.

On behalf of the ASGA community,



Tony Friedrich  
President & Policy Director  
[tony@saltwaterguidesassociation.org](mailto:tony@saltwaterguidesassociation.org)  
(202)-744-5013

March 16, 2025

Director Dan McKiernan  
Massachusetts Division of Marine Fisheries  
30 Emerson Avenue  
Gloucester, MA 01930

RE: Public Comment

Dear Director McKiernan,

Thank you for the opportunity to submit comment to the recent Notice of Public Hearing document. If there are any questions or follow-up clarifications, please feel free to contact me.

Striped Bass Management:

1. I agree with the Division that total length measurements need to be consistent across sectors.
2. I agree with the Division's proposal for a slot-limit for the commercial striped bass fishery.
3. I oppose the Division's proposal to prohibit the use of gaffs for the commercial striped bass fishery. A gaff is an invaluable tool to a commercial fisherman particularly in a situation where they are fishing alone or when multiple fish are being landed at the same time. The commercial striped bass fisherman is not a weekend warrior and can ascertain quickly whether a fish is close to legal size and if it should be landed by hand or by net.

False Albacore and Atlantic Bonito Limits:

1. I agree with the Division's proposal of a daily retention limit of 5 fish per person per calendar day. I would like to suggest that there be a 10 fish possession limit for each species. Fall fishing includes fishermen who dedicate multiple days in a row of targeting these species from boat and from shore (particularly Over-The-Sand fishermen). Having 2 days of retention limits should be allowed.
2. I agree with the Division's proposal of for a 16-inch minimum size.

State Waters Groundfish Management:

I agree with the Division's proposals.

Commercial Summer Flounder Management:

I agree with the Division's proposals.

### Restrictions on Casting, Chumming, and Shore-based Shark Fishing:

1. In regards to this complex issue, I have some serious concerns as to the breadth and width of the proposed regulations. I spoke with several north shore tackle shops and they confirmed that there is very little, if any, people that frequent their shops who indicate they target or are going to target shark species from shore. More importantly, they don't have customers returning to their shop showing pictures of a successful shore-based shark fishing trip. I also surveyed approximately a dozen surf anglers from Quincy to Newburyport whether they have targeted or have heard of fishermen targeting shark species from shore anywhere north of Scituate. It was a unanimous 'No'.

I agree with you in defining what should be considered shore-based shark angling. I have concerns that the proposal to prohibit any shore-based shark fishing north of Plymouth misses the mark for any white shark conservation or protection. Your memorandum states 'However, in recent years, a small number of shore-based anglers have been observed targeting and landing white sharks, particularly along the eastern facing beaches of Cape Cod.' And also, 'Compounding this issue is the fact that this discrete fishing activity is difficult to detect, particularly as it is primarily occurring on the remote beaches along the eastern shore of Cape Cod.' I don't see the justification or the conservation correlation to protecting white sharks by prohibiting any shore-based shark fishing on the north shore, especially while allowing shark fishing to continue on the south Cape beaches. This clearly appears to be a Cape Cod issue. This is apparent as you stated, 'Shore-based shark fishing effort primarily occurs along the south shore of Cape Cod, and on Martha's Vineyard and Nantucket islands.' Where are white sharks more prominent and likely to be encountered in shore-based fishing, south Cape beaches or Cape Ann? To quote the late, great Kemp Maples, 'You don't need a buffalo gun to shoot a mouse'. This is a Cape and Islands issue that should be dealt with on the Cape and Islands.

**COMMENT:** At this time, I respectfully request you exempt from this proposed regulation all shoreline north of the 'Three Bays'.

2. As far as the proposal to prohibit shore-based chumming, I am confused by the first sentence of your memorandum. Is this proposal a ban on chumming when "Shark" fishing from shore (as defined) throughout the Commonwealth? If so, that seems reasonable, given that you will create a definition of shore-based shark fishing activity. However, if this is a blanket prohibition on the use of chum while fishing from shore, I feel this would be a draconian measure that may not have been thought through. If taken as written, this would prohibit fishermen fishing from piers, docks, jetties, etc, from using chum and/or chum pots to attract species like mackerel, harbor pollock, scup, black sea bass, flounder, fluke, smelt and striped bass. This tactic is used at probably all public and private docks in some capacity.

**COMMENT:** At this time, I respectfully request that the verbiage of the regulation reflect something to the effect that ‘chumming is prohibited while engaged in shark-fishing activity (as defined)’.

3. Casting Mandate – I feel that water-based bait delivery systems should be allowed.

Thank you,

Chuck Casella  
1 Pine Plain Rd  
Georgetown, MA 01833  
C – 978-290-0705

**From:** [Michael Hogan](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Hoky Lures and Salty Cape Supports Proposed Albie Regs  
**Date:** Sunday, March 16, 2025 11:37:10 AM

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Dear Ma DMF,

At **Hoky Lures** and **Salty Cape**, we are deeply invested in the health and sustainability of our fisheries. As a company that designs premium lures for responsible anglers and a platform dedicated to fishing education, we strongly support the 5-fish daily limit and 16" fork length minimum for false albacore. Fewer if possible, Ideally 3 fish in our opinion. What are anglers going to do with Five per person fish that don't freeze well?

False albacore are not only a world-class gamefish but also a **critical economic driver** for Massachusetts and Rhode Island. In 2024 alone, nearly **900,000** albies and bonito were landed in these two states, representing a fishery worth **at least \$25 million, likely much more**. This isn't just about fish—it's about the small businesses, guides, tackle shops, and tourism industries that thrive because of them.

Furthermore, proactive conservation is always more effective than reactive recovery. We've seen too many species decline due to delayed management. Implementing these regulations now ensures we never reach that tipping point. With no added burden to the state agency, this is a **simple, common-sense step toward responsible fisheries management**.

We urge you to adopt these regulations and protect a fishery that fuels both our economy and our passion for fishing.

Sincerely,

Michael Hogan  
**Hoky Lures & Salty Cape**

Michael Hogan

Hoky Lure Company  
Founder CEO  
[michael@hogylures.com](mailto:michael@hogylures.com)  
[www.hogylures.com](http://www.hogylures.com)

Quality Lures for Today.  
Conservation for Tomorrow.

**From:** [Christopher Burden](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** In support of Proposed Albie Regs  
**Date:** Sunday, March 16, 2025 11:53:57 AM

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Dear Ma Dept Marine Fisheries,

At **New Seabury Marina**, we see firsthand how important false albacore are to our local fishing community and economy. Every fall, anglers from all over flock to our waters in pursuit of these incredible gamefish, fueling **boat rentals, fuel sales, tackle purchases, and tourism dollars** that support small businesses like ours.

The proposed **5-fish daily limit and 16" fork length minimum** is a necessary step to ensure this fishery remains sustainable. Without proactive regulations, we risk following the same path we've seen with other species—waiting until it's too late. By acting now, we can **protect the future of albie fishing while maintaining the economic benefits it brings to marinas, guides, tackle shops, and coastal businesses.**

This is a common-sense measure that requires no extra burden on the state but will have a lasting impact on our fishery. We strongly urge you to implement these regulations.

Christopher Burden  
561.601.6152  
[cb@burdenfl.com](mailto:cb@burdenfl.com)



**From:** [Jacob Angelo](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Cc:** [McKiernan, Dan \(FWE\)](#); [Silva, Jared \(FWE\)](#)  
**Subject:** False albacore and American eel public comments  
**Date:** Sunday, March 16, 2025 1:35:06 PM

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Dear Director McKiernan,

My name is Jacob Angelo from Barnstable and I am the next generation of weir fishermen in the state. I would please ask that you extend an exception for the weirs regarding the proposed false albacore/ bonito restrictions. As you know the weirs fishery is at the mercy of what swims into them and are not able to reposition. I've been told by previous weir fishermen that these species have historically been caught in the weirs. There are very few fishermen with weir endorsements left and the species are highly migratory which to me means an exception on a previous unregulated species wouldn't have any negligible impact on the stocks. In addition they are fast growing, prolific breeders, and are harvested regularly in other states. Please consider an exception for weir fishermen to continue to be allowed harvest of these species.

As far as the American eels goes, I don't feel like a change is necessary state wide. Only fishermen with town permits can fish for eels if I'm not mistaken. The fishery is very small and hardly utilized but should remain in place for baymen if needed. If a legitimate concern should arise I'd expect the DMF could work with the town to reduce pressure for those areas.

Thank you for your considerations,  
Jacob Angelo  
Cell: 508-367-7830  
Barnstable Seafood Co.: 774-994-1711



**RHODE ISLAND**  
**SALTWATER**  
**ANGLERS**  
Association



P.O. Box 1467, Coventry, Rhode Island 02816

401-826-2121

www.RISAA.org

March 15, 2025

Daniel McKiernan, Director  
Massachusetts Division of Marine Fisheries

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

RE: Possession Limits for Atlantic Bonito and False Albacore

Dear Director McKiernan

The Rhode Island Saltwater Anglers Association (RISAA) is pleased to provide this comment to support the proposed proactive possession limits for Atlantic bonito and false albacore. We represent over 7,500 recreational anglers and 35 affiliated clubs in RI, MA and CT. As stakeholders in marine fisheries issues we are very concerned with the management of fluke, black sea bass, scup, and bluefish in RI waters.

We are happy to see Massachusetts taking the lead with this important recreational fishery. We offer our strong support for the following reasons:

1. Albies and bonito are favorites among our membership. We can also see the positive impact on tourism in the Ocean State. Angler participation pumps millions of dollars into tackle shops, marinas, hotels, restaurants, and other local small businesses.
2. Your leadership demonstrates a shift in management mentality. We can't afford to fish any more species to the brink and then try to bring them back. Proactive management ensures we never reach the "point of no return". Setting these limits now prevents overharvest and safeguards albies and bonito for generations.
3. The work of the American Saltwater Guides Association has demonstrated a coastwide stock. Proposing a 5-fish daily limit and 16" fork length minimum shows foresight, addressing the species' sexual maturity in the new regulations.

For the reasons outlined above, you have our strong support. Please contact us at any time if you have any questions regarding our comments.

Sincerely,

Rhode Island Saltwater Anglers Association

*Scott Travers*

Scott Travers, Executive Director

*Rich Hittinger*

Rich Hittinger, 1<sup>st</sup> Vice President

Dear Director McKiernan,

I am writing to you in favor of the proposal to establish a five fish bag limit and 16" fork length minimum for false albacore and bonito.

These are both highly sought, top-tier gamefish in southern New England, that enjoy increasing popularity with anglers year after year. As such, the economic value of these fish has grown as well, driving tourism as anglers from across the country come to the region to pursue these fish each fall. When the albies are in, it's not at all uncommon that the hot spot parking areas will have a license plate from every north east state in representation. I've also run into anglers from the midwest and as far away as Arizona while albie fishing. It can't be understated how much of a draw that these fish are.

Additionally, we are fortunate that these amazing fish are currently enjoying relative abundance. Therefore, this would make these proposed regulations proactive rather than reactive, which I applaud both you and the Massachusetts DMF for. I think it's a fantastic and groundbreaking action. By passing this regulation, an important precedent becomes set, and it becomes entirely possible, and even likely, that it will be a catalyst for other New England states to follow suit.

Sincerely,

Brendan Richards  
[brendan.richards1138@gmail.com](mailto:brendan.richards1138@gmail.com)  
3595 Post Rd Apt 18107  
Warwick, RI 02886

**From:** [Peter Jenkins](#)  
**To:** [Fish, Marine \(FWE\)](#); [McNamee, Jason \(DEM\)](#)  
**Cc:** [Eric Spicer](#)  
**Subject:** Saltwater Edge Letter of Support: Proactive Regs for Bonito and False Albacore in Massachusetts  
**Date:** Friday, March 14, 2025 4:58:01 PM

---

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Dear Director McKiernan,

My name is Peter Jenkins. I am the owner of the Saltwater Edge, a tackle shop in Middletown, RI, and I also serve as Chairman of the American Saltwater Guides Association. I am writing to support the proposed proactive management of false albacore and bonito in Massachusetts. I am happy to see Massachusetts (I grew up in Duxbury) taking the lead with this critical recreational fishery, especially given the teetering striped bass fishery.

I know that the combined catch in RI and Mass was about 900K fish. If you put a low-end value of \$30 worth of expenditures on each fish, you are looking at a 25 million dollar fishery for just these two jurisdictions. From my perspective as a tackle shop owner, the value is closer to \$100 per fish, making this fishery one of the most valuable in the states. The thought of not regulating it is unimaginable.

The work of the American Saltwater Guides Association has demonstrated a coastwide stock. So, proposing a 5-fish daily limit and 16" fork length minimum shows foresight, addressing the species' sexual maturity in the new regulations.

Finally, your leadership demonstrates a shift in management mentality. We can't afford to fish any more species to the brink and then try to bring them back. Proactive management ensures we never reach the "point of no return". Setting these limits now prevents overharvest and safeguards albies and bonito for generations.

Thank you again for your proactive approach,

photo



**Peter Jenkins**  
**The Saltwater Edge**



☐ (401) 842-0062 ☐ [saltwateredge.com](http://saltwateredge.com)

☐ [peter@saltwateredge.com](mailto:peter@saltwateredge.com)

☐ [1370 Unit 7 West Main Rd. Middletown, RI. 02842](#)



**From:** [Jake Naso-Kushner](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False Albacore & Bonito Conservation  
**Date:** Friday, March 14, 2025 5:36:03 PM

---

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Dear Director McKiernan,

I am an avid surfcaster and write to voice my support for the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species are vital to the surfcasting community and in turn, the local Massachusetts economy. Please take a proactive and science backed approach toward protecting these species so that we may continue catching them for many years to come.

Thank you,  
Jake Naso-Kushner

**From:** [Mark Faria](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** I support the false albacore and bonito proposed regulations  
**Date:** Friday, March 14, 2025 6:25:02 PM

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I support the proposed false albacore and bonito regulations  
Sent from my iPhone

**From:** [LEWIS C](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albacore and Bonito Regulations - Public Comment Submission  
**Date:** Friday, March 14, 2025 6:33:03 PM

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To Whom It May Concern:

I am writing to express my strong support for the Massachusetts Division of Marine Fisheries' proposed regulations to manage false albacore and Atlantic bonito.

As I understand it, the Striped Bass and Bluefish fisheries are also having their own stress and challenges.

With limited budgets and limited wo/mampower to manage limits on fisheries, these fisheries become exhausted before more stringent limits can be enacted. Therefore, I support the proposed five-fish daily limit and 16" fork length minimum.

I applaud the Mass DMF for taking this step, and I've always been impressed with how the State of Massachusetts often leads in environmental management.

Respectfully,

Lewis Canfield  
284 Herring Creek Rd.  
PO BOX 4355  
Tisbury, MA 02568

**From:** [Levi Pelletier](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albies and bonito  
**Date:** Friday, March 14, 2025 8:58:20 PM

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Very quick intro, I'm a lifelong fisherman who is very conservation minded. I believe we need to do everything we can to ensure a sustainable fishery for generations to come. I am in favor of the proposed regulation. Five fish is more than enough for anyone on any day. I feel it's important to place regulations on the fishery before they are in a desperate state not once it happens such as the situation with stripers, hopefully it's not too late for them. Thank you for taking the first step towards protecting them and hopefully being an example for the rest of the eastern seaboard states to follow.



**From:** [Robert Pistorino](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albie/Bonito  
**Date:** Saturday, March 15, 2025 6:47:57 AM

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As an avid lifelong angler (69yrs young) I've seen the ridiculous decline in most species of fish I used to enjoy catching.

I would hope that going forward we can be more proactive in the protection of all fisheries. So I'm a firm advocate in the reduced bag limits for Albies & Bonito.

Thank you

Bob P

Sent from my iPhone

**From:** [sam bell](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for false albacore  
**Date:** Saturday, March 15, 2025 9:08:20 AM

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To whom it may concern,

I would like to express my total support for the False Albacore and Atlantic Bonito conservation efforts. I cannot thank you enough for being proactive in your efforts to protect and preserve this fishery. If I could make (1) suggestion, I would like to break up the harvest to (3) maximum of False Albacore and (3) Atlantic Bonito per day, per angler with the 16" minimum requirement measured from tip to fork.

**From:** [Colin Temple](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for False Albacore & Bonito Management  
**Date:** Saturday, March 15, 2025 10:05:36 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.

Good morning Director McKeirnan & staff,

I am writing this morning in support of your actions to bring management to the albie & bonito fishery. As a Massachusetts based saltwater angler I spend ~50-60 days a summer on the water chasing the wonderful species we have available to us like stripers, blue fish, shad, albies & bonito.

An abundant and healthy biomass is incredibly important recreationally and economically. Now is the time for Massachusetts to act to set an example, following up on North Carolina's actions, to catalyze the remainder of the Atlantic coastal states into action. Albies & Bonito are a wonderful resource that is at risk of facing overfishing as the striped bass fishery has declined. We need to ensure there are no negative waterfall impacts from increased efforts and the proposed management initiatives are a great step in the right direction.

Best regards,  
Colin Temple  
Newburyport, MA

--

Colin J Temple  
(802)558-6431

**From:** [Ellen Sullivan](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False Albacore and Bonito Regulations  
**Date:** Saturday, March 15, 2025 10:11:19 AM

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**To whom it may concern,**

**I would like to express my total support for the False Albacore and Atlantic Bonito conservation efforts. I cannot thank you enough for being proactive in your efforts to protect and preserve this fishery. If I could make (1) suggestion, I would like to break up the harvest to (3) maximum of False Albacore and (3) Atlantic Bonito per day, per angler with the 16" minimum requirement measured from tip to fork.**

Ellen Doyle Sullivan  
CG Appraiser

**From:** [Ellen Sullivan](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False Albacore and Bonito Regulations  
**Date:** Saturday, March 15, 2025 10:12:12 AM

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**To whom it may concern,**

**I would like to express my total support for the False Albacore and Atlantic Bonito conservation efforts. I cannot thank you enough for being proactive in your efforts to protect and preserve this fishery. If I could make (1) suggestion, I would like to break up the harvest to (3) maximum of False Albacore and (3) Atlantic Bonito per day, per angler with the 16" minimum requirement measured from tip to fork.**

Michael Sullivan



Director McKiernan,

Cape Cod Charter Boat Association appreciates the opportunity to provide comments on the recent fishery management proposals.

#### Striped Bass Proposals:

We support the squeeze the tail measurement clarification. There was some confusion last year on how the tail measurement was to be made and there is a significant size discrepancy between fanning and squeezing the tail. This measure will make it clear both for fishermen and enforcement how striped bass should be properly measured. One possible thought for improvement in the future would be to look at measuring to the fork of the tail instead of the tip of the tail as it is much more difficult to manipulate this measurement through squeezing and fanning the tail.

We do not support the new proposed commercial striped bass slot limits. Many of our members also hold commercial striped bass permits and fish commercially for striped bass. There were many years that fish were legally allowed to be sold off a charter boat with customers but this practice was stopped because the charter boats were "double dipping" and people were opposed to us making some extra money off of our charters. Many of us still hold commercial permits and are able to fish commercially when a paying customer is not on the boat. Being able to commercially fish for striped bass makes up for some of the revenue we have lost due to trips being lost to the highly restrictive recreational slot limit for striped bass and restrictions in other fisheries.

These slot limit proposals will also lead to a reduction in the overall state commercial quota. The ASMFC has not mandated any cuts to the quota for this year. Slot limits could lead to increased discards. Several fishermen have said that with a smaller size they would high grade and only keep bigger fish in the slot- more discards. Having a smaller size would also lead to more individual fish getting caught to achieve the quota. If we do not need to take a cut in the quota we should not take it as more cuts could be mandated in the future. The biggest problem we see right now in the striped bass fishery is spawning and new recruitment. This is where more of our efforts need to be focused.

#### Bonito and False Albacore Proposals:

We do not support a bag or size limit for bonito or false albacore. We would recommend for bonito and false albacore management that although they look similar they are two different species and therefore should each be managed separately. One of the biggest differences

between the two species is that bonito are delicious and often kept for consumption while false albacore are not good to eat and with the exception of some that are weighed in for a tournament, and a few brave souls most who might attempt to eat them, the overwhelming majority are caught and released for sport. Bag limits would therefore affect bonito much more than false albacore. We heard at the public hearing that there is a 30% post release mortality for false albacore. If the albie population needs conservation measures, and nobody keeps them, I would argue that the most effective conservation measure would be a no-targeting, no fishing season for them as opposed to a bag limit as catch and release is by far the largest contributor to recreational fishing mortality.

There is no evidence of overfishing or lack of abundance for bonito or false albacore. Other fishing groups have claimed that the proposal for a five fish bag limit is science based but this is not true. The councils and HMS do not currently have a fishery management plan or stock assessments for these species. ICCAT does include false albacore and they are not subject to any commercial or recreational measures. We cannot support these measures until stock assessments and a fishing management plan for each species is developed individually. As fishermen over time we have seen how bag limits and seasons over the years only tend to get cuts and not liberalizations. The five fish bag limit would be a starting point at which over time it would slowly be chipped away at.

These fish are both highly migratory species. What conservation measures we take in Massachusetts would be sacrificed as no other states have management measures for these species once they swim into their waters.

We are opposed to the proposed 16 inch size limit. For several years we have had a hard time catching herring or mackerel to use for bluefin tuna bait. The only bait some days we have been able to find have been small bonito. We would request that as a source of bait that the 16 inch minimum size is not mandated.

We recognize that bonito and false albacore are important fisheries for many of our captains but have seen no evidence of overfishing. We do support better science and more research of these species, but we would be opposed to management measures until there is scientific evidence that it is required.

Eels:

We would support limited access and a control date for the commercial eel fishery but we are strongly opposed to a moratorium on the commercial harvest of eels. Eels are one of the best and most popular bait for striped bass and also used for swordfish, white marlin, sharks and bluefish. With a lack of other bait sources it would be extremely painful to lose eels as a bait source. If the eel population is in decline we should start to think about managing our cormorant population as we witness them constantly gorging on eels and also small fish such as herring, winter flounder and tautog.

Shore Based Shark Fishing, Chumming and Bait Deployment:

We do not support banning shore based recreational shark fishing in state waters. This measure comes from an isolated incident, between an out of state shark guide and some surfers, and should not penalize shore based fishermen who have fished for sharks for years without incident or conflict. This incident was a site specific user group conflict that should be

addressed where the conflict occurs and not apply broad measures to cover the entire coastline. Shore based fishermen should not lose access to a fishery they have the legal right to engage in.

Recreational Black Sea Bass Season:

We appreciate the flexibility of switching the start date of the recreational black sea bass fishery from May 18 to May 17th to coincide with the third Saturday in May in which it historically has opened. This Saturday is a very important date for both the for-hire fleet and recreational anglers and provides a great fishing opportunity as well as an important economic impact to fishermen and all related businesses at the beginning of the season.

Thank you for the opportunity to provide comments regarding these proposed fishery management regulations. If you have any questions or concerns please reach out anytime,

Willy Hatch  
President Cape Cod Charter Boat Association



**C H A N**

127A Petey Lane Westport, MA 02790 Tel: 617 868-1591 Fax: 617 547-8699 cchan@chanmockarchitects.com

March 14, 2025

To: Daniel McKiernan, Director Mass DMF

Re: Proposal to adopt a Possession Limit for Atlantic Bonito and False Albacore

Dear Mr. McKiernan,

I am writing in support of the DMF proposal to adopt a five fish per person possession limit for Atlantic Bonito and False Albacore (both species combined). I also support a minimum size limit for both species. The Commonwealth of Massachusetts and all Atlantic states need to take proactive actions to promote future abundant Atlantic Bonito and False Albacore populations on our shared coast

I have been a recreational saltwater fisherman, mostly with a fly rod, for over 35 years and practice catch and release for most game species.

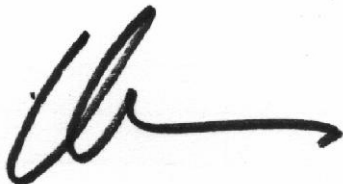
I commend you, your staff, for your proactive move to establish some guardrails to prevent the overharvest of Atlantic Bonito and False Albacore.

Setting limits for the harvest of these species before there is a known problem is wise. Hopefully we can accumulate much needed scientific data to more fully understand these fish.

Thank you for putting forth this proposal. I hope fisheries managers from Massachusetts will set an example that other states will follow.

Thank you,

Chris Chan

A handwritten signature in black ink, appearing to be 'Chris Chan', with a long horizontal stroke extending to the right.

Also of  
16 Haskell St,  
Cambridge, MA 02140

**From:** [Justin Cordonnier](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie and Bonito Conservation  
**Date:** Thursday, March 13, 2025 9:00:32 PM

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Dear Director McKiernan,

I want to express my strong support for the proposed 5 fish daily limit with 16" minimum length regulations. Fishing for false albacore and bonito benefits many people and businesses, including fishing guides, fishing shops, marinas, hotels, and restaurants. In fisheries management it is better to be proactive than reactive. The proposed regulations are fair to both commercial and recreational fishermen.

Thank you for your consideration,  
Justin Cordonnier  
Needham, MA

**From:** [Don Fetig](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie and Bonito Conservation  
**Date:** Friday, March 14, 2025 6:08:36 AM

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Dear Director McKieman

I strongly support the proposal 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses and deserve proactive management before it's too late. Like many of our other species like the cod and striped bass are examples of waiting too long for proper management. This is a smart step towards responsible fisheries management and I urge you to move forward with these protections.

**From:** [GARY DAVIDSON](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** My total Support for False Albacore & Atlantic Bonito Conservation Measures  
**Date:** Friday, March 14, 2025 9:02:02 AM

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To whom it may concern,

I would like to express my full support for any meaningful False Albacore and Atlantic Bonito conservation efforts. I cannot thank you enough for being proactive in your efforts to protect and preserve this fishery that has gone unprotected and abused for far too long. If I could make (1) suggestion, I would like to break up the harvest to (3) maximum of False Albacore and (3) Atlantic Bonito per day, per angler with the 16" minimum requirement measured from tip to fork. I think these measures will do much to protect a fishery that has been seemingly undervalued and overlooked while still helping the economy and promoting thoughtful stewardship of our resources.

Thanks again,

Gary Davidson - Bourne, MA

**From:** [David Blinken](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False Albacore and Bonito  
**Date:** Friday, March 14, 2025 9:57:30 AM

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Dear Director McKiernan,

I have been guiding flyfishing out of East Hampton, NY for 30 years. I applaud the Division of Marine Fisheries for taking the historic measure of managing false albacore and bonito. For decades, my fishing friends and I have organized our fall schedules around their migration. Their arrival around Montauk is a highlight of the season.

I have seen a decline over the years especially the last 5 for these fish. Last year, there were virtually no albies in our inshore waters. And while the bonito were unusually plentiful, they were hammered by anglers due to the lack of both striped bass and false albacore this past fall.

We also know from recent research that these fish are highly migratory, ranging along the entire eastern seaboard, so New York guides like me who count on them in order to help make a living stand to gain from your state's management.

With the lack of striped bass in our waters these fish play an essential role in our fishery both economically and biologically.

Hopefully your leadership will also set an example for managers in New York, and other states along the Atlantic coastline.

Thank you,

David Blinken  
917-975-0912  
<'(((<

**From:** [Pete Gray](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albie + Bonito Regulations - Public Comment Submission  
**Date:** Friday, March 14, 2025 10:36:08 AM

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**Dear Director McKiernan,**

I am writing to express my strong support for the Massachusetts Division of Marine Fisheries' proposed regulations to manage false albacore and Atlantic bonito. As an avid angler and a Massachusetts homeowner who has spent years targeting these species along the Massachusetts coastline, I have seen firsthand their immense value—both ecologically and economically.

Each season, I personally invest more than **\$7,500 annually** in pursuit of these fish. My investment is just a fraction of what countless other recreational anglers contribute, underscoring the critical role these fisheries play in sustaining Massachusetts' coastal economy. Guides, tackle shops, marinas, and hospitality businesses all depend on a healthy and well-managed fishery. This is even more critical for the economy as Striped Bass and Bluefish navigate their own abundance challenges.

Beyond the economic impact, proactive management is simply the responsible path forward. We've seen too many fisheries suffer from a "wait and see" approach that allows overharvest before action is taken. The proposed **five-fish daily limit and 16" fork length minimum** is a science-based, forward-thinking solution that protects these fisheries before they reach a crisis point.

I commend the **Mass DMF** for taking this step, and I encourage you to finalize these regulations to ensure that future generations of anglers can continue to experience the incredible fishery that false albacore and bonito provide. This is an opportunity for Massachusetts to lead by example in conservation-focused fisheries management.

Thank you for your time and consideration.

Respectfully,

Peter Gray  
611 Chappaquonsett Road  
Tisbury, MA 02568  
646-483-7438  
[peterglgray@gmail.com](mailto:peterglgray@gmail.com)

Peter Gray  
[peterglgray@gmail.com](mailto:peterglgray@gmail.com)  
646.483.7438  
[Calendly](#)

**From:** [George Polsky](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False Albacore and Bonito Limits  
**Date:** Friday, March 14, 2025 10:45:31 AM

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Dear Director McKiernan,

I am an avid fisherman out of Montauk NY. I applaud the Division of Marine Fisheries for taking the historic measure of managing false albacore and bonito. Both fish are a prized attraction for our waters, and I feel strongly that there should be some greater management of their harvests.

We have seen some lean seasons for these fish the past few years. Last year, there were virtually no albies in our inshore waters. And while the bonito were unusually plentiful, they were hammered by anglers due to the lack of both striped bass and false albacore this fall.

We also know from recent research that these fish are highly migratory, ranging along the entire eastern seaboard, so New York anglers like me only stand to gain from your state's management - and hopefully your leadership will also set an example for managers in New York, and other states along the Atlantic coastline.

Thank you,

George Polsky

**From:** [Todd Lawson](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Fwd: False Albacore and Atlantic Bonito Limits (322 CMR 6.42.)-Support and Thank You!  
**Date:** Friday, March 14, 2025 2:29:29 PM

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Dear Director McKiernan,

Thank you for proposing the False Albacore and Atlantic Bonito Limits (322 CMR 6.42.) As an avid angler out of East Hampton, NY and Long Island, I applaud the Division of Marine Fisheries for taking the historic measure of managing false albacore and bonito.

For decades, my fishing friends and I have organized our fall schedules around their migration. Their arrival around Montauk is a highlight of the season.

Last year, there were virtually no albies in our inshore waters. The small bonito were here, but they were targeted by anglers due to the lack of both striped bass and false albacore this fall.

We also know from recent research that these fish are highly migratory, ranging along the entire eastern seaboard, so New York anglers like me only stand to gain from your state's management - and hopefully your leadership will also set an example for managers

in New York, RI, MA and other states along the Atlantic coastline.

Thank you,

Todd Lawson

253 Norfolk

East Hampton, NY 11937



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**From:** [James Boyle](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False Albacore and Atlantic Bonito Limits (322 CMR 6.42)  
**Date:** Friday, March 14, 2025 2:40:24 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 would like to thank the MA DMF for proactively taking steps to protect Atlantic Bonito and False Albacore. As a full time fishing guide on Martha's Vineyard these fish now make up most of my season. The recreational fishing pressure has grown immensely and I'm also witnessing a new commercial fishery for them. With NC and MA putting regulations on Bonito and False Albacore, the rest of the coastal states will do the same.

Thank you,  
Capt. Jaime Boyle  
MA ASGA Board Member  
PO Box 1534  
Oak Bluffs MA, 02557  
508-922-1749  
[boylermaker.com](http://boylermaker.com)

**From:** [j.pepper](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False albacore bonito regs  
**Date:** Friday, March 14, 2025 3:02:49 PM

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To whom it may concern,

I would like to express my total support for the False Albacore and Atlantic Bonito conservation efforts. I cannot thank you enough for being proactive in your efforts to protect and preserve this fishery. If I could make (1) suggestion, I would like to break up the harvest to (3) maximum of False Albacore and (3) Atlantic Bonito per day, per angler with the 16" minimum requirement measured from tip to fork.

Julian pepper edgartown ma

Sent from my iPhone

**From:** [Peter Sliwkowski](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Comments on False Albacore and Bonito Management and Shore-based Shark Fishing  
**Date:** Friday, March 14, 2025 3:46:03 PM

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Please accept the following as formal comments from Larry's Tackle Shop, located at 258 Upper Main St., Edgartown, MA. As the oldest and largest tackle shop on Martha's Vineyard, we are deeply invested in the responsible management of our fisheries. These comments are in response to the state management proposals discussed during the public hearings on March 10 & 11, 2025.

### False Albacore & Atlantic Bonito Management

Larry's Tackle Shop supports the MSBA's proposal to establish regulations for False Albacore and Atlantic Bonito but strongly opposes combining regulations for these two species. While both are targeted in the same inshore fishery, their biological differences, harvest practices, and uses justify separate regulations.

For False Albacore, we support:

- - A minimum size limit of 19" (though we are not opposed to the proposed 16").
- - A daily possession limit of no more than three, allowing for their use as bait in offshore fishing, bottom fishing, and lobster baiting.

For Atlantic Bonito, we support:

- - A minimum size limit of 16".
- - A daily possession limit of no more than five per person, ensuring a balance between conservation and sustainable harvest.

### Shore-Based Shark Fishing Regulations

Like the MSBA, Larry's Tackle Shop strongly opposes the proposed ban on shore-based shark fishing. This prohibition appears to be a reaction to isolated social media incidents rather than scientific evidence of harm.

Legal shore-based shark fishing is strictly catch-and-release and plays a critical role in scientific research, contributing valuable tagging data for inshore shark studies. Prohibiting this fishery would be both unjustified and inequitable.

We appreciate the opportunity to provide input and encourage a balanced approach that supports both conservation efforts and the interests of the local fishing community.

**Sincerely,** Peter Sliwowski Owner, Larry's Tackle Shop

--

Peter Sliwowski,  
Owner Larry's Tackle Shop & Fish Chappy Guide Service  
258 Upper Main St., PO Box 155, Edgartown, MA 02539

[peter@larrystackle.com](mailto:peter@larrystackle.com)

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[www.facebook.com/larrystackle.shop](https://www.facebook.com/larrystackle.shop)



## Massachusetts Striped Bass Association

*Since 1950*

March 11, 2025

Massachusetts Division of Marine Fisheries  
30 Emerson Avenue  
Gloucester MA 01930

Dear Director McKiernan.

Please accept the following as formal comment by MSBA in response to the suite of state management proposals presented during the public hearings held on March 10 & 11, 2025.

### **Striped Bass Management**

#### **Total Length Measurement:**

MSBA supports the proposed change. We agree with the rationale that current regulations can cause an angler to manipulate total length to comply with the slot limit. MSBA agrees the proposed change will clarify proper measurement and enhance enforcement.

#### **Commercial Slot Limit:**

MSBA neither supports nor opposes a specific change in the commercial slot limit and offer the following comments to inform your final decision:

- Many of our members support a maximum size limit in relation to the BOFF management strategy
- Many of our members feel post release mortality increases & survival is less likely for very large fish of 50" and higher.
- Some of our members feel it is more important to leave a fish in the spawning stock for as many years possible prior to harvest and feel removing a 32" or 33" fish from the spawning population is too soon based on current stock status. These members would rather not see a drop in the commercial size limit below 35" or 36"
- MSBA is concerned lowering the MA commercial size limits will focus harvest on year classes the recreational slot is attempting to protect. We feel this aspect of the proposal was not explained in a way that we can choose the best commercial slot limit for the overall health of the stock.
- MSBA believes allowing harvest of fish below 35" may put MA commercial fish in direct competition with other states in the coastal market and this competition may lower the price per pound & overall value of the fishery. We advise MA DMF to obtain input from commercial buyers to better understand the proposed changes.

#### Prohibition on Gaffing in the Commercial Fishery:

MSBA members have voted on this subject multiple times. MSBA supports prohibiting the use of gaffs in the striped bass fishery. In our experience the best anglers cannot consistently distinguish between lengths of only a few inches while a fish is in the water.

We have heard the claim that fish under 40” do not require a gaff and “are swung into the boat.” We feel this behavior should also be prohibited. Swinging a fish into the boat to land hard on a deck prior to release significantly decreases the chance of post release survival.

We also reject claims that use of a net over a gaff causes a safety issue due to time required especially when fishing within a fleet. The operator of a vessel should never be in a situation where a few extra seconds puts the boat in jeopardy. MSBA urges MA DMF to prohibit the use of a gaff in the striped bass fishery

#### Consistency in Striped Bass Management:

MSBA believes that due to the open access nature of both the MA For Hire permit and the MA Commercial Striped Bass Endorsement; there is no “fleet wide” skill difference between private anglers, for hire anglers & commercial anglers when it comes to the striped bass fishery. It is our experience each of these modes has a range of anglers with various levels of experience and skill when it comes to use of gear and the desire, willingness and ability to care for fish intended for release.

MSBA urges MA DMF to consider consistent regulations when it comes to prohibition on gear & technique. An example of this is the use of a weighted treble hook. If use is prohibited for one fleet of striped bass anglers; it should be prohibited for all who participate in the striped bass fishery.

### **Menhaden Trip Limit Triggers & Permitting**

MSBA participated in a twenty-year campaign to improve the coastal management of Atlantic Menhaden and restore abundance to Ma state waters. We feel the stock is in good shape and the current size of the active commercial fishery is sustainable.

MSBA understands that a majority of the existing MA Menhaden permits & the lesser 6000-pound permits are inactive. We predict that if even half of these latent permits suddenly became active there would be numerous problems in the MA commercial menhaden fishery. Those problems would include localized depletion, user conflict with the recreational fishery and value of menhaden in the market.

MSBA urges MA DMF to take action that freezes the current size of the MA commercial menhaden fishery. We further encourage MA DMF to create a pathway for the transfer or sale of existing active permits to be passed on to further generations of commercial anglers. We want to lock in the current size of the fleet in perpetuity and make sure future generations of small boat commercial anglers can participate in this traditional fishery.

Our largest concern is the recent development that former large scale high catch volume mid water herring vessels have entered the menhaden fishery in other New England States. MSBA urges MA MDF to take Emergency Action to prohibit these oversized industrial fishing vessels from disrupting the inshore state waters menhaden fishery.

### **False Albacore Management**

MSBA supports establishing regulations but is opposed to combining regulations for False Albacore & Atlantic Bonito. Although we acknowledge both species are targeted in the same inshore fishery with lesser present species such as Spanish mackerel and southern kingfish; harvest and use of both species is not the same. Atlantic Bonito have a high food value and False Albacore have little to no food value. Both species are not the same size at all ages and are harvested in other locations at different sizes. Both species also have established value as bait but are used as bait in different ways.

MSBA supports MA DMF creating a minimum size limit for False Albacore. We feel the minimum size limit should be 19” but are not opposed to the proposed minimum size limit of 16”.

MSBA supports a daily possession limit of not more than THREE False Albacore. This allows for their use as bait in the Big Game offshore fishery, their use as chunk bait for bottom fishing, lobster bait and for the very few people with a desire to harvest this species for personal consumption or pet consumption.

### **Atlantic Bonito**

MSBA supports establishing regulations but is opposed to combining regulations for False Albacore & Atlantic Bonito. Although we acknowledge both species are targeted in the same inshore fishery with lesser present species such as Spanish mackerel and southern kingfish; harvest and use of both species is not the same. Atlantic Bonito have a high food value and False Albacore have little to no food value. Both species are not the same size at all ages and are harvested in other locations at different sizes. Both species also have established value as bait but are used as bait in different ways.

On the South side of NY & NJ there are for hire head boats that both target and encounter Atlantic Bonito in the same manner as they would mackerel. On those boats it is not uncommon to harvest a few dozen small bonito for table fare.

MSBA supports MA DMF creating a minimum size limit for Atlantic Bonito. We feel the minimum size limit should be the proposed 16”.

MSBA supports a daily possession limit of not more than FIVE Atlantic Bonito per person. This allows for their use as table fare in both small and larger sizes and as live bait. We feel five fish is a reasonable balance between conservation and harvest.



### **Constraints on Shore Based Shark Fishing**

MSBA is opposed to the proposed prohibition of shore-based shark fishing.

MSBA believes this is an overreaction to a few instances of social media content creators intentionally & illegally targeting Great White Sharks and a related failed enforcement case. MA DMF has not presented evidence of any injuries or harm done by recreational anglers legally shark fishing from shore and we see no reason to punish a few thousand without actual evidence legal shark fishing causes harm.

MSBA is aware of existing shore-based shark angling on the North side of Cape Cod and in Boston Harbor.

Shore based Shark Fishing is 100% catch & release, provides most of the tagging data for inshore shark research & we feel there is no scientific reason to prohibit this small niche fishery.

MSBA also sees this as an issue of equity and fairness. For example, why would shark fishing in Duxbury Bay be allowed from a boat or a kayak but not from shore. We see this as unfair.

### **Prohibition on Shore Based Chumming**

MSBA is opposed to a prohibition on shore-based chumming.

Shore based chumming is done in many ways and in multiple fisheries including shark, winter flounder, scup, blue fish and striped bass fisheries.

We understand there is a fear of drawing a shark to a bathing beach however there is no evidence this has happened even once.

Most shore-based shark fishing happens at night and in remote locations

local authorities already can prohibit fishing on bathing beaches.

Again, this is an issue of equity and fairness. If chumming is allowed on a boat, why would it be prohibited from shore without reason.

### **Limit Shore Based Anglers to Launching Baits by Casting Only**

MSBA is opposed to this proposal.

Anglers have been setting baits “beyond the breakers” in various ways for many decades and there is no evidence this causes a problem that requires prohibition.

The most popular method besides a rod is a kite with a release clip. Are we going to ban the use of kites off a million-dollar offshore boat or just the guy trying to get a bait past the breakers.

Dorys were used in the 1950's. Sling shots were sold to anglers in the 1960's. Radio Controlled boats have been around since the 1970's. Kayaks became popular in the 1990s. Bait cannons driven by CO2 were introduced in the early 2000's and the newest technology is the Drone. All of these products are part of the Billion-dollar recreational fishery and contribute to the economy. MSBA sees no reason to ban any of this gear.

**Prohibition on Sale & Use of Lugworm**

MSBA agrees with the MA DMF concern that this bait could become an invasive species.

MSBA agrees this bait could be a biological threat to the local environment.

MSBA agrees this bait and its use should be prohibited

MSBA appreciates the opportunity to provide these comments.

Sincerely;

Patrick Paquette  
Massachusetts Striped Bass Association  
Government Affairs Officer



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Plymouth, MA 02360  
[www.stellwagenbank.org](http://www.stellwagenbank.org)

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Capt. John Richardson

March 12, 2025

Mr. Daniel J. McKiernan, Director  
Commonwealth of Massachusetts  
Division of Marine Fisheries  
251 Causeway St., Suite 400  
Boston, Massachusetts 02114

### **RE: Proposed MassDMF 2025 Commercial & Recreational Rules**

Dear Mr. McKiernan:

On behalf of the Stellwagen Bank Charter Boat Association (“SBCBA”) whose membership includes the for hire fleet and recreational anglers, recommendations and comments associated with the Proposed MassDMF 2025 Commercial & Recreational Rules is detailed below.

#### **Striped Bass Management (322 CMR 6.07)**

*SBCBA supports the “squeeze the tail” to determine striped bass length. It should be noted that the ASMFC is not recommending any changes to the commercial striped bass measures at this time. To implement a slot on the commercial fishery would increase mortality via discards. In addition, to reduce the size with a slot and no quota change will result in more fish being caught that could result in fewer fish available to reproduce. Until additional data is provided to support such measures and the ASMFC recommends such, the SBCBA cannot support the proposed commercial striped bass measures.*

#### **False Albacore and Atlantic Bonito Limits (322 CMR 6.42)**

*The ASMFC, Councils and HMS do not currently have a Fishery Mgt Plan (FMP) nor stock assessments associated with these species nor are there any interested in or seeing the need to do such. ICCAT does include false albacore that is not subject to commercial or recreational Mgt measures. How can any measure be proposed without a stock assessment or FMP? SBCBA cannot support these measures until stocks assessments are conducted and an FMP is developed for each species other than what is noted below.*

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*There are no commercial measures being proposed other than for jigging operations. This seems inconsistent with the reports of the unregulated commercial harvest of select species. If such measures are implemented, it needs to apply to the commercial and recreational fishery with appropriate MassDMF endorsements and reporting.*

*The only science based issue being proposed is the 16 inch fork length requirement where 50% of the population reaches sexual maturity. If a 16 inch fork length is implemented such needs to apply to commercial and recreational users. This conflicts with RI that does not have any size threshold for commercial or recreational users that leads to an enforcement issue. As a result, SBCBA cannot support this measure.*

State Waters Groundfish Management (322 CMR 6.03 and 7.04)

*The SNE cod spawning stock biomass has been exceeded the last 3 years, the model used is flawed, ultimately the moratorium on cod retention is not based on sound science. 93% of the SNE catch is recreational yet the setting of the recreational and commercial quota is not based on that percentage even if cod could be retained. Flawed science has resulted in zero retention, disaster declaration is unfortunately in our future.*

Commercial American Eel Management (322 CMR 6.30, 7.01, and 7.04)

*SBCBA supports this measure for this critical forage species in our fishery and recommends a control date and limited access and we don't support a moratorium as many of our members use eels for bait and would not want to lose access to the bait.*

Restrictions on Casting, Chumming, and Shore-Based Shark Fishing (322 CMR 4.09 and 6.37)

- *The SBCBA does not recommend banning recreational shark fishing or chumming in state waters and denying the public access to the fishery for those shark species that can be legally landed in state or federal waters.*
  - *It should be noted that in federal waters such is permitted consistent with "50 CFR § 635.26 (c) Sharks. Notwithstanding the other provisions of this part, a person may fish for white sharks (Carcharodon carcharias) with rod and reel, provided the*
-



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*person releases such fish to the sea immediately with a minimum of injury, and that such fish may not be removed from the water.”*

- *The research vessels and experienced shark fishing recreational community will attest to the fact that chumming and attracting great white sharks is difficult. If the public observes a fin in the water ranging from a bluefin tuna or wide array of other species there is mass hysteria that it is a great white shark. Public education and outreach is recommended to address this mass hysteria.*
- *MassDMF notes “in recent years, a small number of shore-based anglers have been observed targeting and landing white sharks, particularly along the eastern facing beaches of Cape Cod.” The proposed measures are being recommended as a result of a small number of anglers. Public outreach and enforcement is recommended to educate the public not a ban on chumming or shark fishing denying the public access to the fishery.*
- *There are presently means and methods to deploy baits beyond the beach or a vessel that MassDMF noted includes kayaks. Measures are being proposed as a result of a small number of anglers. As a result the SBCBA does not recommend any deployment prohibitions since a kayak achieves the same objective as the other methods noted.*
- *There are fewer and fewer opportunities for the private recreational shoreside angler to have access to the fishery yet along access to those species that can be legally caught and/or released. Many cannot afford to buy a boat or go on a for hire vessels and as a result shoreside angling is the only mechanism for them to catch and/or release sharks.*
- *Consistent with the lines of evidence above the SBCBA does not support the proposed shark related measures.*

Recreational Black Sea Bass Season (322 CMR 6.28)

*SBCBA supports a May 17<sup>th</sup> opening date.*

To address biosecurity concerns related to reports regarding the use of Pacific lugworms as bait in the northeast, DMF is proposing to prohibit



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the sale and use of non-native seaworm species. (13) the use and sale of non-native seaworms.

***The SBCBA supports this measure.***

We thank you for the opportunity to comment on this important matter. If you have any questions or comments, please contact the SBCBA at the email below.

Very truly yours,

*Tom Depersia*

Capt. Tom Depersia  
SBCBA, Founding President & Trustee  
[hugetuna@aol.com](mailto:hugetuna@aol.com)

*Damon Saco*

Capt. Damon Saco  
SBCBA, Board of Directors  
[captdamon@gmail.com](mailto:captdamon@gmail.com)

*Eric Morrow*

Eric Morrow  
SBCBA, Board of Directors  
[capteric@fishbountyhunter.com](mailto:capteric@fishbountyhunter.com)

*William Hatch*

Capt. William Hatch  
SBCBA, Board of Directors  
[machacafishing@gmail.com](mailto:machacafishing@gmail.com)

*Stacie Delzingo*

Stacie Delzingo  
SBCBA, Secretary  
[stacie9229@gmail.com](mailto:stacie9229@gmail.com)

*Capt Mike Delzingo*

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*Capt Jeff Depersia*

Capt. Jeff Depersia  
SBCBA, Board of Directors  
[jeffchasintail@gmail.com](mailto:jeffchasintail@gmail.com)



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*Capt Paul Diggins*

Capt. Paul Diggins  
SBCBA, Trustee  
[captain\\_paul@bostonfishing.com](mailto:captain_paul@bostonfishing.com)

*Capt Rob Savino*

Capt. Rob Savino  
SBCBA, Trustee  
[robsavino@mac.com](mailto:robsavino@mac.com)

cc: Tom O'Shea, MassF&G  
Ray Kane, MassFAC

---

*Capt Rick Golden*

Capt. Rick Golden  
SBCBA, Trustee  
[captrick@1620anglers.com](mailto:captrick@1620anglers.com)

To: Danniell McKiernan, Director Mass DMF/ Raymond Kane, Chairman Mass Marine Advisory Commission

Date: 3-12-2025

Dear Dan and Ray,

I'm writing to you regarding the proposed public hearing items on possession limits for Atlantic Bonito and False Albacore.

First, I would like to commend you, your staff, and the Mass Marine Advisory Commission for your initiative on this subject. I fully support the proposed actions and the need for the NE State fishery management agencies to take a proactive and precautionary approach with these two species.

For background: I fish recreationally for both species, seasonally from Westport, Massachusetts, generally ranging from Newport, RI to Quicks Hole, Mass. I use both spin and fly gear. In this area, there is a large group of recreational anglers, likely in the hundreds, who target these stocks from small boats during the summer months. As noted in your public hearing document, there has been a decline in the abundance of bluefish, weakfish, and striped bass in our area over the last few years, likely to continue given their stock status, and six poor years of recruitment in Chesapeake Bay. The Hudson River striped bass population, which constitutes approximately 20% of our fishery, has also seen two very low years of recruitment.

These factors, combined with what I believe is a general shift in populations offshore, do not bode well for the inshore recreational fishery in our area. Fortunately, False Albacore and Atlantic Bonito have filled the void in recent years. As noted in your proposal, there is a general lack of scientific information on these two species, combined with a lack of management by state and federal agencies. Given this situation, I think it's critically important to be conservative and precautionary, given the increasing importance of these species to the recreational industry. With the low catches by the Massachusetts commercial sector, the Commonwealth is in a unique position to take action prior to the development of an unconstrained commercial fishery.

In the Westport area, most recreational fishermen practice catch and release for False Albacore and Atlantic Bonito. I know over 100 recreational anglers between Rhode Island and Massachusetts who target these stocks, and I do not know a single person who retains False Albacore for the table. However, I recognize that some people no doubt do enjoy eating them, but I believe they are in the minority. Bonito, on the other hand, are delicious to eat and smoke, so on rare occasion, an angler will keep one or two fish for the table, provided they have ice on board, as their quality deteriorates quickly without proper handling.

Given the increasing recreational landings and effort for both species, as documented in the 2024 MRIP data (Mass and RI fishers caught 855,448 fish (A+B1+B2 - wave 4-6)), combined with the general movement of southern stocks to the north, I strongly support State regulatory actions for these two stocks. I also believe it's critically important to be risk-averse in our initial management approach, at least until some of the life history characteristics are better understood.



Both Massachusetts and RI have distinguished themselves in the past by advancing the management of other data-poor stocks, such as Jonah crab, sand lance, and tautog. In the case of tautog, both States advocated action well in advance of detailed stock status information and advanced “guard rail management” to protect the population. The two States then worked together to develop and prioritize a research agenda for the species while developing a scientific basis for subsequent management changes. That same approach has application for False Albacore and Bonito, as suggested at last night's hearing.

In conclusion, I fully support the proposal to limit possession to five fish per person while we develop a scientific basis for subsequent changes. I also suggest that the Commission consider a lower bag limit, such as two fish per person. Why ? A charter boat with six customers could still retain 12-16 fish at the lower limit, depending on how the captain and crew count in the tabulation, versus up to 36 as proposed. I think two fish is more indicative of what is being retained currently.

Thank you for the opportunity to comment. I am happy to discuss further at 401-451-9312.

David Borden, Westport, Mass/Little Compton, RI

**From:** [Charles Cooper](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Proposed changes to regulations  
**Date:** Thursday, March 13, 2025 7:16:34 PM

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Dear Director McKiernan,

Thank you for requesting comments on proposed changes to the commercial and recreational regulations for a variety of species. Based on my academic background in Marine Biology and more than sixty years of recreational fishing experience in New England and Atlantic Canada, I support most of these changes (such as the further restrictions on take of cod, entanglement reporting and limitations on gaffing).

However, there is one form of continuing regulation which makes absolutely no biological sense, and you know it but never act on it. Please ELIMINATE all your minimum size limits, even though you would be pioneering departure from recommended limits of the regional entities including ASFMC and NEFMC. I know you understand this because you present the rationale (at least in part) by your description of the Big Old Fat Fecund Female Fish science for stripers. You can accomplish EVERYTHING you need to manage stocks by a combination of bag and maximum length limits giving you biomass outcomes. Minimum lengths are completely unnecessary and give you nothing but discards which may or may not survive. In the late 60s and early 70s, I was quite happy to keep a few 22-28 inch stripers from Nova Scotia's Annapolis River, as I was to keep the occasional 30" fish more recently off Cape Cod.

Just leave in place a one fish 38-44" limit for stripers and a back-calculated possession limit for smaller fish to maintain the desired spawning potential for stripers and other species like sea bass and summer flounder.

It would be more important to push the squid draggers further offshore to put an end to the ridiculously high by-catch mortality of stripers (in the thousands) they can and do cause.

A couple of other comments:

Do you really need a limit of any kind on False Albacore? Bonito I can understand, but (practically) no one keeps False Albacore (though they're not as bad to eat as advertised).

Finally, why do you think it's important to have different limits on length for commercial and recreational catches?

As a marine biologist, I don't get that one, although I know you hear different things from those constituents.

Thanks again for the opportunity to comment.

Charles Cooper  
978-771-8977

Sent from my iPhone

**From:** [Tony Thompson](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albie and Bonitos  
**Date:** Thursday, March 13, 2025 5:57:33 PM

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To all involved in this delicate decision process:

Please take some sort of action with these two fish species. I fished Martha's Vineyard this past fall for 35 straight days. I was fishing by 5:30 each day and stopped late afternoon around 3:30/4:00. In all that time I caught 1 albie and maybe 12 bonito. I have traveled to MV for the past 33 years at the same time each year to fish. I would estimate that in any given year I would catch 40/50 Albies and 30 bonito. Our stocks are being attacked by many things causing the numbers to go down.

Please take the appropriate actions to grantee future years return to past numbers and protect the fish from anything that would endanger their existence. Your are undoubtedly the only hope fishermen have to fall back on. Your actions will make these fishing stocks to either be available for future generations or cause their demise to a point of basically non existent. I have faith you will do the right thing and I thank you in advance.

Anthony Thompson

(Just a 70 year old retired firefighter who still enjoys nature and life of all living things).

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**From:** [Jim Callahan](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albie and Bonito conservation  
**Date:** Thursday, March 13, 2025 4:44:37 PM

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Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you

--

**Jim Callahan**

**From:** [Chip Linehan](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Protecting false albacore and Atlantic bonito  
**Date:** Thursday, March 13, 2025 2:59:50 PM

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To Whom It May Concern:

I strongly support the proposals being considered to protect false albacore and Atlantic bonito.

Sincerely,

Chip Linehan  
294 Seaview Ave  
Oak Bluffs, MA 02557

--

Chip Linehan  
o - [415 343 5679](tel:4153435679)  
[cmilinehan@gmail.com](mailto:cmilinehan@gmail.com)

**From:** [Josh Tanz](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False Albacore and Bonito Management  
**Date:** Thursday, March 13, 2025 2:07:02 PM

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Hi,

Please institute management actions for False Albacore and Bonito. I support the 5 fish and 16 fork length limit and would support even more restrictive management. These are extremely important fish for recreational anglers and helps both personal and commercial interests (charters, tackle shops, tourism etc.). Ensuring healthy stocks benefits all anglers.

Best,

Josh Tanz

**From:** [Brian Kelly](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Director Daniel McKiernan: Proposed Regulatory Amendments  
**Date:** Thursday, March 13, 2025 12:48:28 PM

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Dear Director Daniek McKiernan,

Thank you for your time and consideration to my insight as a Full-Time Captain and Fishing Guide from May-October on a calendar year. Targeted species are primarily catch and release trips of Striped Bass and False Albacore. I serve the Sportfishing enthusiast who has limited to no interest in taking a fish home. So I will be commenting on the amendments that directly serve them. I am reliant on a healthy stock of Striped Bass and False Albacore and Mendhaden as a primary food source for the large adult breeding class of Striped Bass as well the other species that rely on the food source (whales, dolphins, tuna, sharks, seals, blue fish and striped bass).

**Striped Bass Management (322 CMR 6.07). To benefit striped bass conservation, DMF proposes to:**

- 1. Amend how total length is measured by requiring commercial and recreational fishers squeeze the tail together to determine compliance with minimum and maximum sizes.**
- 2. Establish a slot limit for the commercial striped bass fishery with a minimum size no smaller than 32" and a maximum size of up to 44".**
- 3. Extend the recreational fishery prohibition on the use of gaffs and other injurious tools to the commercial fishery.**
- 4. Delete outdated language regarding filleting restrictions.**

As a conservationist who devotes his time in educating the public of an overfished fishery of Striped Bass. With 6 prior years of failed spawns we are reliant on a stock of larger fish now to serve the recreational and commercial fishery. Any measures to be put in place are strongly recommended from a science based approach of the American Saltwater Guide Association an organization with a message of better business through conservation.

Around the world, fish are measured to the fork. Not to the tip of the tail. These are how world records are measured.

A slot limit for a commercial fishery will further protect the breeding classes of fish, measuring over 44 inches. What's a total age of at least thirty years from recent scientific studies. While still allowing a commercial fishery.

Gaffs are a fatal tool used prior to measurement and should have no allowance in a declining fishery.

Having racks of fileted fish help enforce a slot limit for recreational fishing. As long as that is in the language you have a improved system.

**False Albacore and Atlantic Bonito Limits (322 CMR 6.42). To address emerging growth in the fisheries for these species absent stock assessments and fishery management plans, DMF proposes to:**

- 1. Limit the retention of false albacore and Atlantic bonito by any fisher to no more than five (5) fish per person per calendar day.**
- 2. Adopt a minimum size for retention by any fisher at 16” fork length.**
- 3. Consider an exemption to the proposed possession and size limits for the incidental catch of these species in commercial mackerel jigging operations.**

My charter season arrives of 60 trips a year targeting False Albacore with a bi-catch of Bonito. Some of my anglers will take Bonito home as it is a tastier fish. I am in favor of two items on the outline for a limit of 5, Minium size of 16 inches, with no exemption for commercial operations.

**Commercial Menhaden Management (322 CMR 6.43, 7.01, and 7.04). In response to recent fishery performance and the high level of latent permits, DMF proposes to:**

- 1. Rescind the quota use trigger that drops the limited entry fishery’s trip limit from 25,000 pounds to 6,000 pounds when 90% of the annual quota is taken.**
- 2. For 2026, use the existing August 1, 2023 control date for the limited entry Menhaden Endorsement to limit renewals only to those permit holders who reported selling at least 6,000 pounds of menhaden during the period of January 1, 2019 – July 31, 2023 or who hold this endorsement in combination with a Fish Weir Endorsement and have a history of taking fish by weirs during the period of January 1, 2010 – December 31, 2024.**
- 3. For 2026, limit issuance of Coastal Access Permit – Purse Seine Endorsements to only those persons who held the endorsement prior to the existing August 1, 2023 control date.**



**Then adopt a control date of December 31, 2024, which may be used in the future to further limit entry based on to-be-determined eligibility criteria.**

With any measures to enact to ensure conservation for a vital source for our coastal fishery is needed. From the gulf coast to the east coast these bait fish are a primary food source.

Regards,  
Captain Brian Kelly

**From:** [xmerat@optonline.net](mailto:xmerat@optonline.net)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** For you.  
**Date:** Thursday, March 13, 2025 11:33:10 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 McKiernan,

As an avid angler out of East Hampton, NY, I applaud the Division of Marine Fisheries for taking the historic measure of managing false albacore and bonito. For decades, my fishing friends and I have organized our fall schedules around their migration. Their arrival around Montauk is a highlight of the season.

We have seen some lean seasons for these fish the past few years. Last year, there were virtually no albies in our inshore waters. And while the bonito were unusually plentiful, they were hammered by anglers due to the lack of both striped bass and false albacore this fall.

We also know from recent research that these fish are highly migratory, ranging along the entire eastern seaboard, so New York anglers like me only stand to gain from your state's management - and hopefully your leadership will also set an example for managers in New York, and other states along the Atlantic coastline.

Thank you,  
Xavier Merat.

[Salon Xavier Coiffure & Day Spa](#)



Xavier Merat • CEO • Salon Xavier Coiffure & Day Spa  
1A Bay Street • Sag Harbor • New York • 11963  
T 631.725.6400 • C 516.768.8261 • Email  
Instagram • Facebook • [SalonXavier.com](http://SalonXavier.com)

**From:** [Rick T](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Thursday, March 13, 2025 11:22:55 AM

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Director McKiernan,

I am very much in favor of the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito or more stringent limitations if possible. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you for your consideration on this matter.

Sincerely,  
Rick Taracka

**From:** [Fleming, Braden](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Thursday, March 13, 2025 11:08:18 AM

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Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late. I fish both of these species every fall and the past season was very poor. The popularity of fishing for them has increased tremendously.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you,

Braden Fleming

--

Braden C. Fleming, Ph.D.  
Lucy Lippitt Professor of Orthopaedics  
Bioengineering Labs  
Warren Alpert Medical School of Brown University  
Rhode Island Hospital  
Coro West, Suite 404  
1 Hoppin Street  
Providence RI 02903  
PH: 401-316-4737  
FX: 401-444-4418  
email: [Braden\\_Fleming@brown.edu](mailto:Braden_Fleming@brown.edu)

**From:** [estuaryboy@embarqmail.com](mailto:estuaryboy@embarqmail.com)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albies and Bonito Conservation  
**Date:** Thursday, March 13, 2025 11:01:10 AM

---

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Dear Director McKiernan,

I am all in for the new regs, I have been visiting your state for decades to fish for Albies, Bonito, and Stripers, I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito.

We could spend our dollars here in New Jersey but instead make the four hour drive to Cape Cod where we support local businesses.

Retired, Fishing, Kayaking, and loving life ><(((°>  
Ed Carbonneau

**From:** [Gordon Cromwell](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False Albacore and Bonito  
**Date:** Thursday, March 13, 2025 10:04:02 AM  
**Attachments:** [cropped-ASGAFavicon512x512-1-180x180.png](#)

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I support size and quantity limits to protect false albacore and bonito populations in our waters as discussed in the below article.

Positive Action For Albies & Bonito:  
Massachusetts Moves for Conservation  
[saltwaterguidesassociation.com](http://saltwaterguidesassociation.com)



- Gordon Cromwell  
33 Circuit Rd  
Chestnut Hill, MA 02467

Sent from my iPhone

**From:** [Tim M](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Thursday, March 13, 2025 9:24:49 AM

---

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Director McKiernan,

I strongly support the proposed 5-fish daily limit for false albacore and bonito. I'd be happy with a 3 fish limit. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you  
Tim Maloy

**From:** [Patrick Huban](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Thursday, March 13, 2025 8:58:51 AM

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Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. As a fishing guide and Captain operating in CT, RI and MA at various points in the season it is imperative that we protect these important species. They bring in a considerable amount to the economy through charters, tourism, fishing tackle purchase, and many other local businesses. Taking this step to protect them will pave the way for more species focused conservation methods in other states. Thank you for your time and consideration.

--

[Captain Patrick Huban \(USCG 25 Ton Master\)](#)  
[WANDERING ALBATROSS LLC](#)  
860-416-1339



**From:** [Stephen Barone](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Thursday, March 13, 2025 8:54:22 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 Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. I know from personal experience that these fish fuel tourism, support local businesses, and deserve proactive management before it's too late. Each fall I travel from the North Shore to spend a week on Martha's Vineyard in Sept chasing these fish spending significant resources on lodging, fuel, transportation, tackle, and food on the Cape & Islands.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you.

--

Stephen Barone  
617-460-5611  
[stephenbarone2@gmail.com](mailto:stephenbarone2@gmail.com)

**From:** [abe.pearson](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albie and bonito conservation  
**Date:** Thursday, March 13, 2025 7:13:00 AM

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I am writing this to voice my support for conservation management regulations for false albacore and bonito. I support the proposed size and bag limits to help protect these species.

I think at this point we should all realize the need for management guidelines given the decline of other species, particularly the striped bass.

Thank you for your consideration,

Abram J. Pearson

Sent from my iPhone

**From:** [L. Hamilton Clark](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Director Mckiernan  
**Date:** Thursday, March 13, 2025 2:21:15 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.

I spend 5 months a year on Martha's Vineyard and spend part of most every day in my sport fishing boat chasing striped bass and blues, Albies and Bonita .

I write today to urge you to adopt protections on Albies and Bonita. We are already seeing the decimation of the striped bass population and I fear there will be nothing to fish for for future generations if we do not adopt additional protections now. Please add me to the list of those urging you to adopt conservation measures for all our fish stocks.

Hamilton Clark  
143 Massasoit Avenue  
Tisbury, Mass  
484-576-0727

Sent from my iPhone

**From:** [Ted Shaine](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Management of False Albacore and Bonito  
**Date:** Wednesday, March 12, 2025 11:25:39 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.

Dear Director McKiernan,

As an avid angler out of East Hampton, NY, I applaud the Division of Marine Fisheries for taking the historic measure of managing false albacore and bonito. For decades, my fishing friends and I have organized our fall schedules around their migration. Their arrival around Montauk is a highlight of the season.

We have seen some lean seasons for these fish the past few years. Last year, there were virtually no albies in our inshore waters. And while the bonito were unusually plentiful, they were hammered by anglers due to the lack of both striped bass and false albacore this fall.

We also know from recent research that these fish are highly migratory, ranging along the entire eastern seaboard, so New York anglers like me only stand to gain from your state's management - and hopefully your leadership will also set an example for managers in New York, and other states along the Atlantic coastline.

Thank you,  
Ted Shaine  
917.865.2594  
Sent from my iPad

**From:** [Ted Shaine](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Management of False Albacore and Bonito  
**Date:** Wednesday, March 12, 2025 11:24:45 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,

As an avid angler out of East Hampton, NY, I applaud the Division of Marine Fisheries for taking the historic measure of managing false albacore and bonito. For decades, my fishing friends and I have organized our fall schedules around their migration. Their arrival around Montauk is a highlight of the season.

We have seen some lean seasons for these fish the past few years. Last year, there were virtually no albies in our inshore waters. And while the bonito were unusually plentiful, they were hammered by anglers due to the lack of both striped bass and false albacore this fall.

We also know from recent research that these fish are highly migratory, ranging along the entire eastern seaboard, so New York anglers like me only stand to gain from your state's management - and hopefully your leadership will also set an example for managers in New York, and other states along the Atlantic coastline.

Thank you,  
Ted Shaine  
917.865-2594  
Sent from my iPad

**From:** [Ted Shaine](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Management of False Albacore and Bonito  
**Date:** Wednesday, March 12, 2025 11:21:30 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,

As an avid angler out of East Hampton, NY, I applaud the Division of Marine Fisheries for taking the historic measure of managing false albacore and bonito. For decades, my fishing friends and I have organized our fall schedules around their migration. Their arrival around Montauk is a highlight of the season.

We have seen some lean seasons for these fish the past few years. Last year, there were virtually no albies in our inshore waters. And while the bonito were unusually plentiful, they were hammered by anglers due to the lack of both striped bass and false albacore this fall.

We also know from recent research that these fish are highly migratory, ranging along the entire eastern seaboard, so New York anglers like me only stand to gain from your state's management - and hopefully your leadership will also set an example for managers in New York, and other states along the Atlantic coastline.

Thank you,  
Ted Shaine

**From:** [Michael Fass](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Conservation for albies and bonito  
**Date:** Wednesday, March 12, 2025 9:48:42 PM

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Dear Director McKiernan,

*I strongly support the proposed 5-fish daily limit and 16" fork length minimum* for false albacore and bonito. I am exclusively a New England saltwater fisherman; in the past few years, I have become primarily focused on targeting False Albacore and Atlantic Bonito from August through the end of October. This represents a significant change in my fishing habits, as it used to be a solely striped bass fishery that attracted during those months.

Albies and bonito fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you,  
Michael Fass

**From:** [Gary & Debbie George](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Protect false albacore and Atlantic bonito  
**Date:** Wednesday, March 12, 2025 9:28:00 PM

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To whom it may concern,

I am writing this letter in support of regulations to protect false albacore and Atlantic bonito for the following reasons.

- **Economic Drivers:** Albies and bonito fuel tourism, drawing anglers from around the country. They provide abundant opportunities for recreational anglers and professional guides. These “hard tail tourists” pump millions of dollars of tourism into tackle shops, marinas, hotels, restaurants and other local small businesses.
- **Conservation Hope:** These efforts display a shift in management mentality. We can't afford to fish any more species to the brink and then try to bring them back. Proactive management ensures we never reach the “point of no return”. Setting these limits now prevents overharvest and safeguards albies and bonito for generations.
- **Science Driven:** Proposing a 5-fish daily limit and 16” fork length minimum shows foresight, addressing the species’ sexual maturity in the new regulations. This management action builds on ASGA’s Albie Project data, proving that Mass DMF utilizes the latest research to inform effective decision making. ASGA is proud to have conducted a [false albacore acoustic tagging study](#) in Massachusetts waters with several community partners. With data collected from the Albie Project, fishery managers are gaining a better understanding of this species and their distinct connectivity between key coastal communities from Massachusetts to North Carolina and Florida. We share one connected stock.
- **Balanced Approach:** Considering exemptions for incidental catch in mackerel jigging respects commercial industry operations while prioritizing conservation of the shared resource.

Regards  
Gary George  
16 Sparrow Lane Extension  
Peabody Ma 01960



**From:** [Dan Orsine](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Wednesday, March 12, 2025 9:27:45 PM

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Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species are why I travel the great state of Massachusetts every fall to chase and enjoy these amazing fish. They deserve proactive management efforts before it's too late and stocks fall in numbers.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you for your support and action,

Dan Orsine

San Francisco - CA

**From:** [Kerry Heffernan](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False Albacore and Atlantic Bonito  
**Date:** Wednesday, March 12, 2025 9:10:25 PM

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Dear Director McKiernan,

As an avid angler out of Brooklyn and Montauk, NY, I applaud the Division of Marine Fisheries for taking the historic measure of managing false albacore and bonito. For decades, my fishing friends and I have organized our fall schedules around their migration. Their arrival around Montauk is a highlight of the season.

As a Chef working with sustainable seafood issues every day I know how the impact of engaged clients and fishermen can help positively impact the future of these animals

We have seen some lean seasons for these fish the past few years. Last year, there were virtually no albies in our inshore waters. And while the bonito were unusually plentiful, they were hammered by anglers due to the lack of both striped bass and false albacore this fall.

We also know from recent research that these fish are highly migratory, ranging along the entire eastern seaboard, so New York anglers like me only stand to gain from your state's management - and hopefully your leadership will also set an example for managers in New York, and other states along the Atlantic coastline.

Thank you,

Chef Kerry Heffernan

Grand Banks Restuarant New York

917 881 1112

[kheffernan212@gmail.com](mailto:kheffernan212@gmail.com)

**From:** [Parker Mauck](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Comment on Proposal for Possession Limits on Atlantic Bonito and False Albacore  
**Date:** Wednesday, March 12, 2025 8:34:37 PM

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To: Daniel McKiernan, Director Mass DMF

March 12, 2025

Re: Proposal to adopt a Possession Limit for Atlantic Bonito and False Albacore

Dear Mr. McKiernan,

**I am writing in support of the DMF proposal to adopt a five fish per person possession limit for Atlantic Bonito and False Albacore (both species combined). I also support a minimum size limit for both species.**

I would like to commend you, your staff, for your proactive move to establish some precautionary guardrails to prevent the overharvest of Atlantic Bonito and False Albacore. Additionally, I appreciate the forums you have presented for both in person and write-in comments.

I fully support this proposal and the need for the Commonwealth of Massachusetts and all Atlantic states to take proactive and precautionary actions that are intended to promote abundant Atlantic Bonito and False Albacore populations on our shared coast.

My background. I have been a recreational saltwater fisherman for over 30 years. I am currently co-owner of Westport Fly, a saltwater light tackle guide service based in Westport, Massachusetts. Westport Fly has two boats running inshore charter trips all season long in the waters of Buzzards Bay from Woods Hole to Newport, R.I., as well as Vineyard Sound and the Elizabeth Islands. Our clients are local as well as visitors from outside Massachusetts that come to fish and spend considerable sums of money in our local economy. Atlantic Bonito and False Albacore charters now make up a SIGNIFICANT portion of our charters during the late summer and fall months, especially since Striped Bass and Bluefish populations are now in decline.

Atlantic Bonito and False Albacore fishing along our coast is generating millions of dollars of economic activity that we all cannot afford to lose.

Establishing precautionary limits for the harvest of these species is wise while the Commonwealth and other stakeholders accumulate much needed scientific data to more fully understand these fish.

Thank you for putting forth this proposal and please take action to make the FISH your top priority. I am proud that the fisheries managers from Massachusetts are setting an example that hopefully other Atlantic states will follow.

Thank you,

Capt. Parker Mauck

Westport, Massachusetts

Capt. Parker G. Mauck  
[pgmauck@gmail.com](mailto:pgmauck@gmail.com)  
(508) 496-8682  
[www.westportfly.com](http://www.westportfly.com)



**From:** [Patrick McFetridge](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albie & Bonito Conservation  
**Date:** Wednesday, March 12, 2025 8:02:14 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.

Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you

**From:** [Brian Cloutier](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albie conservation Comments  
**Date:** Wednesday, March 12, 2025 7:53:33 PM

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My name is Brian Cloutier, and I am a Massachusetts recreational angler. I am in agreement with the proposed management plan and regulations. Thank you

**From:** [Jacob Jaskiel](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False Albacore Comment  
**Date:** Wednesday, March 12, 2025 7:50:15 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.

To whom it may concern,

My name is Jacob Jaskiel and I am a recreational fisherman in the state of MA, and a tuna biologist as well. I am in support of the proposed measures to create minimum creel and size limits for false albacore and bonito. Much is not known about their life histories, and while they are likely very fecund and of little concern for overexploitation, it's important to establish baselines for harvest, particularly as the sport expands and more people fish for false albacore and bonito.

Thank you for taking a precautionary approach to management, and I hope to see these regulations enacted ASAP!

Best,  
Jacob Jaskiel  
PhD Candidate - Boston University Dept of Biology

**From:** [Darren Ambler](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albie and Bonita Management  
**Date:** Wednesday, March 12, 2025 7:47:33 PM

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To whom it may concern,

I am encouraging the Commonwealth Marine Fisheries to consider management of False Albacore and Bonito.

Please know the following information:

- **Economic Drivers:** Albies and bonito fuel tourism, drawing anglers from around the country. They provide abundant opportunities for recreational anglers and professional guides. These “hard tail tourists” pump millions of dollars of tourism into tackle shops, marinas, hotels, restaurants and other local small businesses.
- **Conservation Hope:** These efforts display a shift in management mentality. We can't afford to fish any more species to the brink and then try to bring them back. Proactive management ensures we never reach the “point of no return”. Setting these limits now prevents overharvest and safeguards albies and bonito for generations.
- **Science Driven:** Proposing a 5-fish daily limit and 16” fork length minimum shows foresight, addressing the species’ sexual maturity in the new regulations. This management action builds on ASGA’s Albie Project data, proving that Mass DMF utilizes the latest research to inform effective decision making. ASGA is proud to have conducted a false albacore acoustic tagging study in Massachusetts waters with several community partners. With data collected from the Albie Project, fishery managers are gaining a better understanding of this species and their distinct connectivity between key coastal communities from Massachusetts to North Carolina and Florida. We share one connected stock.
- **Balanced Approach:** Considering exemptions for incidental catch in mackerel jigging respects commercial industry operations while prioritizing conservation of the shared resource.

Thank you for your consideration.

-Darren Ambler  
Salem, MA



**From:** [George McAuliffe](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** In favor of - False Albacore and Atlantic Bonito Limits (322 CMR 6.42)  
**Date:** Wednesday, March 12, 2025 6:55:12 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 fish around Montauk, Block Island, and occasionally Watch Hill. Especially in the fall, when Albies and the occasional Bonito are a highlight of the season. Except that the last few years they haven't really been there in number.

As an avid recreational, catch and release angler, I spend a lot of money on gas, fishing tackle, food and drink, driving tolls, lodging, and all other incidentals along the east coast in multiple states.

I am happy to see North Carolina has started the regulatory process for these important (to the economy) gamefish, and I would love to see the great state of Massachusetts (and the other Atlantic states) follow suit to protect these highly migratory fish, for all of our benefit.

Thank you for reading this -

Sincerely,  
George McAuliffe

**From:** [Mark Sedotti](#)  
**To:** [Fish, Marine \(FWE\)](#); [Mark Sedotti](#)  
**Subject:** False Albacore Regulations - Management a Good Thing  
**Date:** Wednesday, March 12, 2025 6:47:03 PM

---

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Dear Director McKiernan,

As a super avid angler, fly fishing teacher, fishing writer, and dedicated environmentalist I'm all behind the (finally!) historic measure of managing False Albacore and bonito. All I've seen in the last 10 years or more is essentially a steady drop in our inshore Northeast False Albacore populations, all to the point of having almost none inshore last Fall. Many anglers look forward to the time of year they can chase them, and last year was TRAGIC for not only them, but for our marine ecosystem at large. Research now shows that Little Tunny and bonito are highly migratory also, so not just anglers but all citizens only stand to gain from your State's management. Hopefully your leadership will also set an example for New York managers and those of other Atlantic States as well.

Mark Sedotti  
Sag Harbor, Long Island, NY

**From:** [Luyen Chou](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Supporting your false albacore and bonito regulations  
**Date:** Wednesday, March 12, 2025 6:26:02 PM  
**Attachments:** [image.png](#)

---

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Dear Director McKiernan,

As an avid angler out of East Hampton, NY, I applaud the Division of Marine Fisheries for taking the historic measure of managing false albacore and bonito. For decades, my fishing friends and I have organized our fall schedules around their migration. Their arrival around Montauk is a highlight of the season.

We have seen some lean seasons for these fish the past few years. Last year, there were virtually no albies in our inshore waters. And while the bonito were unusually plentiful, they were hammered by anglers due to the lack of both striped bass and false albacore this fall.

We also know from recent research that these fish are highly migratory, ranging along the entire eastern seaboard, so New York anglers like me only stand to gain from your state's management - and hopefully your leadership will also set an example for managers in New York, and other states along the Atlantic coastline.

By the way, I'm also the founder of the [GotOne](#) fishing app, and we have worked very closely with your colleagues at MA DMF (Ben Gahagan, Micah Dean, Bill Hoffman, etc.) on supporting your incredibly valuable striped bass research. I'm truly thankful for the leadership MA DMF continues to demonstrate in the fisheries management sector.

Thank you,

Luyen Chou  
East Hampton, NY  
646-344-9671



**From:** [Matt Rigney](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Wednesday, March 12, 2025 6:22:17 PM

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Dear Director McKiernan--

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito.

These species drive a lot of tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you.

Matt Rigney

**From:** [Peter Conway](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False Albacore and Bonito protection  
**Date:** Wednesday, March 12, 2025 6:09:46 PM

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I fully support the protections being considered for these wonderful fish. I fish Vineyard sound and know how valuable this fishery is to both commercial and recreational fisherman. I'm afraid we're "loving them to death". There needs to limits as proposed. Thank you for supporting it.

Peter Conway  
Vineyard Haven, MA

Sent from my iPhone

**From:** [John Magalhaes](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albacore and Bonito  
**Date:** Wednesday, March 12, 2025 5:42:30 PM

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Dear Director:

As an avid Buzzards Bay Fisherman, I am heartened as to what the Fisheries Management folks have done to protect our maritime species over the past décadas. From Striped Bass to Cod to our many other prized swimmers, every year there seems to be a reasonably good opportunity to partake and delight in catching and consuming of this great bounty.

Protecting Albacore and Bonito is a must. Many of us cannot make it out to the Tuna grounds and many enjoy the pursuit of these fish closer in. To say nothing of the positive economic impact they have on the coastal communities around us.

Please consider taking action to preserve these fish and help guarantee that my grandchildren can also enjoy future decades of abundance on BB and surrounding waters.

**John Magalhaes, OD**

**Small Vessel Captain  
Fairhaven, MA**

**From:** [Ken Spicer](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie and Bonita Conservation  
**Date:** Wednesday, March 12, 2025 5:15:01 PM

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Dear Director McKiernan,

As an avid saltwater fisherman for the past 50 years I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you  
Kenneth Spicer



**From:** [Jonnm](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Wednesday, March 12, 2025 4:47:19 PM

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Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you

**From:** [Paul Dredge](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albie and Bonito Protection  
**Date:** Wednesday, March 12, 2025 4:45:28 PM

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Dear Director McKiernan,

In late August last year I hooked a bonito while fishing in Edgartown Harbor from my kayak. What a rush it was to fight and land....and to eat for dinner that evening!

That fish was a nice keeper, in line with proposed size and number limits (those fish aren't easy to catch--five would have been fabulous; one was still a thrill). I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. You know what they mean to the economy in Massachusetts. I'm also a striper fisherman, and I'm watching that fishery change dramatically since I took up my fly rod pursuit in '98. Not a good direction, and I remember the moratorium of the '80's with sadness.

Science-backed regulations will ensure a sustainable future for albies and bonito while balancing the needs of anglers and commercial operations. I urge you and your organization to move forward with these protections.

I would also like to cast a vote for the end of commercial fishing for stripers. The economics don't add up for me. And putting all those breeders in the fish box seems really unwise.

Tight lines to you—I assume you're a fisherman.

Paul Dredge  
Arlington

**From:** [bmendeloff@yahoo.com](mailto:bmendeloff@yahoo.com)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** bonito & albies  
**Date:** Wednesday, March 12, 2025 4:39:40 PM

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Subject: Support for Albie & Bonito Conservation

Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Typically we catch and release Albies and have not caught Bonito fyi.

Thank you

Barry Mendeloff

**From:** [bill@phoenixscreenprinting.com](mailto:bill@phoenixscreenprinting.com)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albie protection  
**Date:** Wednesday, March 12, 2025 4:27:06 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 fish off of Chatham Cape Cod all summer. Please make sure Albies are protected. Fun to fish. No reason to over fish them.

Bill Rochefort  
Phoenix Screen Printing  
61 Bridge St  
Nashua NH 03060  
603-578-9599

**WE HAVE A NEW PRICE LIST FOR 2025 STARTING APRIL 1<sup>ST</sup>. IF YOU DO NOT HAVE IT YET PLEASE ASK ME AND I WILL EMAIL IT TO YOU. THANK YOU**

**From:** [dtrane2@aol.com](mailto:dtrane2@aol.com)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albies  
**Date:** Wednesday, March 12, 2025 4:21:11 PM

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Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you, Dan Leary 13 Utica Walk Breezy Point, NY 11697

**From:** [Phil Millette](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Saving our fisheries!  
**Date:** Wednesday, March 12, 2025 4:19:32 PM

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Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you

Philip Millette

Sent from my iPhone

**From:** [MaryElizabeth Lutton](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Bonito and False Albacore Projection  
**Date:** Wednesday, March 12, 2025 4:14:43 PM

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Dear Director Daniel McKiernan,

My name is Tom Lutton and I travel from Virginia to Martha's Vineyard to fly fish for false albacore and bonito. I have a Ph.D. in Natural Resource Economics and worked for the National Marine Fisheries Service. I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. Thank you.

Tom Lutton

--

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Tom and Beth Lutton

**From:** [Neil Lettenberger](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Wednesday, March 12, 2025 4:03:19 PM

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Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit (or less!) and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late. Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thanks,  
Neil Lettenberger



**From:** [Christopher McNary](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Wednesday, March 12, 2025 3:54:07 PM

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Director McKiernan,

We know what happens when we wait too long to provide guidance and protect a species. Let's not go the way of the Striped Bass and what looks like Bluefish. Establishing a slot and daily take limit for Albies and Bonito is not just common sense, it's needed now.

Appreciated,

--

Christopher McNary

**From:** [paul.knight1@comcast.net](mailto:paul.knight1@comcast.net)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Wednesday, March 12, 2025 3:43:13 PM

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Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you for your help !

Paul Knight

781-608-7646  
155 Lincoln Road  
Medford, MA 02155

**From:** [Rick Drew](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Wednesday, March 12, 2025 3:29:44 PM

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Dear Director McKiernan,

I am the service manager for a Marina Management company in East Hampton, NY. Many of our customers fish the waters of NY, CT, RI and MA. Albie fever often sets in in mid to late August and lasts through the end of October some years. The Bonito fishing was great during the 2024 North East fishing season. These two species encourage many fishing trips for our clients spinning fuel pumps and generating revenues for local businesses and providing jobs.

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Please call my cell any time to discuss my 55 years of fishing on Eastern Long Island and my personal journals on False Albacore and Bonito.

Thank you,

Rick Drew  
East Hampton NY 11937  
631-903-0751

**From:** [Sean McDermott](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Wednesday, March 12, 2025 3:25:59 PM

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Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. I am an avid saltwater angler and spend a lot of my time and money focused on these two species, especially relative to their short presence in our local waters. They deserve proactive management before it's too late. Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you  
Sean McDermott

**From:** [Matt OConnell](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Subject: Support for Albie & Bonito Conservation  
**Date:** Wednesday, March 12, 2025 3:22:58 PM

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Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you

Matt OConnell

Sent from my iPhone

**From:** [Brandon Weaver](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Wednesday, March 12, 2025 3:02:18 PM

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Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you  
Brandon Weaver

**From:** [Guillermo Nunez](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Wednesday, March 12, 2025 3:02:01 PM

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Dear Director McKiernan,

I strongly support False Albacore and Bonito's proposed 5-fish daily limit and 16" fork length minimum. This is especially true for the bonito, I see many fishermen fill their coolers with bonito. It's ridiculous. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you,

Bill Nunez

**From:** [Reed Austin](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albie & Bonito Protection  
**Date:** Wednesday, March 12, 2025 3:00:16 PM

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Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Going a step further, since Albies are universally agreed to be inedible, there is no reason to take any and every reason to release them all, and I would strongly support that initiative.

Also, these fish drive light-tackle saltwater anglers crazy, and tackle sales reflect that. They drive the industry all by themselves. Let's be smart and do the right thing.

All the best,

Reed Austin  
Westport, MA



**From:** [kmam2010@aol.com](mailto:kmam2010@aol.com)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albie and Bonito conservation 2025  
**Date:** Wednesday, March 12, 2025 2:57:45 PM

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Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you

Kevin Medeiros  
203 Taft Avenue  
Swansea, MA  
02777

**From:** [Cameron Siegal](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False albacore and bonito regulations  
**Date:** Wednesday, March 12, 2025 2:57:07 PM

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Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you,  
Cameron Siegal

**From:** [Ray Jussaume](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for False Albacore & Atlantic Bonito Conservation  
**Date:** Wednesday, March 12, 2025 2:56:51 PM

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To whom it may concern,

I would like to express my total support for the False Albacore and Atlantic Bonito conservation efforts. I cannot thank you enough for being proactive in your efforts to protect and preserve this fishery. If I could make (1) suggestion, I would like to break up the harvest to (3) maximum of False Albacore and (3) Atlantic Bonito per day, per angler with the 16" minimum requirement measured from tip to fork.

Thank you again,

Ray Jussaume

**From:** [Max Cavallaro](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Wednesday, March 12, 2025 2:47:40 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.

Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. As a recreational fisherman who spends at least 60 days on the water a season, there is no good reason, anyone needs to keep more than 5 of these fish a day.

These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Best,

Dr. Max Cavallaro

**From:** [Dave Prockop](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False Albacore and Bonito  
**Date:** Wednesday, March 12, 2025 2:45:22 PM

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Dear Mr. McKiernan,

Like many other Massachusetts and Rhode Island recreational fishermen, I spend a good part of the year looking forward to hardtail season. There were very few false albacore around in 2024 and the bonito that were there were almost all very small. If either of those populations were to decline further, it would obviously be a major blow to a number of segments of industry, especially guides and tackle dealers.

I am therefore in favor of any and all regulations that will help preserve healthy populations of false albacore and bonito. Since the proposed 5 fish/16" fork length limit is based on solid research, I hope that you will move ahead to put those limits in place.

Thanks for doing your important part to help preserve our fisheries,

Dave Prockop

**From:** [scampj@verizon.net](mailto:scampj@verizon.net)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Wednesday, March 12, 2025 2:43:36 PM

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I strongly support the proposed 5-fish daily limit and 16” fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it’s too late. Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you

John Scampini

**From:** [Darryl Forrester](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False albacore and bonito  
**Date:** Wednesday, March 12, 2025 2:42:52 PM

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Dear Director McKiernan,

I fish parts of the Massachusetts coast from June- October, and strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late.

Science-backed regulations like this ensure a sustainable future while balancing the needs of anglers and commercial operations. This is a smart step toward responsible fisheries management, and I urge you to move forward with these protections.

Thank you

Darryl Forrester

Westerly, RI

**From:** [Schifter, Rick](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albie and bonito regulations  
**Date:** Wednesday, March 12, 2025 2:42:08 PM

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I support the proposed regulations for the following reasons:

**Economic Drivers:** Albies and bonito fuel tourism, drawing anglers from around the country. They provide abundant opportunities for recreational anglers and professional guides. These “hard tail tourists” pump millions of dollars of tourism into tackle shops, marinas, hotels, restaurants and other local small businesses.

**Conservation Hope:** These efforts display a shift in management mentality. We can’t afford to fish any more species to the brink and then try to bring them back. Proactive management ensures we never reach the “point of no return”. Setting these limits now prevents overharvest and safeguards albies and bonito for generations.

**Science Driven:** Proposing a 5-fish daily limit and 16” fork length minimum shows foresight, addressing the species’ sexual maturity in the new regulations.

Sincerely,

Richard Schifter

35 Pocha Rd ext

Edgartown, MA 02539

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This message is intended only for the person(s) to which it is addressed and may contain privileged, confidential and/or insider information. If you have received this communication in error, please notify us immediately by replying to the message and deleting it from your computer. Any disclosure, copying, distribution, or the taking of any action concerning the contents of this message and any attachment(s) by anyone other than the named recipient(s) is strictly prohibited.



**From:** [William Ross](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Wednesday, March 12, 2025 2:41:26 PM

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**Dear Director McKiernan,**

**I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito.**

**These species fuel tourism, support local businesses, and deserve proactive management before it's too late!!!!!!**

**William Ross Design**

[www.williamrossdesign.com](http://www.williamrossdesign.com)

207.363.8071

**From:** [Amishai Goodman-Goldstein](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Bonito/false albacore public comment  
**Date:** Wednesday, March 12, 2025 2:34:06 PM

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Dear Director McKiernan,

I strongly endorse the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species are vital to local economies, fueling tourism and sustaining businesses, yet their management has long been overlooked. Implementing proactive, science-based regulations now is imperative to prevent future declines.

This measure represents a prudent balance between conservation and the interests of both recreational and commercial fisheries. Thoughtful stewardship today will ensure the long-term viability of these fisheries, benefiting both the ecosystem and the industries that rely on them. I urge you to move forward with these protections.

Thank you for your consideration,

Amishai Goodman-Goldstein

**From:** [Tom Fuda](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False Albacore and Atlantic Bonito Possession Limits  
**Date:** Wednesday, March 12, 2025 8:14:48 AM

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To Director Daniel McKiernan

My name is Thomas Fuda. I am a recreational angler who resides in Connecticut. In addition to my home waters of CT, I also frequently fish the waters of Massachusetts, Rhode Island and New York. I primarily target striped bass and bluefish, but during the fall, my focus often shifts to targeting false albacore, and to a lesser degree, Atlantic bonito. I am in favor of establishing possession limits on both of these species, as they have become increasingly important as a target of recreational fisherman. The economic value of these fish is primarily as game fish, not food fish. This is especially true of false albacore. This makes these fish far more economically valuable alive than dead. As striped bass and bluefish abundance decrease, more and more effort will be focused on false albacore and Atlantic bonito. Therefore, it behoves the state of MA to establish possession limits now, before these fisheries also become overfished, like so many other fish species in the northeast. Hopefully, MA's leadership in this area will prompt other state fishery management agencies to adopt similar measures in the near future. Thank you.

Thomas Fuda

**From:** [Brian Sittlow](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support False Albacore and Bonito Management  
**Date:** Tuesday, March 11, 2025 7:19:40 PM

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Mass DMF,

I fish for albies, bonito and stripers 30+ days by boat, primarily in RI, CT, NY and occasionally MA. I spend money in RI, CT and MA associated with fishing.

I support regulations controlling the retention of albies and bonito. Your proposed rules (5-fish daily limit and 16" fork length minimum) shows foresight, addressing the species' sexual maturity in the new regulations. The rules are reasonable and will help protect these species while ensuring economic benefits to the NE US coastal fishery.

All the best,  
Brian Sittlow  
Westerly, RI

Supporter:  
American Saltwater Guides Association  
Wild Salmon Center  
The Conservation Angler  
Wild Steelhead Coalition  
Skeena Wild

**From:** [Erik Hoffner](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** managing albacore and bonito  
**Date:** Monday, March 10, 2025 8:27:38 PM

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I'm fully in favor of managing these species in Mass, with a daily bag and length limit, they're great to fish for recreationally and should be protected for the future, I think.

Erik Hoffner  
Ashfield, MA 01330

*Instagram:* [@erikhoffner](#)  
*BlueSky:* [@erikhoffner](#)  
*Latest projects:* [www.erikhoffner.com](http://www.erikhoffner.com)

**From:** [Germain Cloutier](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False albacore management  
**Date:** Monday, March 10, 2025 8:20:55 PM

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Hello,

I have become an avid false albacore fishermen and spend thousands of dollars and countless hours pursuing these great gamefish. These fish provide a big boost in revenue for many guides/tackle shops/hotels etc. in Massachusetts and this shows the great economic value these fish bring to the shores of Massachusetts. The conservation minded approach by setting a limit to the species is much needed and will help these fish. The proposed 5 fish limit ( should really be 3) will help in achieving a regulated fishery for false albacore and bonito. The science has shown that a 16" fork length minimum would allow these fish to reach breeding age to reproduce. It will be great to see some movement on this fishery since other fisheries like striped bass have absolutely fallen apart and don't have much of a future.

Thank you,  
Germain

[Sent from Yahoo Mail for iPhone](#)

**From:** [Mike Kozub](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for False Albacore & Bonito Conservation Regulations  
**Date:** Monday, March 10, 2025 7:23:48 PM

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Dear Massachusetts Division of Marine Fisheries,

As a Cape Cod local and an avid recreational fisherman, I strongly support implementing regulations on false albacore and Atlantic bonito. These fish are vital to our local ecosystem and sportfishing community, and I believe unrestricted harvest poses a serious risk to their long-term sustainability.

While these species are not currently managed, their increasing popularity demands responsible oversight. Setting reasonable possession limits and size restrictions is a crucial step in ensuring their populations remain healthy for future generations. No one should have free rein to take as many as they want, especially given the growing pressure on these fisheries.

I appreciate the proactive approach being taken and encourage the adoption of science-based regulations to protect these fish. Thank you for considering the voices of conservation-minded anglers.

Best,

Mike Kozub

Mashpee, MA

**From:** [Stephen King](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albie and Bonito Regulation  
**Date:** Monday, March 10, 2025 6:49:22 PM

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I fish for both species at least ten times a season from my second home in Chatham MA. I believe that it is extremely important to regulate this fishery. They are too valuable a resource to waste by neglecting to put reasonable limits on the number and size of the catch. Five fish a day for either of these species is more than most families need, and the 16" size limit makes sense as well. I hope that the DMF will implement these proposed regulations.

Stephen King  
Dallas, TX



**From:** [wfiora1@icloud.com](mailto:wfiora1@icloud.com)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for False Albacore and Bonito Management  
**Date:** Monday, March 10, 2025 6:11:05 PM

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As a Massachusetts resident, I'm proud to see Mass DMF taking the lead in false albacore and bonito management.

Pursuing these fish is the highlight of my season, and I spend more money than I'd like to admit in the local economy on gear, fuel, and other supplies in order to chase them. With the striped bass population in decline, false albacore and bonito now fill an important role in keeping people fishing in Massachusetts. If not for the influx of bonito last year in Buzzards Bay our fall season would have been awful. The bonito and false albacore saved my fall season.

While false albacore had long been deemed "inedible", in recent years I've seen an increasing number of them being harvested - sometime multiple buckets full daily for weeks at a time. Because they are tastier, bonito are even more vulnerable to over harvesting.

Therefore, I fully support Mass DMF's efforts to implement false albacore and bonito management regulations.

Best regards,

Bill Fiora  
Westport Point, MA

**From:** [WILLIAM R TODD](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Bonito and False Albacore  
**Date:** Monday, March 10, 2025 5:44:05 PM

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Dear Sirs, Please work in a positive way to protect these species and continue to make sure the population supports our Massachusetts fishery. These are  
fantastic game fish and need to be protected. William Todd, Brewster, Ma.

**From:** [Brian Donahue](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Proposed Regulation of False Albacore and Bonito  
**Date:** Monday, March 10, 2025 3:34:42 PM

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Greetings,

I fully support the proposed regulations on False Albacore and Bonito. The 5 fish in possession with 16" minimum size is a great first step to protecting these two species. I'd support possessing fewer than five fish and perhaps a slot limit.

Thank you for protecting our marine fishery.

Brian Donahue  
Stow, MA

**From:** [cnadu9@gmail.com](mailto:cnadu9@gmail.com)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Please save our Albie & Bonito population  
**Date:** Monday, March 10, 2025 2:11:47 PM

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It was mostly non-existent last year so I support Mass DMF's proposal for a five fish-per-person possession limit for both species combined, with a 16" fork length minimum.

I'm 100% recreational catch and release but not everyone sees things my way. This is a good compromise.

Sincerely,  
Curt Nadeau  
Old Saybrook, CT

**From:** [Riptide](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albie & Bonito  
**Date:** Monday, March 10, 2025 1:48:38 PM  
**Importance:** High

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Hi MA DMF,

Im a full time charter Captain in MA and NC. I fully support the proposed regulations on Albies and Bonito. Please continue to preserve this wonderful resource. Nearly 70% of my charter business is based on a healthy stock of both of this fish.

Thank you for your efforts,

Thanks,  
Capt Terry Nugent  
Riptide Charters  
Sandwich MA / Morehead City NC

**From:** [Mark Mattson](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** attention of Director Daniel McKiernan Comments on Regulations  
**Date:** Monday, March 10, 2025 11:40:30 AM

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Dear Director Daniel McKiernan,  
thank you for the opportunity to comment on proposed changes. It appears some fisheries are overfished. Even black sea bass and fluke are hard to catch legal sizes. I ask that commercial fisheries be eliminated, or at least very strictly limited. The fish belong to the people, not the industry. It is your job to protect them. Do your job.  
thanks Mark Mattson

**From:** [Russ Iuliano](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Written comments to the 2025 Commercial and Recreational Fishing Regulatory Changes  
**Date:** Tuesday, February 18, 2025 3:18:24 PM

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Dear Director McKiernan,

I would like to submit written comments to the proposed regulatory amendments.

Striped Bass:

#2: Would like the minimum to remain at the current 35". keep more breeding fish in the water to spawn more fish.

False Albacore

#1: Clarify the language. What does five fish per day mean? five comprised of either species, or five false albacore and five bonito?

Commercial Summer Flounder

#1 and #2: I agree with the reduction. (summer flounder fishery needs this help, IMHO.)

Recreational Black Sea Bass Season

I agree, and thank you! Moving back to the Saturday Open date is a tradition that I appreciate and eagerly await. Shifting the closing date to keep the fishery window the same makes sense.

I appreciate your willingness to accept public comment.

About me: I am a recreational fisherman, in the Buzzards Bay, Vineyard Sound, Nantucket Sound, and sometimes Cape Cod Bay. I try to help DMF by participating in Kimberly Trull's SADCT program, and Michele's Striped Bass Mortality Study.

Thank you,

Russ Iuliano

27 Rockland St

So Dartmouth ma, 02748

781 820 3677

**From:** [Tyler Hagenstein](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** DMF proposed regulation changes  
**Date:** Saturday, March 15, 2025 12:58:28 PM

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Thank you for taking the time to read my comments on the proposed rule changes.  
I'll keep it short and write a response to restrictions I feel need comment.

Striped bass- absolutely should have a commercial slot limit, glad this is finally being considered. As far as the slot goes, I think the fish size should be 30"-40". Ideally these smaller fish would fill up quota slower and give commercial fisherman more days to fish and leave the bigger breeders alone. I think it is also extremely important to eliminate out of state fishermen.

Bonito/albies - These two species should not be regulated as one. Perhaps the recreation limit could be 5 fish a day, but certainly not commercial limits. Their numbers are increasing ever year in our waters and could give baymen and commercial fisherman an opportunity sustain their livelihood.

Americal eel- baymen like myself depend on multiple species to piece together their year. Sometimes one species or another isn't harvested for years between sets or booms in populations. It would be unfair to strip eel permit holders of their right to fish them for not fishing them in recent years. There simply hasn't been enough eels around to make it worth while. I have tried to target eels a few times over the years but have been largely unsuccessful because of the enormous green crab population in my area. Before restricting commercial fisherman I think it would be more valuable to the local resource to further restrict eel use by recreational fisherman.

Rec black seabass- I suggest keep this fishery open well past September 1st but shrinking the catch limits. These fish are abundant.

Protected species entanglement- there will be a degree of inaccuracy here that could draw even more negative light on commercial pot fishermen, who have been heavily demonized by right whale activists. While I have always sympathized with the animals, news/media headlines have captured the attention of too many people who do not understand the fisheries and are called into action by non government environmental groups to bring unnecessary restrictions on fisherman.

Lastly!!! Please reverse last years horseshoe crab restrictions that were pushed by MA Audubon!!!

Thank you for your consideration,

Tyler Hagenstein  
Commercial fisherman, shellfish farmer, and recreational fisherman.



**From:** [Barry Woods](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Albies/Bonito Conservation Measures  
**Date:** Saturday, March 15, 2025 6:35:55 PM

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Dear Director McKiernan

I have been a recreational fisherman for over forty years and have fished for Albies in Massachusetts since the early 90's. I have seen what is happening to Striped Bass. I want a fishery that is sustainable for recreational anglers.

I support the proposed 5 fish daily limit for both species and a 16" fork limit. I also think we do not have adequate knowledge about the state of these two species and should act conservatively until we do.

They have become my primary target species in the Fall as we've seen the rapid decline of bluefish and striped bass over the past 15 years. I strongly urge you to take action and to fund research into the health of these two species so we do not continue to repeat the past.

Frankly I can't imagine anyone keeping a false albacore to eat though the same can't be said for Bonito.

Thank you for your consideration.

Sincerely,  
Bary Woods

**From:** [Alex Thurston](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie & Bonito Conservation  
**Date:** Saturday, March 15, 2025 7:24:44 PM

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Dear Director McKiernan,

I strongly support the proposed 5-fish daily limit and 16" fork length minimum for false albacore and bonito. These species fuel tourism, support local businesses, and deserve proactive management before it's too late. Not only that, but the palpable recreational and guided-trip enthusiasm that comes in early fall as these fish arrive is one of the highlights, to me, of the Massachusetts Saltwater angling season.

Science-backed regulations like this ensure a robust, healthy and future fishery, while balancing the needs of anglers and commercial operations. This is a great step toward responsible fisheries management, and I support moving forward with these protections.

Thank you for your time,  
Alex Thurston  
Belmont, MA

**From:** [Douglas Baz](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False Albacore management  
**Date:** Saturday, March 15, 2025 8:18:54 PM

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Douglas Baz here. 81 year old albie Lover of the New York/New England shoreline variety. It has been sad to not only see the striped bass population dwindle in decades long productive fishing grounds but the albacore population as well. It's more than sad, it's alarming!! As I have few future albie seasons ahead of me, I'm imploring you to make the appropriate management decisions to protect this incredible species.

Thank you  
Douglas Baz  
Barrytown, NY

**From:** [Mark Phillips](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** False Albacore and Bonito Regulations  
**Date:** Sunday, March 16, 2025 7:16:49 AM

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To whom it may concern,

I am in favor of regulating the species False Albacore and Green Bonito. In an era where Striped Bass, Cod, and Bluefish are highly scrutinized and limited for harvest. The False Albacore and Bonito are extremely important to charter businesses and the recreational fishing fleet in all of southern New England.

Capt. Mark Phillips  
SoCo Angler LLC

**From:** [John Burns](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Support for Albie Conservation – A Step in the Right Direction  
**Date:** Sunday, March 16, 2025 7:37:22 AM

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Dear MA DMF,

As an avid angler who spends countless days chasing false albacore, I fully support the proposed regulations establishing a 5-fish daily limit and 16” fork length minimum. Albies are a catch-and-release fishery for many of us, but without proactive measures, we risk putting unnecessary pressure on their population.

These fish drive tourism, fuel local economies, and create incredible fishing opportunities. Implementing these regulations now ensures that future generations will have the same opportunities we cherish today. Please prioritize their protection.

Best regards,  
John Burns  
Needham, Ma



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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



MAURA T. HEALEY  
Governor

KIMBERLEY DRISCOLL  
Lt. Governor


REBECCA L. TEPPER  
Secretary

THOMAS O'SHEA  
Commissioner

DANIEL J. MCKIERNAN  
Director

### MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: March 24, 2025

SUBJECT: **Recommendation Affecting Shore-Based Fishing**

#### Recommendation

I recommend the MFAC approve the following measures affecting shore-based fishing:

1. Define shore-based shark fishing as fishing with rod and reel gear from the shoreline, wade fishing, or from any structure attached to the shore—including but not limited to bridges, jetties, piers, and docks—using a metal or wire leader that measures greater than 18 inches and a hook for which the maximum distance measured between the two points inside the curve created by the hook that exceeds  $\frac{5}{8}$  inch when measured straight across from the barb to the shank (i.e., hook gape). See Figure 1.
2. Prohibit shore-based shark angling along the coastline beginning at the northernmost point of Plymouth Beach then south to the Cape Cod Canal in Sandwich, then eastward along the southern shore of Cape Cod Bay to Rock Harbor in Orleans, then northward along the eastern shore of Cape Cod Bay to Race Point in Provincetown, then south along the eastern Atlantic facing shore of Cape Cod, inclusive of all of Monomoy Island and Chatham Harbor. See Figure 2.
3. Prohibit chumming when shore-based shark fishing throughout the Commonwealth from sunrise to sunset.
4. Prohibit the use of mechanized or remote-controlled devices to deploy baits when fishing from shore with rod and reel gear. This does not include casting or setting baits with non-mechanized devices such as kites or kayaks, nor the power or motor source of a vessel. Note this would apply broadly to all rod and reel fishing, not just shark fishing.

These recommendations differ in several ways from the hearing proposals that I presented to the MFAC at its December 2024 business meeting<sup>1</sup>. These modifications respond to the public input received during the February 14–March 16, 2025 public comment period, including two hearings on March 10 (Gloucester) and March 11 (Bourne), as described herein.

<sup>1</sup> Refer to page 35 of the December 2025 MFAC [meeting materials](#) for more details.

## **Background and Rationale**

The Massachusetts Environmental Police have identified the existing rule as being inadequate to curtail shore-based shark fishing and chumming for white sharks because it requires proving intent, which can be challenging. Moreover, shore-based shark fishing is growing in popularity through social media and Massachusetts is becoming a hot spot for this activity, particularly for those targeting white sharks, given the relative lack of rules governing the activity as compared to other states (e.g., New York, Florida).

This burgeoning shore-based shark fishing activity is presenting user group conflicts that pose public safety risks to beachgoers. These conflicts are particularly acute along the eastern facing beaches of Cape Cod where there is an overlap between shark fishing that is likely targeting white sharks and other beachgoing activities (e.g., surfing, swimming). This conflict was well documented in a 2024 [article](#) by the Provincetown Independent. The incident described in this article was not a stand-alone occurrence as DMF has been notified about these types of incidents multiple times a year.

At this time, I think it is necessary to take decisive action to enhance our regulatory program before fishing activity further expands and increases the potential for conflict and public safety issues. Accordingly, I made several regulatory proposals at the December MFAC business meeting to address this, including: (1) defining shore-based shark fishing and prohibiting it from the New Hampshire border south around the northern and eastern shore of Cape Cod including all of Monomoy but exempting the inshore waters within Plymouth, Kingston, and Duxbury Bays; (2) prohibiting chumming when shore fishing state-wide; and (3) prohibiting the deployment of baited hooks by means other than casting.

Much of the public comment received focused on the broad scope of these proposals and I have further refined my recommendations to make these regulations more surgical. However, it is notable that the Atlantic White Shark Conservancy supported all aspects of my public hearing proposal given their concerns about reducing interactions between the public and white sharks to benefit public safety and animal welfare.

### **Shore-Based Shark Fishing Prohibition**

My recommendation differs from my initial proposal in several ways. First, I have refined the gear-based definition for shore-based shark fishing. Second, I have narrowed the scale of the proposed prohibited area to better reflect where shore-based anglers are most likely to target white sharks.

The public hearing proposal defined the shark fishing aspect of this activity to be any rod and reel fishing activity as using a baited hook with an 8/0 size or greater and a metal or wire leader of 18-inches or greater. The gear specifications included in this definition were informed by a 2024 study (Kneebone et al., 2024) that worked with 21 shore-based shark anglers in Massachusetts that found the minimum size circle hook and metal leader lengths used by these fishers was an 8/0 hook and 18” metal leader. However, through public comment and subsequent conversations with shark anglers, it became clear that hook size would be difficult to enforce. Hook sizes are determined based on the relationship between distance between the shank and the

shaft of the hook (“gape”) and the length of the shaft. Therefore, hooks of the “same” size do not necessarily have uniform dimensions.

To avoid this complexity, I instead focused my recommendation on the gape size. Staff consulted shark anglers, tackle shops, and measured a variety of hooks commonly used in shark fishing and found that a hook with a gape of 0.6 inches or greater coupled with an 18-inch wire leader would adequately capture most terminal tackle used in shore-based shark fishing. With this in mind, I am recommending a hook gape of 5/8-inch as an easily identifiable and enforceable standard. This approach of using a hook gape size combined with the use of a metal or wire leader of a certain length to define shark fishing is similar to the approach used by Florida<sup>2</sup> to define shore-based shark fishing.

Similarly, my recommendation serves to tighten the definition of “shore-based”. Rather than using the phrasing “not occurring from a vessel”, the spatial component of the definition of shore-based will more clearly include the shore-line proper, wade fishing, and structures attached to the shore such as bridges, jetties, piers, and docks. Again, this is similar to the regulatory approach used in Florida affecting their shore-based shark fishery.

Lastly, and perhaps most importantly, I recommend narrowing the spatial extent of the prohibited shark fishing area. The most substantive public comment on this proposal focused on the breadth of this prohibition affecting areas where non-white shark fishing has historically occurred and extending well beyond areas where white sharks are commonly encountered. A goal of my public hearing proposal was to limit the impact of this new rule on historic non-white shark shore-based shark fishing activities and have refined my recommendation to better accommodate it. However, acoustic detection data demonstrate that while white sharks are most prevalent along the Outer Cape and in lower Cape Cod Bay, they are commonly observed throughout our ocean waters north of Cape Cod. For this reason, I do have some concerns that a more spatially condensed closure will push targeted white shark fishing opportunities into the open waters north of Plymouth Beach resulting in a relocation of this problematic activity. These concerns, however, are somewhat tempered by the fact that lower availability of white sharks in these waters will discourage the growth of this activity in these areas.

While my final recommendation does consider some of the public comment received, it is worth noting that of the limited comment we did receive, most of it broadly opposed any action to constrain shore-based shark fishing. The general sentiment of these commenters was that DMF was overreaching in a way that would negatively impact the ability of a small number of lawful shore-based shark fishers to pursue their hobby to address isolated incidents by an even smaller number of bad actors. Accordingly, there was a preference for more targeted enforcement rather than enacting more restrictive rules. I understand these concerns, and these comments were integral in my decision to refine my recommendation in the manner described above. However, I remain concerned about the growth of this activity in Massachusetts and the need to get out ahead of the issue before the user group conflict and public safety risk escalates. I also do not

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<sup>2</sup> Florida requires a shark fishing permit to fish from shore using a metal leader that measures more than four-feet in length, a fighting belt or harness, or a baited hook that is 1.5 inches in gape or greater.



think more targeted enforcement of the current rule is possible given the challenges associated with having to prove intent compounded by the fact the activity is challenging to detect, particularly as it has been principally occurring along the remote beaches on the eastern shore of Cape Cod.

### Prohibiting Chumming

My recommendation on chumming has also been substantially narrowed when compared to the initial proposal. Whereas the initial proposal would have banned any chumming during shore-based fishing, my recommendation instead only restricts chumming when shore-based shark fishing during the daytime hours (sunrise to sunset). These amendments apply the restriction more narrowly to target chumming activity by shark anglers that may bring sharks into the nearshore area when beachgoers are most likely to be present. It would also not prevent chumming at night when shore-based fishing for sharks and finfish is more common. It also does not restrict chumming from piers, docks, and other structures when fishing for other fish species like pollock or mackerel.

As with the shore-based shark fishing restriction, my recommendation responds to the public comment received regarding the breadth of DMF's initial proposal. I believe my recommendation as drafted sufficiently narrows the scope of the regulatory action to better respond to public safety concerns and accommodates most shore-based chumming activities. I also expect the Massachusetts Environmental Police will exercise their discretion when enforcing this rule and recognize that this prohibition is designed to prevent luring large sharks into nearshore areas where it presents a public safety hazard.

### Deployment of Bait

Like the other aspects of this recommendation, I have narrowed the scope in response to public comment. While I recognize that much of the public comment roundly rejects DMF regulating bait deployment, I think addressing emerging mechanized devices is necessary to address public safety concerns related to white shark fishing and conservation concerns related to other rod and reel fishing activity. Accordingly, my final recommendation focuses on prohibiting the use of mechanized or remote-controlled device to deploy baits when rod and reel fishing and its application to rod and reel fishing on vessels would not extend to the power or motor source of the vessel. Notably, this addresses the concerns raised by Damian Parkington regarding the prohibition extending to commercial tub trawling and power trolling activities, while also responding to recreational anglers who continue to use traditional manual bait deployment practices, like kite fishing and using kayaks to deploy baits.

The low cost and widespread availability of these mechanized devices makes them highly accessible. In the context of shark fishing, they can be used to deploy baits beyond the surf where white sharks may occur. This would allow these anglers to target white sharks in areas where shore-based shark fishing is not prohibited under the guise of targeting other species. I also remain concerned about the application of mechanized devices to deploy bait in rod and reel fisheries for non-shark species. These devices allow anglers to target fish at a greater distance and target specific size classes of fish when conditions allow, increasing both their efficacy and the fight time of hooked fish. This heightens concerns related to catch rates and resulting release

mortality, particularly since the striped bass fishery would be the other principal fishery where these devices would be used.

**Enclosed**

Written Public Comment

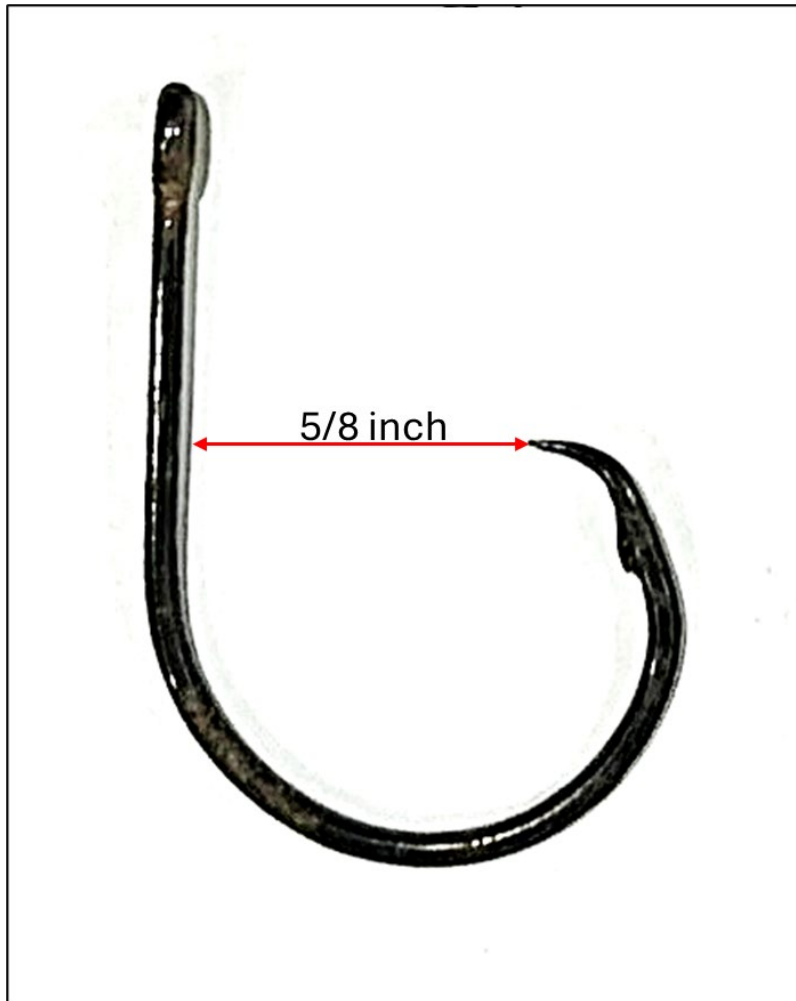


Figure 1. Recommended hook gape measurement.

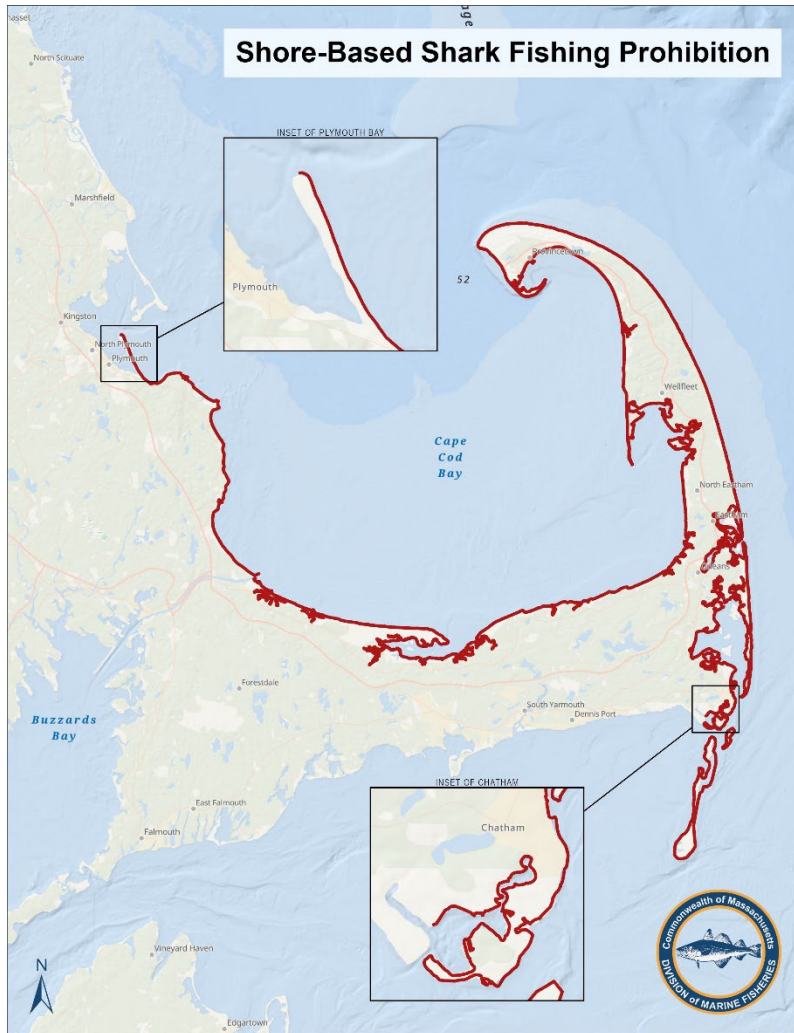


Figure 2. Spatial Extent of Recommended Shore-Based Shark Fishing Prohibition



March 16, 2025

Daniel J. McKiernan, Director  
MA Division of Marine Fisheries  
836 South Rodney French Blvd  
New Bedford, MA 02740

Dear Director McKiernan,

The American Sportfishing Association (ASA), representing the sportfishing industry and millions of recreational anglers, opposes the Massachusetts Division of Marine Fisheries' (DMF) proposal to constrain shore-based shark fishing activities, as outlined in your December 12, 2024, memorandum to the Marine Fisheries Advisory Commission. While we support efforts to ensure public safety and conserve white sharks, we believe this proposal is overly restrictive, lacks sufficient evidence, and unfairly limits access to an important shore-based recreational fishery. We urge DMF to reconsider this approach and prioritize collecting additional information before pursuing vast prohibitions.

The proposal hinges on a single incident between shore-based shark anglers and surfers, amplified by social media and a *Provincetown Independent* article, rather than comprehensive data. This narrow foundation fails to justify banning shore-based shark fishing across vast coastal areas, prohibiting chumming statewide, and restricting bait deployment methods. Such measures risk overregulating a fishery whose scale, impact, and participant base remain poorly understood, relying instead on a single media report rather than continuous evidence of widespread harm to white sharks or public safety.

For many private recreational anglers, shore-based fishing is the only viable means to pursue catch-and-release shark fishing. Coastal access is increasingly limited, and the costs of boat ownership or for-hire vessel trips exclude individuals from offshore opportunities. The proposed restrictions would further diminish these anglers' ability to target shark species that can be caught and released legally. Denying this access undermines a tradition that sustains both personal enjoyment and the broader sportfishing economy.

ASA does not support banning recreational shark fishing or chumming in state waters as proposed because it denies public access to shark species that can be legally caught and released when fishing from a boat in state or federal waters. Federal regulations (50 CFR § 635.26(c)) permit rod-and-reel fishing for white sharks, provided they are released immediately with minimal injury and not removed from the water—an approach that balances conservation with access. Research vessels and experienced anglers attest that chumming rarely attracts white sharks specifically; public hysteria often misidentifies fins from other species as white sharks, exaggerating perceived risks. DMF's proposal overlooks these realities, opting for blanket prohibitions over targeted enforcement of existing rules (322 CMR 6.37), which already prohibit targeting or capturing white sharks without authorization.

Rather than imposing broad restrictions, we urge DMF to enhance enforcement of current regulations and invest in understanding this fishery through angler engagement and data collection. The memorandum notes enforcement challenges, such as proving angler intent, yet proposes rules that could penalize lawful fishing for non-white shark species under vague gear definitions (e.g., 8/0 hooks with metal leaders). A more measured approach— informed by stakeholder input and observed fishing

AMERICAN SPORTFISHING ASSOCIATION

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patterns—would better balance conservation, safety, and access and ASA does not believe this limited public input opportunity is sufficient for such a significant proposal.

Instead, ASA asks DMF to reconsider this proposal and pursue a collaborative, evidence-based alternative. We stand ready to assist in developing management strategies that preserve recreational opportunities while addressing legitimate conservation and public safety concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Waite", with a stylized flourish at the end.

Michael Waite  
Atlantic Fisheries Policy Director  
American Sportfishing Association

March 16, 2025

Director Dan McKiernan  
Massachusetts Division of Marine Fisheries  
30 Emerson Avenue  
Gloucester, MA 01930

RE: Public Comment

Dear Director McKiernan,

Thank you for the opportunity to submit comment to the recent Notice of Public Hearing document. If there are any questions or follow-up clarifications, please feel free to contact me.

Striped Bass Management:

1. I agree with the Division that total length measurements need to be consistent across sectors.
2. I agree with the Division's proposal for a slot-limit for the commercial striped bass fishery.
3. I oppose the Division's proposal to prohibit the use of gaffs for the commercial striped bass fishery. A gaff is an invaluable tool to a commercial fisherman particularly in a situation where they are fishing alone or when multiple fish are being landed at the same time. The commercial striped bass fisherman is not a weekend warrior and can ascertain quickly whether a fish is close to legal size and if it should be landed by hand or by net.

False Albacore and Atlantic Bonito Limits:

1. I agree with the Division's proposal of a daily retention limit of 5 fish per person per calendar day. I would like to suggest that there be a 10 fish possession limit for each species. Fall fishing includes fishermen who dedicate multiple days in a row of targeting these species from boat and from shore (particularly Over-The-Sand fishermen). Having 2 days of retention limits should be allowed.
2. I agree with the Division's proposal of for a 16-inch minimum size.

State Waters Groundfish Management:

I agree with the Division's proposals.

Commercial Summer Flounder Management:

I agree with the Division's proposals.

### Restrictions on Casting, Chumming, and Shore-based Shark Fishing:

1. In regards to this complex issue, I have some serious concerns as to the breadth and width of the proposed regulations. I spoke with several north shore tackle shops and they confirmed that there is very little, if any, people that frequent their shops who indicate they target or are going to target shark species from shore. More importantly, they don't have customers returning to their shop showing pictures of a successful shore-based shark fishing trip. I also surveyed approximately a dozen surf anglers from Quincy to Newburyport whether they have targeted or have heard of fishermen targeting shark species from shore anywhere north of Scituate. It was a unanimous 'No'.

I agree with you in defining what should be considered shore-based shark angling. I have concerns that the proposal to prohibit any shore-based shark fishing north of Plymouth misses the mark for any white shark conservation or protection. Your memorandum states 'However, in recent years, a small number of shore-based anglers have been observed targeting and landing white sharks, particularly along the eastern facing beaches of Cape Cod.' And also, 'Compounding this issue is the fact that this discrete fishing activity is difficult to detect, particularly as it is primarily occurring on the remote beaches along the eastern shore of Cape Cod.' I don't see the justification or the conservation correlation to protecting white sharks by prohibiting any shore-based shark fishing on the north shore, especially while allowing shark fishing to continue on the south Cape beaches. This clearly appears to be a Cape Cod issue. This is apparent as you stated, 'Shore-based shark fishing effort primarily occurs along the south shore of Cape Cod, and on Martha's Vineyard and Nantucket islands.' Where are white sharks more prominent and likely to be encountered in shore-based fishing, south Cape beaches or Cape Ann? To quote the late, great Kemp Maples, 'You don't need a buffalo gun to shoot a mouse'. This is a Cape and Islands issue that should be dealt with on the Cape and Islands.

**COMMENT:** At this time, I respectfully request you exempt from this proposed regulation all shoreline north of the 'Three Bays'.

2. As far as the proposal to prohibit shore-based chumming, I am confused by the first sentence of your memorandum. Is this proposal a ban on chumming when "Shark" fishing from shore (as defined) throughout the Commonwealth? If so, that seems reasonable, given that you will create a definition of shore-based shark fishing activity. However, if this is a blanket prohibition on the use of chum while fishing from shore, I feel this would be a draconian measure that may not have been thought through. If taken as written, this would prohibit fishermen fishing from piers, docks, jetties, etc, from using chum and/or chum pots to attract species like mackerel, harbor pollock, scup, black sea bass, flounder, fluke, smelt and striped bass. This tactic is used at probably all public and private docks in some capacity.

**COMMENT:** At this time, I respectfully request that the verbiage of the regulation reflect something to the effect that ‘chumming is prohibited while engaged in shark-fishing activity (as defined)’.

3. Casting Mandate – I feel that water-based bait delivery systems should be allowed.

Thank you,

Chuck Casella  
1 Pine Plain Rd  
Georgetown, MA 01833  
C – 978-290-0705





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Awareness Inspires Conservation

March 14, 2025

RE: Constraining Certain Shore-Based Angling Activities to Limit Interactions with White Sharks

Dear Director McKiernan,

On behalf of the Atlantic White Shark Conservancy (AWSC), I am writing to express our strong support for the proposed regulations aimed at constraining certain shore-based fishing activities to protect white sharks and enhance public safety. These proposed measures are essential steps in mitigating potential risks to both the sharks and the public, as well as improving the enforceability of existing regulations.

The proposal to ban shore-based shark fishing and chumming, as well as the limitation on baiting methods in specific areas of the Massachusetts coast where white sharks are commonly found, will help minimize both unintentional and intentional interactions between fishermen and this prohibited species. Reducing these interactions is key to mitigating potential risks to both the sharks and the public.

We also fully support the proposal to mandate traditional casting of bait, as opposed to using drones or other mechanized devices. This will prevent the targeting of white sharks under the guise of legal shore-based angling, while still allowing for responsible fishing practices.

The AWSC is committed to the study and conservation of white sharks, and we believe these regulations will enhance both their protection and the safety of the public. The restrictions outlined in the proposal represent a commonsense approach to managing the increasing popularity of shore-based shark fishing, and we commend the Massachusetts Division of Marine Fisheries for taking proactive steps to ensure the sustainability of the species and the safety of those who share the coastline with them.

We urge you to move forward with these proposed regulations and appreciate your attention to this important issue.

Sincerely,

Cynthia Wigren  
Chief Executive Officer & Co-Founder  
Atlantic White Shark Conservancy



Director McKiernan,

Cape Cod Charter Boat Association appreciates the opportunity to provide comments on the recent fishery management proposals.

#### Striped Bass Proposals:

We support the squeeze the tail measurement clarification. There was some confusion last year on how the tail measurement was to be made and there is a significant size discrepancy between fanning and squeezing the tail. This measure will make it clear both for fishermen and enforcement how striped bass should be properly measured. One possible thought for improvement in the future would be to look at measuring to the fork of the tail instead of the tip of the tail as it is much more difficult to manipulate this measurement through squeezing and fanning the tail.

We do not support the new proposed commercial striped bass slot limits. Many of our members also hold commercial striped bass permits and fish commercially for striped bass. There were many years that fish were legally allowed to be sold off a charter boat with customers but this practice was stopped because the charter boats were "double dipping" and people were opposed to us making some extra money off of our charters. Many of us still hold commercial permits and are able to fish commercially when a paying customer is not on the boat. Being able to commercially fish for striped bass makes up for some of the revenue we have lost due to trips being lost to the highly restrictive recreational slot limit for striped bass and restrictions in other fisheries.

These slot limit proposals will also lead to a reduction in the overall state commercial quota. The ASMFC has not mandated any cuts to the quota for this year. Slot limits could lead to increased discards. Several fishermen have said that with a smaller size they would high grade and only keep bigger fish in the slot- more discards. Having a smaller size would also lead to more individual fish getting caught to achieve the quota. If we do not need to take a cut in the quota we should not take it as more cuts could be mandated in the future. The biggest problem we see right now in the striped bass fishery is spawning and new recruitment. This is where more of our efforts need to be focused.

#### Bonito and False Albacore Proposals:

We do not support a bag or size limit for bonito or false albacore. We would recommend for bonito and false albacore management that although they look similar they are two different species and therefore should each be managed separately. One of the biggest differences

between the two species is that bonito are delicious and often kept for consumption while false albacore are not good to eat and with the exception of some that are weighed in for a tournament, and a few brave souls most who might attempt to eat them, the overwhelming majority are caught and released for sport. Bag limits would therefore affect bonito much more than false albacore. We heard at the public hearing that there is a 30% post release mortality for false albacore. If the albie population needs conservation measures, and nobody keeps them, I would argue that the most effective conservation measure would be a no-targeting, no fishing season for them as opposed to a bag limit as catch and release is by far the largest contributor to recreational fishing mortality.

There is no evidence of overfishing or lack of abundance for bonito or false albacore. Other fishing groups have claimed that the proposal for a five fish bag limit is science based but this is not true. The councils and HMS do not currently have a fishery management plan or stock assessments for these species. ICCAT does include false albacore and they are not subject to any commercial or recreational measures. We cannot support these measures until stock assessments and a fishing management plan for each species is developed individually. As fishermen over time we have seen how bag limits and seasons over the years only tend to get cuts and not liberalizations. The five fish bag limit would be a starting point at which over time it would slowly be chipped away at.

These fish are both highly migratory species. What conservation measures we take in Massachusetts would be sacrificed as no other states have management measures for these species once they swim into their waters.

We are opposed to the proposed 16 inch size limit. For several years we have had a hard time catching herring or mackerel to use for bluefin tuna bait. The only bait some days we have been able to find have been small bonito. We would request that as a source of bait that the 16 inch minimum size is not mandated.

We recognize that bonito and false albacore are important fisheries for many of our captains but have seen no evidence of overfishing. We do support better science and more research of these species, but we would be opposed to management measures until there is scientific evidence that it is required.

Eels:

We would support limited access and a control date for the commercial eel fishery but we are strongly opposed to a moratorium on the commercial harvest of eels. Eels are one of the best and most popular bait for striped bass and also used for swordfish, white marlin, sharks and bluefish. With a lack of other bait sources it would be extremely painful to lose eels as a bait source. If the eel population is in decline we should start to think about managing our cormorant population as we witness them constantly gorging on eels and also small fish such as herring, winter flounder and tautog.

Shore Based Shark Fishing, Chumming and Bait Deployment:

We do not support banning shore based recreational shark fishing in state waters. This measure comes from an isolated incident, between an out of state shark guide and some surfers, and should not penalize shore based fishermen who have fished for sharks for years without incident or conflict. This incident was a site specific user group conflict that should be

addressed where the conflict occurs and not apply broad measures to cover the entire coastline. Shore based fishermen should not lose access to a fishery they have the legal right to engage in.

Recreational Black Sea Bass Season:

We appreciate the flexibility of switching the start date of the recreational black sea bass fishery from May 18 to May 17th to coincide with the third Saturday in May in which it historically has opened. This Saturday is a very important date for both the for-hire fleet and recreational anglers and provides a great fishing opportunity as well as an important economic impact to fishermen and all related businesses at the beginning of the season.

Thank you for the opportunity to provide comments regarding these proposed fishery management regulations. If you have any questions or concerns please reach out anytime,

Willy Hatch  
President Cape Cod Charter Boat Association

**From:** [Peter Sliwkowski](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Comments on False Albacore and Bonito Management and Shore-based Shark Fishing  
**Date:** Friday, March 14, 2025 3:46:03 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.

Please accept the following as formal comments from Larry's Tackle Shop, located at 258 Upper Main St., Edgartown, MA. As the oldest and largest tackle shop on Martha's Vineyard, we are deeply invested in the responsible management of our fisheries. These comments are in response to the state management proposals discussed during the public hearings on March 10 & 11, 2025.

### False Albacore & Atlantic Bonito Management

Larry's Tackle Shop supports the MSBA's proposal to establish regulations for False Albacore and Atlantic Bonito but strongly opposes combining regulations for these two species. While both are targeted in the same inshore fishery, their biological differences, harvest practices, and uses justify separate regulations.

For False Albacore, we support:

- - A minimum size limit of 19" (though we are not opposed to the proposed 16").
- - A daily possession limit of no more than three, allowing for their use as bait in offshore fishing, bottom fishing, and lobster baiting.

For Atlantic Bonito, we support:

- - A minimum size limit of 16".
- - A daily possession limit of no more than five per person, ensuring a balance between conservation and sustainable harvest.

### Shore-Based Shark Fishing Regulations

Like the MSBA, Larry's Tackle Shop strongly opposes the proposed ban on shore-based shark fishing. This prohibition appears to be a reaction to isolated social media incidents rather than scientific evidence of harm.

Legal shore-based shark fishing is strictly catch-and-release and plays a critical role in scientific research, contributing valuable tagging data for inshore shark studies. Prohibiting this fishery would be both unjustified and inequitable.

We appreciate the opportunity to provide input and encourage a balanced approach that supports both conservation efforts and the interests of the local fishing community.

**Sincerely,** Peter Sliwowski Owner, Larry's Tackle Shop

--

Peter Sliwowski,  
Owner Larry's Tackle Shop & Fish Chappy Guide Service  
258 Upper Main St., PO Box 155, Edgartown, MA 02539

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March 12, 2025

Mr. Daniel J. McKiernan, Director  
Commonwealth of Massachusetts  
Division of Marine Fisheries  
251 Causeway St., Suite 400  
Boston, Massachusetts 02114

### **RE: Proposed MassDMF 2025 Commercial & Recreational Rules**

Dear Mr. McKiernan:

On behalf of the Stellwagen Bank Charter Boat Association (“SBCBA”) whose membership includes the for hire fleet and recreational anglers, recommendations and comments associated with the Proposed MassDMF 2025 Commercial & Recreational Rules is detailed below.

#### **Striped Bass Management (322 CMR 6.07)**

*SBCBA supports the “squeeze the tail” to determine striped bass length. It should be noted that the ASMFC is not recommending any changes to the commercial striped bass measures at this time. To implement a slot on the commercial fishery would increase mortality via discards. In addition, to reduce the size with a slot and no quota change will result in more fish being caught that could result in fewer fish available to reproduce. Until additional data is provided to support such measures and the ASMFC recommends such, the SBCBA cannot support the proposed commercial striped bass measures.*

#### **False Albacore and Atlantic Bonito Limits (322 CMR 6.42)**

*The ASMFC, Councils and HMS do not currently have a Fishery Mgt Plan (FMP) nor stock assessments associated with these species nor are there any interested in or seeing the need to do such. ICCAT does include false albacore that is not subject to commercial or recreational Mgt measures. How can any measure be proposed without a stock assessment or FMP? SBCBA cannot support these measures until stocks assessments are conducted and an FMP is developed for each species other than what is noted below.*

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*There are no commercial measures being proposed other than for jigging operations. This seems inconsistent with the reports of the unregulated commercial harvest of select species. If such measures are implemented, it needs to apply to the commercial and recreational fishery with appropriate MassDMF endorsements and reporting.*

*The only science based issue being proposed is the 16 inch fork length requirement where 50% of the population reaches sexual maturity. If a 16 inch fork length is implemented such needs to apply to commercial and recreational users. This conflicts with RI that does not have any size threshold for commercial or recreational users that leads to an enforcement issue. As a result, SBCBA cannot support this measure.*

State Waters Groundfish Management (322 CMR 6.03 and 7.04)

*The SNE cod spawning stock biomass has been exceeded the last 3 years, the model used is flawed, ultimately the moratorium on cod retention is not based on sound science. 93% of the SNE catch is recreational yet the setting of the recreational and commercial quota is not based on that percentage even if cod could be retained. Flawed science has resulted in zero retention, disaster declaration is unfortunately in our future.*

Commercial American Eel Management (322 CMR 6.30, 7.01, and 7.04)

*SBCBA supports this measure for this critical forage species in our fishery and recommends a control date and limited access and we don't support a moratorium as many of our members use eels for bait and would not want to lose access to the bait.*

Restrictions on Casting, Chumming, and Shore-Based Shark Fishing (322 CMR 4.09 and 6.37)

- *The SBCBA does not recommend banning recreational shark fishing or chumming in state waters and denying the public access to the fishery for those shark species that can be legally landed in state or federal waters.*
  - *It should be noted that in federal waters such is permitted consistent with "50 CFR § 635.26 (c) Sharks. Notwithstanding the other provisions of this part, a person may fish for white sharks (Carcharodon carcharias) with rod and reel, provided the*
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*person releases such fish to the sea immediately with a minimum of injury, and that such fish may not be removed from the water.”*

- *The research vessels and experienced shark fishing recreational community will attest to the fact that chumming and attracting great white sharks is difficult. If the public observes a fin in the water ranging from a bluefin tuna or wide array of other species there is mass hysteria that it is a great white shark. Public education and outreach is recommended to address this mass hysteria.*
- *MassDMF notes “in recent years, a small number of shore-based anglers have been observed targeting and landing white sharks, particularly along the eastern facing beaches of Cape Cod.” The proposed measures are being recommended as a result of a small number of anglers. Public outreach and enforcement is recommended to educate the public not a ban on chumming or shark fishing denying the public access to the fishery.*
- *There are presently means and methods to deploy baits beyond the beach or a vessel that MassDMF noted includes kayaks. Measures are being proposed as a result of a small number of anglers. As a result the SBCBA does not recommend any deployment prohibitions since a kayak achieves the same objective as the other methods noted.*
- *There are fewer and fewer opportunities for the private recreational shoreside angler to have access to the fishery yet along access to those species that can be legally caught and/or released. Many cannot afford to buy a boat or go on a for hire vessels and as a result shoreside angling is the only mechanism for them to catch and/or release sharks.*
- *Consistent with the lines of evidence above the SBCBA does not support the proposed shark related measures.*

Recreational Black Sea Bass Season (322 CMR 6.28)

*SBCBA supports a May 17<sup>th</sup> opening date.*

To address biosecurity concerns related to reports regarding the use of Pacific lugworms as bait in the northeast, DMF is proposing to prohibit



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the sale and use of non-native seaworm species. (13) the use and sale of non-native seaworms.

***The SBCBA supports this measure.***

We thank you for the opportunity to comment on this important matter. If you have any questions or comments, please contact the SBCBA at the email below.

Very truly yours,

*Tom Depersia*

Capt. Tom Depersia  
SBCBA, Founding President & Trustee  
[hugetuna@aol.com](mailto:hugetuna@aol.com)

*Damon Saco*

Capt. Damon Saco  
SBCBA, Board of Directors  
[captdamon@gmail.com](mailto:captdamon@gmail.com)

*Eric Morrow*

Eric Morrow  
SBCBA, Board of Directors  
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*William Hatch*

Capt. William Hatch  
SBCBA, Board of Directors  
[machacafishing@gmail.com](mailto:machacafishing@gmail.com)

*Stacie Delzingo*

Stacie Delzingo  
SBCBA, Secretary  
[stacie9229@gmail.com](mailto:stacie9229@gmail.com)

*Capt Mike Delzingo*

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*Capt Jeff Depersia*

Capt. Jeff Depersia  
SBCBA, Board of Directors  
[jeffchasintail@gmail.com](mailto:jeffchasintail@gmail.com)



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*Capt Paul Diggins*

Capt. Paul Diggins  
SBCBA, Trustee  
[captain\\_paul@bostonfishing.com](mailto:captain_paul@bostonfishing.com)

*Capt Rob Savino*

Capt. Rob Savino  
SBCBA, Trustee  
[robsavino@mac.com](mailto:robsavino@mac.com)

cc: Tom O'Shea, MassF&G  
Ray Kane, MassFAC

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*Capt Rick Golden*

Capt. Rick Golden  
SBCBA, Trustee  
[captrick@1620anglers.com](mailto:captrick@1620anglers.com)



## Massachusetts Striped Bass Association

*Since 1950*

March 11, 2025

Massachusetts Division of Marine Fisheries  
30 Emerson Avenue  
Gloucester MA 01930

Dear Director McKiernan.

Please accept the following as formal comment by MSBA in response to the suite of state management proposals presented during the public hearings held on March 10 & 11, 2025.

### **Striped Bass Management**

#### **Total Length Measurement:**

MSBA supports the proposed change. We agree with the rationale that current regulations can cause an angler to manipulate total length to comply with the slot limit. MSBA agrees the proposed change will clarify proper measurement and enhance enforcement.

#### **Commercial Slot Limit:**

MSBA neither supports nor opposes a specific change in the commercial slot limit and offer the following comments to inform your final decision:

- Many of our members support a maximum size limit in relation to the BOFF management strategy
- Many of our members feel post release mortality increases & survival is less likely for very large fish of 50" and higher.
- Some of our members feel it is more important to leave a fish in the spawning stock for as many years possible prior to harvest and feel removing a 32" or 33" fish from the spawning population is too soon based on current stock status. These members would rather not see a drop in the commercial size limit below 35" or 36"
- MSBA is concerned lowering the MA commercial size limits will focus harvest on year classes the recreational slot is attempting to protect. We feel this aspect of the proposal was not explained in a way that we can choose the best commercial slot limit for the overall health of the stock.
- MSBA believes allowing harvest of fish below 35" may put MA commercial fish in direct competition with other states in the coastal market and this competition may lower the price per pound & overall value of the fishery. We advise MA DMF to obtain input from commercial buyers to better understand the proposed changes.

#### Prohibition on Gaffing in the Commercial Fishery:

MSBA members have voted on this subject multiple times. MSBA supports prohibiting the use of gaffs in the striped bass fishery. In our experience the best anglers cannot consistently distinguish between lengths of only a few inches while a fish is in the water.

We have heard the claim that fish under 40” do not require a gaff and “are swung into the boat.” We feel this behavior should also be prohibited. Swinging a fish into the boat to land hard on a deck prior to release significantly decreases the chance of post release survival.

We also reject claims that use of a net over a gaff causes a safety issue due to time required especially when fishing within a fleet. The operator of a vessel should never be in a situation where a few extra seconds puts the boat in jeopardy. MSBA urges MA DMF to prohibit the use of a gaff in the striped bass fishery

#### Consistency in Striped Bass Management:

MSBA believes that due to the open access nature of both the MA For Hire permit and the MA Commercial Striped Bass Endorsement; there is no “fleet wide” skill difference between private anglers, for hire anglers & commercial anglers when it comes to the striped bass fishery. It is our experience each of these modes has a range of anglers with various levels of experience and skill when it comes to use of gear and the desire, willingness and ability to care for fish intended for release.

MSBA urges MA DMF to consider consistent regulations when it comes to prohibition on gear & technique. An example of this is the use of a weighted treble hook. If use is prohibited for one fleet of striped bass anglers; it should be prohibited for all who participate in the striped bass fishery.

### **Menhaden Trip Limit Triggers & Permitting**

MSBA participated in a twenty-year campaign to improve the coastal management of Atlantic Menhaden and restore abundance to Ma state waters. We feel the stock is in good shape and the current size of the active commercial fishery is sustainable.

MSBA understands that a majority of the existing MA Menhaden permits & the lesser 6000-pound permits are inactive. We predict that if even half of these latent permits suddenly became active there would be numerous problems in the MA commercial menhaden fishery. Those problems would include localized depletion, user conflict with the recreational fishery and value of menhaden in the market.

MSBA urges MA DMF to take action that freezes the current size of the MA commercial menhaden fishery. We further encourage MA DMF to create a pathway for the transfer or sale of existing active permits to be passed on to further generations of commercial anglers. We want to lock in the current size of the fleet in perpetuity and make sure future generations of small boat commercial anglers can participate in this traditional fishery.

Our largest concern is the recent development that former large scale high catch volume mid water herring vessels have entered the menhaden fishery in other New England States. MSBA urges MA MDF to take Emergency Action to prohibit these oversized industrial fishing vessels from disrupting the inshore state waters menhaden fishery.

### **False Albacore Management**

MSBA supports establishing regulations but is opposed to combining regulations for False Albacore & Atlantic Bonito. Although we acknowledge both species are targeted in the same inshore fishery with lesser present species such as Spanish mackerel and southern kingfish; harvest and use of both species is not the same. Atlantic Bonito have a high food value and False Albacore have little to no food value. Both species are not the same size at all ages and are harvested in other locations at different sizes. Both species also have established value as bait but are used as bait in different ways.

MSBA supports MA DMF creating a minimum size limit for False Albacore. We feel the minimum size limit should be 19” but are not opposed to the proposed minimum size limit of 16”.

MSBA supports a daily possession limit of not more than THREE False Albacore. This allows for their use as bait in the Big Game offshore fishery, their use as chunk bait for bottom fishing, lobster bait and for the very few people with a desire to harvest this species for personal consumption or pet consumption.

### **Atlantic Bonito**

MSBA supports establishing regulations but is opposed to combining regulations for False Albacore & Atlantic Bonito. Although we acknowledge both species are targeted in the same inshore fishery with lesser present species such as Spanish mackerel and southern kingfish; harvest and use of both species is not the same. Atlantic Bonito have a high food value and False Albacore have little to no food value. Both species are not the same size at all ages and are harvested in other locations at different sizes. Both species also have established value as bait but are used as bait in different ways.

On the South side of NY & NJ there are for hire head boats that both target and encounter Atlantic Bonito in the same manner as they would mackerel. On those boats it is not uncommon to harvest a few dozen small bonito for table fare.

MSBA supports MA DMF creating a minimum size limit for Atlantic Bonito. We feel the minimum size limit should be the proposed 16”.

MSBA supports a daily possession limit of not more than FIVE Atlantic Bonito per person. This allows for their use as table fare in both small and larger sizes and as live bait. We feel five fish is a reasonable balance between conservation and harvest.

### **Constraints on Shore Based Shark Fishing**

MSBA is opposed to the proposed prohibition of shore-based shark fishing.

MSBA believes this is an overreaction to a few instances of social media content creators intentionally & illegally targeting Great White Sharks and a related failed enforcement case. MA DMF has not presented evidence of any injuries or harm done by recreational anglers legally shark fishing from shore and we see no reason to punish a few thousand without actual evidence legal shark fishing causes harm.

MSBA is aware of existing shore-based shark angling on the North side of Cape Cod and in Boston Harbor.

Shore based Shark Fishing is 100% catch & release, provides most of the tagging data for inshore shark research & we feel there is no scientific reason to prohibit this small niche fishery.

MSBA also sees this as an issue of equity and fairness. For example, why would shark fishing in Duxbury Bay be allowed from a boat or a kayak but not from shore. We see this as unfair.

### **Prohibition on Shore Based Chumming**

MSBA is opposed to a prohibition on shore-based chumming.

Shore based chumming is done in many ways and in multiple fisheries including shark, winter flounder, scup, blue fish and striped bass fisheries.

We understand there is a fear of drawing a shark to a bathing beach however there is no evidence this has happened even once.

Most shore-based shark fishing happens at night and in remote locations

local authorities already can prohibit fishing on bathing beaches.

Again, this is an issue of equity and fairness. If chumming is allowed on a boat, why would it be prohibited from shore without reason.

### **Limit Shore Based Anglers to Launching Baits by Casting Only**

MSBA is opposed to this proposal.

Anglers have been setting baits “beyond the breakers” in various ways for many decades and there is no evidence this causes a problem that requires prohibition.

The most popular method besides a rod is a kite with a release clip. Are we going to ban the use of kites off a million-dollar offshore boat or just the guy trying to get a bait past the breakers.

Dorys were used in the 1950's. Sling shots were sold to anglers in the 1960's. Radio Controlled boats have been around since the 1970's. Kayaks became popular in the 1990s. Bait cannons driven by CO2 were introduced in the early 2000's and the newest technology is the Drone. All of these products are part of the Billion-dollar recreational fishery and contribute to the economy. MSBA sees no reason to ban any of this gear.

### **Prohibition on Sale & Use of Lugworm**

MSBA agrees with the MA DMF concern that this bait could become an invasive species.

MSBA agrees this bait could be a biological threat to the local environment.

MSBA agrees this bait and its use should be prohibited

MSBA appreciates the opportunity to provide these comments.

Sincerely;

Patrick Paquette  
Massachusetts Striped Bass Association  
Government Affairs Officer



**From:** [MassGrower98](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Re: \*\*\*FISHERMAN RIGHTS\*\*\* SHORE BASED SHARK FISHING  
**Date:** Tuesday, March 11, 2025 1:16:18 AM

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- Also I wanted to bring up the topic of banning any other method of bait deployment such as casting is another ridiculous regulation. So you're saying if I was targeting certain species of sharks that are allowed to be caught/striped bass/bluefish, but wanted to send out my bait further with a kayak, that's now breaking the law? This is absurd. Traditional bait deployment styles such as kayaking out baits should never be banned from being able to do so. Personally I think the drones are an easier/ more convenient method of bait deployment, but I know drones are banned off the outer cape cod beaches/and in federal property. However methods such as using kayaks to deploy baits is traditional, and should never be regulated.

On Tue, Mar 11, 2025 at 12:47 AM MassGrower98 <[amonster98420@gmail.com](mailto:amonster98420@gmail.com)> wrote:

- Hello, I am adding my comments about the new restrictions regarding "shore based shark fishing". The outer cape cod beaches is a stomping ground for multiple species of shark/fish. Yes white sharks are mainly present in that area, but just because someone sets out a bait via drone/kayak (or as some people would like to refer to it as "chumming"), doesn't always make white sharks a targeted species. There are so many different species of shark/fish that could pickup a bait off the outer cape cod beaches (thresher shark/blue shark/mako shark/porbeagle shark/sandbar shark/ sand tiger shark/rougthead stingray etc). So to try to assume exactly what someone is targeting is ridiculous. It's the ocean, so many different species of sharks/fish roam free out there, and all have potential to pickup a bait. Trying to regulate certain hook size / metal leaders is crazy, and should not be a thing. So you're telling me if someone is using a 8/0 circle hook, with a metal leader on a spinning reel targeting bluefish for example, that person is now being perceived as shark fishing? These new regulations don't make sense, and in my opinion should not be applied. I feel like it should be a fisherman's right, that if he/she wants to fish off of a certain beach, using certain gear to try to catch species of shark that are allowed to be caught, that person should be 100% allowed to do so. Instead those people are now being perceived to be targeting white sharks, when in reality, there is so many different species of sharks that swim in the Atlantic Ocean that they could be targeting. Anyone that would accidentally catch a white shark would realize it's a protected species, and cut the line once recognized. Considered as bycatch, as it is not the targeted species. Assuming someone is targeting a certain species of shark is ridiculous. That is just judging without proper knowledge, and going against fisherman's rights.

**From:** [timothy deschenes](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Director Daniel McKiernan  
**Date:** Monday, March 10, 2025 9:26:14 PM

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To whom it may concern,

After reading your shore based mandate proposal , I just think we as a fishing community need to take caution on your proposal to define shark fishing as a 8/0. I understand the dropping baits with drones and other preventive things mentioned for bait dropping ( similar to a lot of east coast states ) but defining a hook size seems a bit much. This is over sight and unnecessary. So me with a 8000 reel and half a bluefish I casted out on a 7/0 hook is less attractive to a great white ? I'm afraid if this passes based on hook size , it sets a dangerous precedent for government / this boards oversight on the fishing community . Ban the drones / yaks and cannons launches state wide , I agree but let's revisit this hook proposal .

Thank you

<https://www.mass.gov/doc/shore-based-fishing-chumming-and-casting-memo/download>

Tim Deschenes  
774-644-0926

**From:** [Rich Antonino](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Attn Dan McKiernan  
**Date:** Monday, March 10, 2025 11:53:24 AM

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I know a lot of rule changes are being proposed and it worries me as a charter boat captain who makes his living TAKING PEOPLE FISHING. It is all that I do and I have been doing so since 2004.

I have seen the population of seals in my lifetime go from roughly ZERO on Cape Cod to more than 150,000 currently. Since I know that it would take an act of Congress to make changes to the Marine Mammal Protection Act, I will keep my comments short on that matter.

One sentence: Why doesn't the DMF ever bring up the skyrocketing population increase in seals with a fish population problem?

Seals lead to sharks and to my next concern: Shore fishing for sharks along much of the coast. I get it. We don't want people targeting white sharks at any point. I worry about the slippery slope of the next rule changes regarding shark fishing. I know you will never say "we will never restrict fishing for sharks from boats or the use of chum from boats." Therefore, I am worried that the next shoe to drop will be recreational shark fishing. We already have lost the ability to keep makos, despite recreational mortality being a tiny drop in the bucket of worldwide shark mortality.

Fluke has become my number one fishery for my business(equal to striped bass). They, however, go hand in hand. We fish for fluke and then end the day often by fishing for stripers.

I can't complain about the slot limit for bass—off of Monomoy there was no shortage of bass ever, most were around the slot size. Fluke attracts people because of the 5 fish limit. That is key to taking people fishing (and charging a rate that allows me to fish). Please don't make any changes there. Without a fall cod fishery, however, I would like to see an EXTENSION to the fluke fishery. The cod/haddock fishery is officially GONE south of Cape Cod because of regulations. Those customers could be retained(also re-trained) to fish for fluke in October.

This is my thought for the day. I hope you understand and do what you can to keep us fishing.

Sincerely,

Capt. Rich Antonino  
Black Rose Fishing Charters  
Bass River, South Yarmouth  
508-269-1882  
[www.blackrosefishing.com](http://www.blackrosefishing.com)

**From:** [Mark Mattson](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** attention of Director Daniel McKiernan Comments on Regulations  
**Date:** Monday, March 10, 2025 11:40:30 AM

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Dear Director Daniel McKiernan,  
thank you for the opportunity to comment on proposed changes. It appears some fisheries are overfished. Even black sea bass and fluke are hard to catch legal sizes. I ask that commercial fisheries be eliminated, or at least very strictly limited. The fish belong to the people, not the industry. It is your job to protect them. Do your job.  
thanks Mark Mattson

**From:** [Nicholas Eliopoulos](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** The status of LBSF in MA  
**Date:** Sunday, March 9, 2025 12:13:02 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.

This message is for Director Daniel Mckiernan. I'm gonna write a short note in regards to my opinion for the proposals of future land shark fishing in Massachusetts. And I'm only talking about species such as sandbars and dusky sharks. Great whites are not in regards to this email and should continue to be protected.

It doesn't make logical sense to make any updated changes to a sport in the state that is not oversaturated and quit frankly, underutilized unlike a Long Island, NJ, FL or other states where the sport is a norm.

The large majority of fisherman in this state do things ethically, with respect and loyalty to the sport. For some people, it's just a sport, but to me and many others it's a lifestyle. And no person should ruin it for everybody. Most people also fish at night, so you can't really say that there's a public safety part of it. Many times we want nothing to do with the public, we are just going about our business quietly and respectfully.

I'd hate to see something get changed In a world where freedom becomes less and less free. There are many ways to regulate this to what is fair.

Please take into consideration this note. Thanks.

PS - we all know striped bass are in the worst spot right now. This should be the #1 for our fisheries and recreational fishing should only be allowed to allow regrowth.

Nick Eliopoulos  
(781) 439.4184

**From:** [Damian Parkington](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Attn Director McKiernan re: proposed regulation changes.  
**Date:** Friday, February 28, 2025 8:54:11 AM

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To whom it may concern,

Thank you for the opportunity to comment on the proposed regulation changes. I unfortunately will not be able to attend either of the public in person meetings but wanted to include my opinion on a few of the proposals.

The wording of the “prohibition of mechanized deployment of baits “ 4.9:2 would seemingly prohibit all methods of line fishing that are not explicitly casted rod and reel. This would make illegal: tub trawling, power trolling and buoy drop line fishing with a baited hook. Certainly most of the dogfish fleet is still tub trawling with baited hooks. Until his passing a few years ago Eddie Rittter was tub trawling fluke in his strip plank dory in the sandy areas of Provincetown harbor. I can’t imagine that DMF wants to include this historical and very “clean” fishing method in the prohibition.

I also would disagree with not allowing the presentation of real baits in power trolling for Bass, blues, tuna, Bonita etc.. often a strip of bait is added to a jig when utilizing mechanical reels.

In regards to the proposed control date additions and modifications to the menhaden and groundfish fisheries; I encourage Ma DMF to use the regulation to encourage small boat and younger fishermen as well as protect the versatility of established Massachusetts commercial fishing enterprises. I believe the CAP purse seine should remain an open access 6000lb fishery. The issue of bait for lobstermen is and will be ongoing and keeping bait harvester direct to fishermen or fishermen bait harvester options is important.

Lastly I believe when the Groundfish control date was updated in 2018 there were many comments during the public meeting encouraging DMF to not take any action that would address latent effort. The general feeling was that younger and older fishing operations need to remain as versatile as possible and that as we are all adopting to changing ocean conditions. I want to reiterate this sentiment. The regulation and management needs to support our ability to have diversified fisheries.

Sincerely  
Damian Parkington  
Wellfleet, Ma

Sent from my iPhone

**From:** [J](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Comment on shark ban  
**Date:** Sunday, February 23, 2025 4:03:12 PM

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You should have to show proof of your claims . Show us proof of people who have been Hurt . Show is proof of people hurting sharks . Show us the proof of people targetting them , cause if you can do that then you certainly could press charges against that person . I dont believe one trouble maker justifies this over reach and thats why you are stretching and reaching trying to use "safety " as a reason . !

You dont have to make these changes you want to make these changes and thats not a good enough reason !

We value are right to fish as much as anyone else who fishes for stripers ,albies fluke and so on .

Using the fear that is engrained in everyones minds when it comes to sharks to push this ban is wrong .

Appealing to all the liberal tree huggers by misleading them is wrong .

You should be encouraging freedom not this macro control of people .

I cant put a bait 500 yards off the beach but a boat can ? Come on ,use common sence

You think its safer to kayak into 3 -5 surf at night than it is to stand on the sand or sit in my beach chair ??? Its the same reault but one is safer . Where does it stop ? Whats next saying , no vehicals can be used to transport gear when targeting sharks ?

And how can you enforce a 8/0 hook size when they aint even a standard . Three companies will have three different size 8/0 hooks one co 8/0 could be anothers 12/0 . You guys at fisheries love to complicate everything and true to MA form you just love to have control over everything . Leave us alone ! Everything we are doing is legal stop trying to make it a crime ,seriously what are you doing ? Some unreasonable people in NJ or NY did something similar so massachusetts has to rush to out do them?

Make MASS different ,you are supposed to be on the side of fishermen to make the experiance better and protect the species so we all have fish to catch . Your job is not to sit there and think of ways you can prevent people from fishing . Can you imagine saying boats are no longer able to be used to fish ? Ita always the rod and reel guy ,ita always the individual cause they dont have the finances to fight back .

Please hold off give it another season or two see if there are any violations that would indicate there is a problem . .

Thanks

**From:** [J](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Shark fishing ban  
**Date:** Friday, February 21, 2025 4:15:32 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.

You are conflating the numbers of sandbar sharks being caught to Great whites and you are doing it on purpose to justify your actions .

You claim post release mortality ,that individuals can catch up to 10 sharks a night and so we need to protect them.

I have worked with DR jeff Kneebone and know the results of his study . These sharks are hardy and almost never die .

You are misleading everyone cause you are freaking out over the thought someone is catching great whites . You are using the amount of sandbar interactions and making it seem thats how often interactions with great whites are taking place .

Youre concerned about post release mortality yet leave the area where the vast majority of sharks caught free from change . As many whites are off nantucket as gloucester yet no ban on nantucket . Way more seals there as well .

With all due respect the reasoning behind your proposal makes no sence

There is plenty of proof and evidence of AJ targeting and delaying the release of white sharks to give him citations but dont block the ability of the rest of us to catch and target the few species available that are not found on the south cape . .

Another thing is you are seeing a lot of FLorida Great whites that are being caught in the panhandle . Again i urge you to wait there is no reason to overreact



**From:** [J](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Public comment  
**Date:** Monday, February 17, 2025 8:22:06 PM

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Is this not overreach by your agency ?

FAA controls where drones can and cannot be flown NOT marine fisheries .

There are already laws that have been decided that fishing is a protected act and we have the right to use the shoreline .

Now unless the state designates an area a MARINE PROTECTED AREA it seems there may be some legal issues with restricting more than half the shoreline .

With all due respect this is outrageous ! Ive sent severl emails voicing my concerns and why i believe a certain individuals personal feelings are involved . Im going to look and see what legal theory can be applied to take this to court if these changes are adopted .

If i thought for one minute white sharks were in danger from people targeting them ,i myself would want to see something done . If people were in danger i would agree to a solution ,but this only increases the risk by forcing people into the water to deploy baits. The people that were causing the isses are known and this community has a way of policing itslef . This was a couple young kids looking to make tictok videos and they are being shunned by the community already and shouldnt be a problem going further . !

Thanks for taking the time to read . Again i can be reached at my email .

**From:** J  
**To:** Fish, Marine (FWE)  
**Subject:** Re: Public comment  
**Date:** Sunday, February 16, 2025 2:23:17 PM

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Why is he not concerned with protecting sand tigers ?

PKD bay is a sand tiger nursery and yet its one of the only spots not in the chage .

Only the white sharks ,cause he knows the perception . He knows he get away with using the white shark to push his agenda under the gise of protecting people and sharks . This is OUTRAGEOUS in my opinion . One instance and he is allowed to say and do anything to influence marine fisheries policy .

understand This Guy is well Funded but it doenst mean hes infallible or making decisions to protect his own status or buisness . Wanting to ban the tools and technology that has allowed the average shore fisherman to access almost every fish in the ocean is huge .

He has made claims about osearch that opnion based not fact based .

He is now falsely claiming that only white sharks can be targeted by drones if just false , actually i believe he is knowingly lying to ban land based sharking .

The fact that threshers and makos wash up frequently on shore should be enough to prove that are close to shore and what he says is false .

Dr Skomal wants get ahead before it becomes an issue is not a good enough

reason to tell hundreds maybe thousands of people this type of fishing is now off limits .

His claim of preventing human interactions is absolutely ridiculous , there are practically zero interattiions .

He is freaking out cause one shark washed up and there is no way of knowing how it was killed or who caused . The shark could of been killed offshore and washed in just like all the whales . He should study that instead of trying to ban lbsf . These bans would be the most restrictive bans im the country .

No one questions him thats the problem . He is allowed to make whatever claims he wants to push an agenda . its a FAkE manufactured problem .

I know you he is your colleague and has done excellent work but he is blowing this out of proportion . White shark numbers are groing and there is zero indication they are being caught and killed from shore .

I Sincerly hope you will put off any changes till next year . Wait and see by next year if there is any proof showing interactions with humas , people getting hurt or any Dead sharks .

On Sun, Feb 16, 2025, 12:42 PM J <[ibl4233@gmail.com](mailto:ibl4233@gmail.com)> wrote:

Hello , I am writing to express my concernes about the proposed changes to the Shak fishing regulations and the negative effects they will have . So im going to list a few key points and then at that end ill give my reasoning why they are valid .

I am Also aware of the events that lead us where we are . I know the individual that was refrenced and i was making reports to law enforcement about this individual .

No one needs protecting . No one has been injured specifically by a white shark while shark fishing in MA . THIS is an excuse !

The Ban on Drones will put more people at risk of injury or Death ! Younger fishermen will turn to kayaking or swimming baits at night which is a hell of a lot more dangerous than flying a drone from the beach .

White sharks are already protected by the same laws as sand tigers , porbeagle , mako and so on . This is clearly working already because their population is exploding in the atlantic .

No one is catching white sharks in MA because if they were it would be all over social media as it has been in FL with numerous catches recently .

Massachusetts already has a ban on chumming . It was added so shore anglers wouldnt attract sharks to the shoreline therefore keeping people safe . This is also working . No swimmers have been bitten since .even though sharks are in the surf because of seals not because of fishing activities .

These changes will basically end land based shark fishing in MA by restricting people geographically to one small area .

It will take many species off the table for those who financially cant afford a boat .

So what is this BAN really About ?

I believe this ban is being pushed by

DR skomal and his Disdane for land based shark fishing . He has said publicly he doesnt approve of OSEARCH and he is the reason they are not operating in state waters . I know he has pushed for bans down in FL . I am Aware the determination that the large white shark that washed up was caused by a fisherman . He never made this known publicly but had communicated this to another biologist from florida .

It could have been a long liner or boat fisherman that was ill equipt to handle such a large fish .

I find it strange that the ban doesnt effect his friend Elliot Sudal (aka ) ACK SHARKS who he fishes with and lives on nantucket .

Looks like a certain class of people are exempt . He also makes false claims that other species cant be caught off the outer cape and its only great whites that people are targeting . This is just flat out false and i submit that he hasnt spent the time fishing from shore to know . With the use of a drone many species are within reach . Mako ,thresher ,porbeagle and dusky have all been caught from the sand .

I have been doing this for almost 15 years all over the eastern seaboard . I consider myself an expert . I see how bans like this unfairly target lbsf fishermen under false assumptions that they make people safer or are protecting certain fish

LBSF allows those Financially Disadvantaged to take part in our states wonderful shark fishery .

Please do not take this away based on one mans biased determinations and suggestions .

Wait till there is a REAL reason to justify such drastic changes that will all but end LBSF in the state .

I would recommend a mandatory educational course in order to take part in shark fishing . Everyone should have to demonstrate they know the laws .

It should teach how to be safe when releasing larger fish and how to do it quickly in the water for the sharks safety .

I would be happy to help come up with ideas for the course . I could share Tips and techniques that i have perfected over the years .

I could even educate law enforcement on techniques and gear used so they are not making assumptions based on ignorance .

This should be a growing sport that can even take the pressure of striped bass in the summer . We need more education and less restrictions .

Thank you for considering what i have to say . You can reach me at this email. .

**From:** [J](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Public comment  
**Date:** Sunday, February 16, 2025 12:43:50 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.

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I am Also aware of the events that lead us where we are . I know the individual that was referenced and i was making reports to law enforcement about this individual .

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I could even educate law enforcement on techniques and gear used so they are not making assumptions based on ignorance .

This should be a growing sport that can even take the pressure of striped bass in the summer . We need more education and less restrictions .

Thank you for considering what i have to say . You can reach me at this email. .

**From:** [J](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Comment on Shark Fishing Regs  
**Date:** Sunday, February 16, 2025 1:25:01 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 , My name is James Hescok , I am writing to give my thoughts on the proposed SHARK FISHING regulations and the Impact these changes will have on Many people .

I have been surf Fishing for sharks in Massachusetts for the last 15 years . I probably have more experience than anyone else in the state when it comes to land based shark fishing . I have successfully landed more than half a dozen species from shore including one small Great white .

The great white was caught 4 or 5 years ago . It was safely released and i reported the catch to NOAA with returned tag information . This alone demonstrates how rare it is to catch one . Even when targeting other sharks most baits are deployed with drones Hundreds of yards out , well beyond where white sharks are in the surf .

The sport itself is has Grown as a direct result of technology . This Technology has allowed everyone who cant afford a boat to have access to many large game fish that they otherwise would never be able to have access to ,specifically sharks .

1)The proposed changes to Ban the use of drones to deploy bait will effectively Ban all sharkfishing .90% of shark fishermen deploy their Bait using drones. This will have the greatest impact on the poorest fishermen . Fishermen who cant afford a boat will no longer have access to these game fish that are accessible only for those who own a boat.

2) The proposed changes BANNING shark fishing from the NH boarder to Monmoy island will effectively end shark fishing for anyone who cannot afford transportation to travel to this one small area. It also excludes virtually all species with the exception of the sandbar shark .

3) Restricting Hook size down to 8/0 is unrealistic ! Bait Hooks used for striped bass ,cod ,halibut and Tuna are bigger than 8/0 and depending on Bait up to 16/0 .

Here are a couple factual points id like to make .

- 1 White sharks are already protected cannot be targeted .
- 2 Massachusetts has its own unique law also banning the use of chum or attracting white sharks .
- 3) No one has ever been hurt by a white shark while shark fishing .
- 4) The areas where the majority of species are found just happen to be where white sharks are found .
- 5) White sharks are rarely ever caught as it is and this will impact so many people to prevent a very rare occurrence . Infact i know more have been hooked from boats when not shark fishing . More whites have been hooked by people fishing for striped bass and these changes wont stop this .
- 6) Whites sharks can be found anywhere along our shoreline including the islands which are left out
- 7) IT Seems only the affluent will be able to catch sharks . If you can afford to live on the

islands or get to the islands you won't be affected. If you can't afford a vehicle or boat you are left out.

In conclusion, These very exclusive changes will virtually end all land based shark fishing while not adding any additional protection.

My suggestion is to wait!

I believe this type of fishing is fairly new and the officers in the field are making a lot of assumptions when they see people fishing for larger sharks in certain areas. One known citation was dismissed because they cited a statute that didn't even apply.

I would hope there would be no newly adopted restrictions until the need arises and I don't believe we are anywhere near there yet over 1 citation.

There are thousands of citations given for other specific violations which don't prompt restrictions as fast as this so I urge a little patience.

I can be reached through my email

Or phone 617-895-9413

Thank you for your time





# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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



MAURA T. HEALEY  
Governor

KIMBERLEY DRISCOLL  
Lt. Governor


REBECCA L. TEPPER  
Secretary

THOMAS O'SHEA  
Commissioner

DANIEL J. MCKIERNAN  
Director

### MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: March 21, 2025

SUBJECT: **Recommendation to Prohibit Retention of Oceanic Whitetip Sharks**

#### Recommendation

I recommend the MFAC approve a prohibition on the retention of oceanic whitetip sharks. This final recommendation does not differ from my public hearing proposal as presented to the MFAC in May 2024<sup>1</sup> and taken to public hearing this winter.

#### Background and Rationale

In February of 2024, NOAA Fisheries promulgated a final rule to prohibit the retention and possession of oceanic whitetip sharks in federal waters and by federal permit holders. In May 2024, the Atlantic States Marine Fisheries Commission complemented this federal prohibition by approving a zero-retention limit for oceanic whitetips in state waters for both the commercial and recreational fisheries. While oceanic whitetip sharks are primarily an offshore species and there has not been a state waters fishery for this shark, adopting conforming state rules will ensure uniformity for enforcement and compliance purpose. DMF did not receive any written comments or oral testimony on the public hearing proposal.

This action responds to the 2018 determination that oceanic whitetip sharks warrant listing as a threatened species under the Endangered Species Act throughout its range, and a 2020 Biological Opinion that encouraged the inclusion of the species on the Highly Migratory Species (HMS) list of prohibited sharks for recreational and commercial HMS fisheries.

DMF did not receive any written comments or oral testimony on the public hearing proposal.

<sup>1</sup> Refer to page 31 of the May 2024 MFAC [meeting materials](#) for more details.



# The Commonwealth of Massachusetts

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THOMAS O'SHEA  
Commissioner

DANIEL J. MCKIERNAN  
Director

### MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: March 21, 2025

SUBJECT: **Recommendation to Prohibit Use and Sale of Pacific Lugworms as Bait**

#### Recommendation

I recommend the MFAC approve the prohibition on the use and sale of Pacific lugworms as bait. This final recommendation does not differ from my public hearing proposal as presented to the MFAC in October 2024<sup>1</sup>.

#### Background and Rationale

Earlier this year, officials from the Maine Department of Marine Resources (DMR) contacted DMF regarding the potential for Pacific lugworms (also known as the clamworm) to be imported and used as bait. This responded to increased interest in importing these worms into northeast bait and tackle shops, likely in response to an alleged intermittent decrease in availability of local sea worms. DMF's Recreational Fisheries Project investigated this claim and determined this product was likely being used and sold locally at some nominal level.

This species poses a biosecurity risk, particularly related to pathogen transmission—specifically White Spot Syndrome Virus (WSSV) and Convert Mortality Nodavirus (CMNV). WSSV is a disease that is known to cause mortality in shrimp and clinical studies show it is capable of infecting American lobster (Clarke, et al. 2013). CMNV is pathogen that is capable of infecting a large variety of shellfish, crustacean, and finfish species. The risk of this species becoming naturalized is moderately low at this juncture given the difference in the temperature regimes between the sub-tropical climate where it naturally exists and the northwest Atlantic. However, our inshore waters and mudflats do experience temperatures within the favorable temperature regime (71°F - 77°F), particularly in the southern part of the state, and the periods when these temperatures are being experienced have been increasing.

Given potential impacts to finfish and lobsters, I support taking a precautionary approach and prohibiting the sale and use of the Pacific lugworm as bait. I recognize that enforcing this prohibition may be challenging. Staff have analyzed the scientific literature regarding the

<sup>1</sup> Refer to page 20 of the October 2024 MFAC [meeting materials](#) for more details.

phenotypic differences between local marine worms and the Pacific lugworm and found that differentiating worms at a species level is exceptionally difficult in the field. Moreover, the Pacific lugworm can be readily purchased through the internet. Accordingly, enforcement will likely have to rely on chain of custody information to enforce the prohibition. Outreach and education are thus critical to ensuring compliance. Given the market for this product is not yet robust and the risk posed by its import is significant, I think a robust outreach and education initiative should be fruitful. DMF's Recreational Fisheries Project will work with bait dealers and anglers to educate them on the rationale for this prohibition, should it be adopted.

The written public comment and public hearing testimony supported enacting this prohibition and reflected DMF's concerns about biosecurity. As previously discussed, such biosecurity concerns are not just limited to the Pacific lugworm. While DMF has limited authority to regulate non-native species beyond their use and sale as bait, I intend to work closely with the Department of Fish and Game (DFG) on this issue. Governor Healey's [Executive Order on Biodiversity](#) directs DFG to recommend and implement biodiversity goals and biosecurity issues related to non-native species certainly threaten native biodiversity.

**Enclosed**

Written public comment



## Massachusetts Striped Bass Association

*Since 1950*

March 11, 2025

Massachusetts Division of Marine Fisheries  
30 Emerson Avenue  
Gloucester MA 01930

Dear Director McKiernan.

Please accept the following as formal comment by MSBA in response to the suite of state management proposals presented during the public hearings held on March 10 & 11, 2025.

### **Striped Bass Management**

#### **Total Length Measurement:**

MSBA supports the proposed change. We agree with the rationale that current regulations can cause an angler to manipulate total length to comply with the slot limit. MSBA agrees the proposed change will clarify proper measurement and enhance enforcement.

#### **Commercial Slot Limit:**

MSBA neither supports nor opposes a specific change in the commercial slot limit and offer the following comments to inform your final decision:

- Many of our members support a maximum size limit in relation to the BOFF management strategy
- Many of our members feel post release mortality increases & survival is less likely for very large fish of 50" and higher.
- Some of our members feel it is more important to leave a fish in the spawning stock for as many years possible prior to harvest and feel removing a 32" or 33" fish from the spawning population is too soon based on current stock status. These members would rather not see a drop in the commercial size limit below 35" or 36"
- MSBA is concerned lowering the MA commercial size limits will focus harvest on year classes the recreational slot is attempting to protect. We feel this aspect of the proposal was not explained in a way that we can choose the best commercial slot limit for the overall health of the stock.
- MSBA believes allowing harvest of fish below 35" may put MA commercial fish in direct competition with other states in the coastal market and this competition may lower the price per pound & overall value of the fishery. We advise MA DMF to obtain input from commercial buyers to better understand the proposed changes.

#### Prohibition on Gaffing in the Commercial Fishery:

MSBA members have voted on this subject multiple times. MSBA supports prohibiting the use of gaffs in the striped bass fishery. In our experience the best anglers cannot consistently distinguish between lengths of only a few inches while a fish is in the water.

We have heard the claim that fish under 40” do not require a gaff and “are swung into the boat.” We feel this behavior should also be prohibited. Swinging a fish into the boat to land hard on a deck prior to release significantly decreases the chance of post release survival.

We also reject claims that use of a net over a gaff causes a safety issue due to time required especially when fishing within a fleet. The operator of a vessel should never be in a situation where a few extra seconds puts the boat in jeopardy. MSBA urges MA DMF to prohibit the use of a gaff in the striped bass fishery

#### Consistency in Striped Bass Management:

MSBA believes that due to the open access nature of both the MA For Hire permit and the MA Commercial Striped Bass Endorsement; there is no “fleet wide” skill difference between private anglers, for hire anglers & commercial anglers when it comes to the striped bass fishery. It is our experience each of these modes has a range of anglers with various levels of experience and skill when it comes to use of gear and the desire, willingness and ability to care for fish intended for release.

MSBA urges MA DMF to consider consistent regulations when it comes to prohibition on gear & technique. An example of this is the use of a weighted treble hook. If use is prohibited for one fleet of striped bass anglers; it should be prohibited for all who participate in the striped bass fishery.

### **Menhaden Trip Limit Triggers & Permitting**

MSBA participated in a twenty-year campaign to improve the coastal management of Atlantic Menhaden and restore abundance to Ma state waters. We feel the stock is in good shape and the current size of the active commercial fishery is sustainable.

MSBA understands that a majority of the existing MA Menhaden permits & the lesser 6000-pound permits are inactive. We predict that if even half of these latent permits suddenly became active there would be numerous problems in the MA commercial menhaden fishery. Those problems would include localized depletion, user conflict with the recreational fishery and value of menhaden in the market.

MSBA urges MA DMF to take action that freezes the current size of the MA commercial menhaden fishery. We further encourage MA DMF to create a pathway for the transfer or sale of existing active permits to be passed on to further generations of commercial anglers. We want to lock in the current size of the fleet in perpetuity and make sure future generations of small boat commercial anglers can participate in this traditional fishery.

Our largest concern is the recent development that former large scale high catch volume mid water herring vessels have entered the menhaden fishery in other New England States. MSBA urges MA MDF to take Emergency Action to prohibit these oversized industrial fishing vessels from disrupting the inshore state waters menhaden fishery.

### **False Albacore Management**

MSBA supports establishing regulations but is opposed to combining regulations for False Albacore & Atlantic Bonito. Although we acknowledge both species are targeted in the same inshore fishery with lesser present species such as Spanish mackerel and southern kingfish; harvest and use of both species is not the same. Atlantic Bonito have a high food value and False Albacore have little to no food value. Both species are not the same size at all ages and are harvested in other locations at different sizes. Both species also have established value as bait but are used as bait in different ways.

MSBA supports MA DMF creating a minimum size limit for False Albacore. We feel the minimum size limit should be 19” but are not opposed to the proposed minimum size limit of 16”.

MSBA supports a daily possession limit of not more than THREE False Albacore. This allows for their use as bait in the Big Game offshore fishery, their use as chunk bait for bottom fishing, lobster bait and for the very few people with a desire to harvest this species for personal consumption or pet consumption.

### **Atlantic Bonito**

MSBA supports establishing regulations but is opposed to combining regulations for False Albacore & Atlantic Bonito. Although we acknowledge both species are targeted in the same inshore fishery with lesser present species such as Spanish mackerel and southern kingfish; harvest and use of both species is not the same. Atlantic Bonito have a high food value and False Albacore have little to no food value. Both species are not the same size at all ages and are harvested in other locations at different sizes. Both species also have established value as bait but are used as bait in different ways.

On the South side of NY & NJ there are for hire head boats that both target and encounter Atlantic Bonito in the same manner as they would mackerel. On those boats it is not uncommon to harvest a few dozen small bonito for table fare.

MSBA supports MA DMF creating a minimum size limit for Atlantic Bonito. We feel the minimum size limit should be the proposed 16”.

MSBA supports a daily possession limit of not more than FIVE Atlantic Bonito per person. This allows for their use as table fare in both small and larger sizes and as live bait. We feel five fish is a reasonable balance between conservation and harvest.

### **Constraints on Shore Based Shark Fishing**

MSBA is opposed to the proposed prohibition of shore-based shark fishing.

MSBA believes this is an overreaction to a few instances of social media content creators intentionally & illegally targeting Great White Sharks and a related failed enforcement case. MA DMF has not presented evidence of any injuries or harm done by recreational anglers legally shark fishing from shore and we see no reason to punish a few thousand without actual evidence legal shark fishing causes harm.

MSBA is aware of existing shore-based shark angling on the North side of Cape Cod and in Boston Harbor.

Shore based Shark Fishing is 100% catch & release, provides most of the tagging data for inshore shark research & we feel there is no scientific reason to prohibit this small niche fishery.

MSBA also sees this as an issue of equity and fairness. For example, why would shark fishing in Duxbury Bay be allowed from a boat or a kayak but not from shore. We see this as unfair.

### **Prohibition on Shore Based Chumming**

MSBA is opposed to a prohibition on shore-based chumming.

Shore based chumming is done in many ways and in multiple fisheries including shark, winter flounder, scup, blue fish and striped bass fisheries.

We understand there is a fear of drawing a shark to a bathing beach however there is no evidence this has happened even once.

Most shore-based shark fishing happens at night and in remote locations

local authorities already can prohibit fishing on bathing beaches.

Again, this is an issue of equity and fairness. If chumming is allowed on a boat, why would it be prohibited from shore without reason.

### **Limit Shore Based Anglers to Launching Baits by Casting Only**

MSBA is opposed to this proposal.

Anglers have been setting baits “beyond the breakers” in various ways for many decades and there is no evidence this causes a problem that requires prohibition.

The most popular method besides a rod is a kite with a release clip. Are we going to ban the use of kites off a million-dollar offshore boat or just the guy trying to get a bait past the breakers.

Dorys were used in the 1950's. Sling shots were sold to anglers in the 1960's. Radio Controlled boats have been around since the 1970's. Kayaks became popular in the 1990s. Bait cannons driven by CO2 were introduced in the early 2000's and the newest technology is the Drone. All of these products are part of the Billion-dollar recreational fishery and contribute to the economy. MSBA sees no reason to ban any of this gear.

**Prohibition on Sale & Use of Lugworm**

MSBA agrees with the MA DMF concern that this bait could become an invasive species.

MSBA agrees this bait could be a biological threat to the local environment.

MSBA agrees this bait and its use should be prohibited

MSBA appreciates the opportunity to provide these comments.

Sincerely;

Patrick Paquette  
Massachusetts Striped Bass Association  
Government Affairs Officer





# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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



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Governor

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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 

DATE: March 21, 2025

SUBJECT: **Recommendation to Adjust Recreational Black Sea Bass Season**

#### Recommendation

I recommend the MFAC approve an open season for recreational black sea bass of May 17 – September 1. The bag and size limits would remain status quo at 4 fish and 16.5" minimum (total length). This final recommendation does not differ from my public hearing proposal as presented to the MFAC in December 2024<sup>1</sup> and taken to public comment this winter.

#### Background and Rationale

The 2024 recreational black sea bass season ran from May 18 – September 3. This recommended change would move the start date one calendar day earlier so the fishery will continue to open on the third Saturday of May in 2025, the customary start date. To make this conservationally equivalent, the season will have to close two days earlier, running through September 1 rather than through September 3. This is based on the same rates of harvest between days in Wave 3 and days in Wave 5 that was used to similarly adjust the season in 2024. The Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Management Board has already approved this change through conservation equivalency.

The written public comment and public hearing testimony was generally supportive of this regulatory adjustment. However, there remains some interest in extending the season into the fall, even at a lower bag limit. Such adjustments are not authorized this year because the Atlantic States Marine Fisheries Commission and Mid-Atlantic Fishery Management Council voted in favor of status quo recreational black sea bass measures for 2025, with an allowance for states to make minor adjustments to their season through conservation equivalency. This issue may be able to be revisited more robustly for 2026 when the 2025 management track assessment is expected to inform upcoming fishery specifications for 2026 and 2027.

#### Enclosed

Written public comment

<sup>1</sup> Refer to page 33 of the December 2024 MFAC [meeting materials](#) for more details.

**From:** [Tyler Hagenstein](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** DMF proposed regulation changes  
**Date:** Saturday, March 15, 2025 12:58:28 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.

Thank you for taking the time to read my comments on the proposed rule changes.  
I'll keep it short and write a response to restrictions I feel need comment.

Striped bass- absolutely should have a commercial slot limit, glad this is finally being considered. As far as the slot goes, I think the fish size should be 30"-40". Ideally these smaller fish would fill up quota slower and give commercial fisherman more days to fish and leave the bigger breeders alone. I think it is also extremely important to eliminate out of state fishermen.

Bonito/albies - These two species should not be regulated as one. Perhaps the recreation limit could be 5 fish a day, but certainly not commercial limits. Their numbers are increasing ever year in our waters and could give baymen and commercial fisherman an opportunity sustain their livelihood.

Americal eel- baymen like myself depend on multiple species to piece together their year. Sometimes one species or another isn't harvested for years between sets or booms in populations. It would be unfair to strip eel permit holders of their right to fish them for not fishing them in recent years. There simply hasn't been enough eels around to make it worth while. I have tried to target eels a few times over the years but have been largely unsuccessful because of the enormous green crab population in my area. Before restricting commercial fisherman I think it would be more valuable to the local resource to further restrict eel use by recreational fisherman.

Rec black seabass- I suggest keep this fishery open well past September 1st but shrinking the catch limits. These fish are abundant.

Protected species entanglement- there will be a degree of inaccuracy here that could draw even more negative light on commercial pot fishermen, who have been heavily demonized by right whale activists. While I have always sympathized with the animals, news/media headlines have captured the attention of too many people who do not understand the fisheries and are called into action by non government environmental groups to bring unnecessary restrictions on fisherman.

Lastly!!! Please reverse last years horseshoe crab restrictions that were pushed by MA Audubon!!!

Thank you for your consideration,

Tyler Hagenstein  
Commercial fisherman, shellfish farmer, and recreational fisherman.



Director McKiernan,

Cape Cod Charter Boat Association appreciates the opportunity to provide comments on the recent fishery management proposals.

#### Striped Bass Proposals:

We support the squeeze the tail measurement clarification. There was some confusion last year on how the tail measurement was to be made and there is a significant size discrepancy between fanning and squeezing the tail. This measure will make it clear both for fishermen and enforcement how striped bass should be properly measured. One possible thought for improvement in the future would be to look at measuring to the fork of the tail instead of the tip of the tail as it is much more difficult to manipulate this measurement through squeezing and fanning the tail.

We do not support the new proposed commercial striped bass slot limits. Many of our members also hold commercial striped bass permits and fish commercially for striped bass. There were many years that fish were legally allowed to be sold off a charter boat with customers but this practice was stopped because the charter boats were "double dipping" and people were opposed to us making some extra money off of our charters. Many of us still hold commercial permits and are able to fish commercially when a paying customer is not on the boat. Being able to commercially fish for striped bass makes up for some of the revenue we have lost due to trips being lost to the highly restrictive recreational slot limit for striped bass and restrictions in other fisheries.

These slot limit proposals will also lead to a reduction in the overall state commercial quota. The ASMFC has not mandated any cuts to the quota for this year. Slot limits could lead to increased discards. Several fishermen have said that with a smaller size they would high grade and only keep bigger fish in the slot- more discards. Having a smaller size would also lead to more individual fish getting caught to achieve the quota. If we do not need to take a cut in the quota we should not take it as more cuts could be mandated in the future. The biggest problem we see right now in the striped bass fishery is spawning and new recruitment. This is where more of our efforts need to be focused.

#### Bonito and False Albacore Proposals:

We do not support a bag or size limit for bonito or false albacore. We would recommend for bonito and false albacore management that although they look similar they are two different species and therefore should each be managed separately. One of the biggest differences

between the two species is that bonito are delicious and often kept for consumption while false albacore are not good to eat and with the exception of some that are weighed in for a tournament, and a few brave souls most who might attempt to eat them, the overwhelming majority are caught and released for sport. Bag limits would therefore affect bonito much more than false albacore. We heard at the public hearing that there is a 30% post release mortality for false albacore. If the albie population needs conservation measures, and nobody keeps them, I would argue that the most effective conservation measure would be a no-targeting, no fishing season for them as opposed to a bag limit as catch and release is by far the largest contributor to recreational fishing mortality.

There is no evidence of overfishing or lack of abundance for bonito or false albacore. Other fishing groups have claimed that the proposal for a five fish bag limit is science based but this is not true. The councils and HMS do not currently have a fishery management plan or stock assessments for these species. ICCAT does include false albacore and they are not subject to any commercial or recreational measures. We cannot support these measures until stock assessments and a fishing management plan for each species is developed individually. As fishermen over time we have seen how bag limits and seasons over the years only tend to get cuts and not liberalizations. The five fish bag limit would be a starting point at which over time it would slowly be chipped away at.

These fish are both highly migratory species. What conservation measures we take in Massachusetts would be sacrificed as no other states have management measures for these species once they swim into their waters.

We are opposed to the proposed 16 inch size limit. For several years we have had a hard time catching herring or mackerel to use for bluefin tuna bait. The only bait some days we have been able to find have been small bonito. We would request that as a source of bait that the 16 inch minimum size is not mandated.

We recognize that bonito and false albacore are important fisheries for many of our captains but have seen no evidence of overfishing. We do support better science and more research of these species, but we would be opposed to management measures until there is scientific evidence that it is required.

Eels:

We would support limited access and a control date for the commercial eel fishery but we are strongly opposed to a moratorium on the commercial harvest of eels. Eels are one of the best and most popular bait for striped bass and also used for swordfish, white marlin, sharks and bluefish. With a lack of other bait sources it would be extremely painful to lose eels as a bait source. If the eel population is in decline we should start to think about managing our cormorant population as we witness them constantly gorging on eels and also small fish such as herring, winter flounder and tautog.

Shore Based Shark Fishing, Chumming and Bait Deployment:

We do not support banning shore based recreational shark fishing in state waters. This measure comes from an isolated incident, between an out of state shark guide and some surfers, and should not penalize shore based fishermen who have fished for sharks for years without incident or conflict. This incident was a site specific user group conflict that should be

addressed where the conflict occurs and not apply broad measures to cover the entire coastline. Shore based fishermen should not lose access to a fishery they have the legal right to engage in.

Recreational Black Sea Bass Season:

We appreciate the flexibility of switching the start date of the recreational black sea bass fishery from May 18 to May 17th to coincide with the third Saturday in May in which it historically has opened. This Saturday is a very important date for both the for-hire fleet and recreational anglers and provides a great fishing opportunity as well as an important economic impact to fishermen and all related businesses at the beginning of the season.

Thank you for the opportunity to provide comments regarding these proposed fishery management regulations. If you have any questions or concerns please reach out anytime,

Willy Hatch  
President Cape Cod Charter Boat Association

**From:** [Mark Mattson](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** attention of Director Daniel McKiernan Comments on Regulations  
**Date:** Monday, March 10, 2025 11:40:30 AM

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Dear Director Daniel McKiernan,  
thank you for the opportunity to comment on proposed changes. It appears some fisheries are overfished. Even black sea bass and fluke are hard to catch legal sizes. I ask that commercial fisheries be eliminated, or at least very strictly limited. The fish belong to the people, not the industry. It is your job to protect them. Do your job.  
thanks Mark Mattson

**From:** [Russ Iuliano](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** Written comments to the 2025 Commercial and Recreational Fishing Regulatory Changes  
**Date:** Tuesday, February 18, 2025 3:18:24 PM

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Dear Director McKiernan,

I would like to submit written comments to the proposed regulatory amendments.

Striped Bass:

#2: Would like the minimum to remain at the current 35". keep more breeding fish in the water to spawn more fish.

False Albacore

#1: Clarify the language. What does five fish per day mean? five comprised of either species, or five false albacore and five bonito?

Commercial Summer Flounder

#1 and #2: I agree with the reduction. (summer flounder fishery needs this help, IMHO.)

Recreational Black Sea Bass Season

I agree, and thank you! Moving back to the Saturday Open date is a tradition that I appreciate and eagerly await. Shifting the closing date to keep the fishery window the same makes sense.

I appreciate your willingness to accept public comment.

About me: I am a recreational fisherman, in the Buzzards Bay, Vineyard Sound, Nantucket Sound, and sometimes Cape Cod Bay. I try to help DMF by participating in Kimberly Trull's SADCT program, and Michele's Striped Bass Mortality Study.

Thank you,

Russ Iuliano

27 Rockland St

So Dartmouth ma, 02748

781 820 3677



6 Resnik Road, Suite 208  
Plymouth, MA 02360  
[www.stellwagenbank.org](http://www.stellwagenbank.org)

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March 12, 2025

Mr. Daniel J. McKiernan, Director  
Commonwealth of Massachusetts  
Division of Marine Fisheries  
251 Causeway St., Suite 400  
Boston, Massachusetts 02114

### **RE: Proposed MassDMF 2025 Commercial & Recreational Rules**

Dear Mr. McKiernan:

On behalf of the Stellwagen Bank Charter Boat Association (“SBCBA”) whose membership includes the for hire fleet and recreational anglers, recommendations and comments associated with the Proposed MassDMF 2025 Commercial & Recreational Rules is detailed below.

#### **Striped Bass Management (322 CMR 6.07)**

*SBCBA supports the “squeeze the tail” to determine striped bass length. It should be noted that the ASMFC is not recommending any changes to the commercial striped bass measures at this time. To implement a slot on the commercial fishery would increase mortality via discards. In addition, to reduce the size with a slot and no quota change will result in more fish being caught that could result in fewer fish available to reproduce. Until additional data is provided to support such measures and the ASMFC recommends such, the SBCBA cannot support the proposed commercial striped bass measures.*

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*There are no commercial measures being proposed other than for jigging operations. This seems inconsistent with the reports of the unregulated commercial harvest of select species. If such measures are implemented, it needs to apply to the commercial and recreational fishery with appropriate MassDMF endorsements and reporting.*

*The only science based issue being proposed is the 16 inch fork length requirement where 50% of the population reaches sexual maturity. If a 16 inch fork length is implemented such needs to apply to commercial and recreational users. This conflicts with RI that does not have any size threshold for commercial or recreational users that leads to an enforcement issue. As a result, SBCBA cannot support this measure.*

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*The SNE cod spawning stock biomass has been exceeded the last 3 years, the model used is flawed, ultimately the moratorium on cod retention is not based on sound science. 93% of the SNE catch is recreational yet the setting of the recreational and commercial quota is not based on that percentage even if cod could be retained. Flawed science has resulted in zero retention, disaster declaration is unfortunately in our future.*

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*SBCBA supports this measure for this critical forage species in our fishery and recommends a control date and limited access and we don't support a moratorium as many of our members use eels for bait and would not want to lose access to the bait.*

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- *The SBCBA does not recommend banning recreational shark fishing or chumming in state waters and denying the public access to the fishery for those shark species that can be legally landed in state or federal waters.*
  - *It should be noted that in federal waters such is permitted consistent with "50 CFR § 635.26 (c) Sharks. Notwithstanding the other provisions of this part, a person may fish for white sharks (Carcharodon carcharias) with rod and reel, provided the*
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*person releases such fish to the sea immediately with a minimum of injury, and that such fish may not be removed from the water.”*

- *The research vessels and experienced shark fishing recreational community will attest to the fact that chumming and attracting great white sharks is difficult. If the public observes a fin in the water ranging from a bluefin tuna or wide array of other species there is mass hysteria that it is a great white shark. Public education and outreach is recommended to address this mass hysteria.*
- *MassDMF notes “in recent years, a small number of shore-based anglers have been observed targeting and landing white sharks, particularly along the eastern facing beaches of Cape Cod.” The proposed measures are being recommended as a result of a small number of anglers. Public outreach and enforcement is recommended to educate the public not a ban on chumming or shark fishing denying the public access to the fishery.*
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- *Consistent with the lines of evidence above the SBCBA does not support the proposed shark related measures.*

Recreational Black Sea Bass Season (322 CMR 6.28)

*SBCBA supports a May 17<sup>th</sup> opening date.*

To address biosecurity concerns related to reports regarding the use of Pacific lugworms as bait in the northeast, DMF is proposing to prohibit



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***The SBCBA supports this measure.***

We thank you for the opportunity to comment on this important matter. If you have any questions or comments, please contact the SBCBA at the email below.

Very truly yours,

*Tom Depersia*

Capt. Tom Depersia  
SBCBA, Founding President & Trustee  
[hugetuna@aol.com](mailto:hugetuna@aol.com)

*Damon Saco*

Capt. Damon Saco  
SBCBA, Board of Directors  
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*Eric Morrow*

Eric Morrow  
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*William Hatch*

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*Stacie Delzingo*

Stacie Delzingo  
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*Capt Mike Delzingo*

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*Capt Jeff Depersia*

Capt. Jeff Depersia  
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*Capt Paul Diggins*

Capt. Paul Diggins  
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[captain\\_paul@bostonfishing.com](mailto:captain_paul@bostonfishing.com)

*Capt Rob Savino*

Capt. Rob Savino  
SBCBA, Trustee  
[robsavino@mac.com](mailto:robsavino@mac.com)

cc: Tom O'Shea, MassF&G  
Ray Kane, MassFAC

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*Capt Rick Golden*

Capt. Rick Golden  
SBCBA, Trustee  
[captrick@1620anglers.com](mailto:captrick@1620anglers.com)



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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



MAURA T. HEALEY  
Governor

KIMBERLEY DRISCOLL  
Lt. Governor


REBECCA L. TEPPER  
Secretary

THOMAS O'SHEA  
Commissioner

DANIEL J. MCKIERNAN  
Director

### MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: March 21, 2025

SUBJECT: **Recommendation to Mandate Paperwork to Demonstrate Lawful Possession of Dogfish Fins**

#### Recommendation

I recommend the MFAC approve requiring any business selling spiny or smooth dogfish fins in the Commonwealth be able to produce paperwork (e.g., bill of lading) that demonstrates the lawful origin of the product. This final recommendation does not differ from my public hearing proposal as presented to the MFAC in December 2024<sup>1</sup>.

#### Background and Rationale

In combination, [G.L. c. 130, §1](#) and [G.L. c. 130, §106](#) prohibit the sale of most shark fins, except those from spiny or smooth dogfish. Therefore, terrestrial dealers<sup>2</sup> may process fins from these species and these fins may be sold into commerce. This was designed to accommodate our dogfish processors who breakdown this animal and sell its various parts, including fins, which are principally exported to Asia with documentation of product origin. However, this allowance creates a potential loophole whereby unlawful shark fins may be sold and marketed in the Commonwealth as dogfish fins, thereby requiring expensive genetic testing to determine species and the legality of the product. To enhance enforcement, DMF is recommending that any business selling or offering for sale fins<sup>3</sup> alleging to be harvested from spiny or smooth must produce documentation demonstrating the lawful origin and species of this product. This is similar to existing rules affecting the in-state sale of shell-on lobster parts.

DMF did not receive any written public comment or public hearing testimony on this proposed action. However, DMF has spoken with representatives for the local dogfish processors who have confirmed this will not impact their ability to process and sell dogfish products.

<sup>1</sup> Refer to page 32 of the December 2024 MFAC [meeting materials](#) for more details.

<sup>2</sup> The at-sea processing of dogfish fins is prohibited at 322 CMR 6.35 and 6.37.

<sup>3</sup> Note that Massachusetts markets selling processed fins may not hold a seafood dealer product with DMF unless they are handling raw or frozen fish product.



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DANIEL J. MCKIERNAN  
Director

### MEMORANDUM

TO: Marine Fisheries Advisory Commission

FROM: Daniel J. McKiernan, Director 

DATE: March 21, 2025

SUBJECT: **Limiting Entry to the Commercial American Eel Fishery**

#### Proposed Final Rule

I intend to establish a December 31, 2024 control date for the American Eel Regulated Fishery Permit Endorsement and use this control date to limit access to the commercial American eel fishery in 2026. This will be done by only issuing endorsements that are renewals and which meet the minimum activity criteria of one pound landed between January 1, 2015 and December 31, 2024. Additionally, I intend to apply an owner-operator requirement to the remaining American Eel Endorsements.

As this is a permitting action being proposed pursuant to the Director's authority at G.L. c. 130, §80, rather than G.L. c. 130, §17A, its implementation does not require an affirmative vote by the MFAC. However, I do seek general consensus from the MFAC to move this forward and encourage members to provide me with their feedback on this decision.

My intended action takes one of the two paths presented to the MFAC in December 2024<sup>1</sup> and taken to public comment this winter to address recent commercial permitting, reporting, and landings trends amidst ongoing stock status concerns for the resource.

#### Background and Rationale

The most recent stock assessment for American eel concluded that the stock remains depleted at historically low levels. Additionally, the abundance level of yellow phase eels in Massachusetts and along the east coast has continued to decline in recent years which led to a reduction in the interstate management plan's coastwide commercial cap for yellow eel harvest. Each state with a commercial yellow eel fishery is expected to produce reliable commercial catch estimates for tallying against the cap. While the reported commercial landings in Massachusetts are currently low enough to qualify the state as *de minimis* and exempt from the management that would be triggered by the coastwide cap's exceedance, I have concerns about the veracity of our reported landings. This conclusion is based on the near non-existent reporting of commercial landings compared to observations of gear in the water, eels in the bait market, and the use of eels as bait in commercial striped bass fishery.

<sup>1</sup> Refer to page 27 of the December 2024 MFAC [meeting materials](#) for more details.

Even if these observations are not indications of under-reporting (e.g., misidentified gear, imported eels), the number of permits issued is increasing in recent years and there's growing amount of permit latency which is of concern (~ 95% of issued permits being inactive). This latent effort challenges our ability to understand the dynamics and participants of this fishery, such as needed to improve reporting. Moreover, were this latent effort activated it would jeopardize interstate management goals to control yellow eel harvest.

These facts led me to propose a reduction in permit issuance through the use of a control date, or to go so far as to place a moratorium on commercial eel harvest. Public comment from commercial harvesters was minimal, despite the severity of the latter proposal, which suggests limited legitimate permit use. A few active permit holders objected to the moratorium on account of their historic participation in the fishery, but did support limiting the number of permits provided their future transferability. Several other commercial harvesters (permitted for eel or other species) with no recorded history of commercial eel landings objected to either measure on account of the fishery's small scale and minimal impact and their interest to engage in the commercial fishery opportunistically. Several recreational user groups favored additional regulation of the commercial fishery on account of the ecological value of eels as a forage species but opposed the commercial harvest moratorium based on their interest to continue being able to use eels as bait (which if currently being done under the recreational limit is not impacted by either proposal).

I am supportive of the comments to limit entry and remove latent effort to improve monitoring and accountability of this fishery. A limited amount of properly reported commercial landing does not threaten management objectives and preserves a historic fishing activity. I am sympathetic to the comments that eels might not be targeted or taken every year, especially at current stock conditions, and plan to use the longer 10-year reference period proposed (rather than 5 years) and a mere 1-lb landed threshold, to be more inclusive and account for effort shifts. Even so, this approach will retain roughly only 10 commercial eel permits (out of nearly 250). The recreational limits will remain a source of access for those wishing to take eels for personal consumption or bait use (provided recreational and commercial activity is not mixed). Additionally, I support allowing for transferability of the few remaining permits to enable future generational access, but like some other limited entry permits, intent to make these permits owner-operator.

**Enclosed**

Written public comment

**From:** [Tyler Hagenstein](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** DMF proposed regulation changes  
**Date:** Saturday, March 15, 2025 12:58:28 PM

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Thank you for taking the time to read my comments on the proposed rule changes.  
I'll keep it short and write a response to restrictions I feel need comment.

Striped bass- absolutely should have a commercial slot limit, glad this is finally being considered. As far as the slot goes, I think the fish size should be 30"-40". Ideally these smaller fish would fill up quota slower and give commercial fisherman more days to fish and leave the bigger breeders alone. I think it is also extremely important to eliminate out of state fishermen.

Bonito/albies - These two species should not be regulated as one. Perhaps the recreation limit could be 5 fish a day, but certainly not commercial limits. Their numbers are increasing ever year in our waters and could give baymen and commercial fisherman an opportunity sustain their livelihood.

Americal eel- baymen like myself depend on multiple species to piece together their year. Sometimes one species or another isn't harvested for years between sets or booms in populations. It would be unfair to strip eel permit holders of their right to fish them for not fishing them in recent years. There simply hasn't been enough eels around to make it worth while. I have tried to target eels a few times over the years but have been largely unsuccessful because of the enormous green crab population in my area. Before restricting commercial fisherman I think it would be more valuable to the local resource to further restrict eel use by recreational fisherman.

Rec black seabass- I suggest keep this fishery open well past September 1st but shrinking the catch limits. These fish are abundant.

Protected species entanglement- there will be a degree of inaccuracy here that could draw even more negative light on commercial pot fishermen, who have been heavily demonized by right whale activists. While I have always sympathized with the animals, news/media headlines have captured the attention of too many people who do not understand the fisheries and are called into action by non government environmental groups to bring unnecessary restrictions on fisherman.

Lastly!!! Please reverse last years horseshoe crab restrictions that were pushed by MA Audubon!!!

Thank you for your consideration,

Tyler Hagenstein  
Commercial fisherman, shellfish farmer, and recreational fisherman.



**From:** [Jacob Angelo](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Cc:** [McKiernan, Dan \(FWE\)](#); [Silva, Jared \(FWE\)](#)  
**Subject:** False albacore and American eel public comments  
**Date:** Sunday, March 16, 2025 1:35:06 PM

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Dear Director McKiernan,

My name is Jacob Angelo from Barnstable and I am the next generation of weir fishermen in the state. I would please ask that you extend an exception for the weirs regarding the proposed false albacore/ bonito restrictions. As you know the weirs fishery is at the mercy of what swims into them and are not able to reposition. I've been told by previous weir fishermen that these species have historically been caught in the weirs. There are very few fishermen with weir endorsements left and the species are highly migratory which to me means an exception on a previous unregulated species wouldn't have any negligible impact on the stocks. In addition they are fast growing, prolific breeders, and are harvested regularly in other states. Please consider an exception for weir fishermen to continue to be allowed harvest of these species.

As far as the American eels goes, I don't feel like a change is necessary state wide. Only fishermen with town permits can fish for eels if I'm not mistaken. The fishery is very small and hardly utilized but should remain in place for baymen if needed. If a legitimate concern should arise I'd expect the DMF could work with the town to reduce pressure for those areas.

Thank you for your considerations,  
Jacob Angelo  
Cell: 508-367-7830  
Barnstable Seafood Co.: 774-994-1711



Director McKiernan,

Cape Cod Charter Boat Association appreciates the opportunity to provide comments on the recent fishery management proposals.

#### Striped Bass Proposals:

We support the squeeze the tail measurement clarification. There was some confusion last year on how the tail measurement was to be made and there is a significant size discrepancy between fanning and squeezing the tail. This measure will make it clear both for fishermen and enforcement how striped bass should be properly measured. One possible thought for improvement in the future would be to look at measuring to the fork of the tail instead of the tip of the tail as it is much more difficult to manipulate this measurement through squeezing and fanning the tail.

We do not support the new proposed commercial striped bass slot limits. Many of our members also hold commercial striped bass permits and fish commercially for striped bass. There were many years that fish were legally allowed to be sold off a charter boat with customers but this practice was stopped because the charter boats were "double dipping" and people were opposed to us making some extra money off of our charters. Many of us still hold commercial permits and are able to fish commercially when a paying customer is not on the boat. Being able to commercially fish for striped bass makes up for some of the revenue we have lost due to trips being lost to the highly restrictive recreational slot limit for striped bass and restrictions in other fisheries.

These slot limit proposals will also lead to a reduction in the overall state commercial quota. The ASMFC has not mandated any cuts to the quota for this year. Slot limits could lead to increased discards. Several fishermen have said that with a smaller size they would high grade and only keep bigger fish in the slot- more discards. Having a smaller size would also lead to more individual fish getting caught to achieve the quota. If we do not need to take a cut in the quota we should not take it as more cuts could be mandated in the future. The biggest problem we see right now in the striped bass fishery is spawning and new recruitment. This is where more of our efforts need to be focused.

#### Bonito and False Albacore Proposals:

We do not support a bag or size limit for bonito or false albacore. We would recommend for bonito and false albacore management that although they look similar they are two different species and therefore should each be managed separately. One of the biggest differences

between the two species is that bonito are delicious and often kept for consumption while false albacore are not good to eat and with the exception of some that are weighed in for a tournament, and a few brave souls most who might attempt to eat them, the overwhelming majority are caught and released for sport. Bag limits would therefore affect bonito much more than false albacore. We heard at the public hearing that there is a 30% post release mortality for false albacore. If the albie population needs conservation measures, and nobody keeps them, I would argue that the most effective conservation measure would be a no-targeting, no fishing season for them as opposed to a bag limit as catch and release is by far the largest contributor to recreational fishing mortality.

There is no evidence of overfishing or lack of abundance for bonito or false albacore. Other fishing groups have claimed that the proposal for a five fish bag limit is science based but this is not true. The councils and HMS do not currently have a fishery management plan or stock assessments for these species. ICCAT does include false albacore and they are not subject to any commercial or recreational measures. We cannot support these measures until stock assessments and a fishing management plan for each species is developed individually. As fishermen over time we have seen how bag limits and seasons over the years only tend to get cuts and not liberalizations. The five fish bag limit would be a starting point at which over time it would slowly be chipped away at.

These fish are both highly migratory species. What conservation measures we take in Massachusetts would be sacrificed as no other states have management measures for these species once they swim into their waters.

We are opposed to the proposed 16 inch size limit. For several years we have had a hard time catching herring or mackerel to use for bluefin tuna bait. The only bait some days we have been able to find have been small bonito. We would request that as a source of bait that the 16 inch minimum size is not mandated.

We recognize that bonito and false albacore are important fisheries for many of our captains but have seen no evidence of overfishing. We do support better science and more research of these species, but we would be opposed to management measures until there is scientific evidence that it is required.

Eels:

We would support limited access and a control date for the commercial eel fishery but we are strongly opposed to a moratorium on the commercial harvest of eels. Eels are one of the best and most popular bait for striped bass and also used for swordfish, white marlin, sharks and bluefish. With a lack of other bait sources it would be extremely painful to lose eels as a bait source. If the eel population is in decline we should start to think about managing our cormorant population as we witness them constantly gorging on eels and also small fish such as herring, winter flounder and tautog.

Shore Based Shark Fishing, Chumming and Bait Deployment:

We do not support banning shore based recreational shark fishing in state waters. This measure comes from an isolated incident, between an out of state shark guide and some surfers, and should not penalize shore based fishermen who have fished for sharks for years without incident or conflict. This incident was a site specific user group conflict that should be

addressed where the conflict occurs and not apply broad measures to cover the entire coastline. Shore based fishermen should not lose access to a fishery they have the legal right to engage in.

Recreational Black Sea Bass Season:

We appreciate the flexibility of switching the start date of the recreational black sea bass fishery from May 18 to May 17th to coincide with the third Saturday in May in which it historically has opened. This Saturday is a very important date for both the for-hire fleet and recreational anglers and provides a great fishing opportunity as well as an important economic impact to fishermen and all related businesses at the beginning of the season.

Thank you for the opportunity to provide comments regarding these proposed fishery management regulations. If you have any questions or concerns please reach out anytime,

Willy Hatch  
President Cape Cod Charter Boat Association



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### **Officers**

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Capt. Charlie Wade

Capt. Peter Murphy

Capt. Brian Curry

Capt. Robert Savino

Capt. John Richardson

March 12, 2025

Mr. Daniel J. McKiernan, Director  
Commonwealth of Massachusetts  
Division of Marine Fisheries  
251 Causeway St., Suite 400  
Boston, Massachusetts 02114

### **RE: Proposed MassDMF 2025 Commercial & Recreational Rules**

Dear Mr. McKiernan:

On behalf of the Stellwagen Bank Charter Boat Association (“SBCBA”) whose membership includes the for hire fleet and recreational anglers, recommendations and comments associated with the Proposed MassDMF 2025 Commercial & Recreational Rules is detailed below.

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*SBCBA supports this measure for this critical forage species in our fishery and recommends a control date and limited access and we don't support a moratorium as many of our members use eels for bait and would not want to lose access to the bait.*

Restrictions on Casting, Chumming, and Shore-Based Shark Fishing (322 CMR 4.09 and 6.37)

- *The SBCBA does not recommend banning recreational shark fishing or chumming in state waters and denying the public access to the fishery for those shark species that can be legally landed in state or federal waters.*
  - *It should be noted that in federal waters such is permitted consistent with "50 CFR § 635.26 (c) Sharks. Notwithstanding the other provisions of this part, a person may fish for white sharks (Carcharodon carcharias) with rod and reel, provided the*
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*person releases such fish to the sea immediately with a minimum of injury, and that such fish may not be removed from the water.”*

- *The research vessels and experienced shark fishing recreational community will attest to the fact that chumming and attracting great white sharks is difficult. If the public observes a fin in the water ranging from a bluefin tuna or wide array of other species there is mass hysteria that it is a great white shark. Public education and outreach is recommended to address this mass hysteria.*
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- *There are fewer and fewer opportunities for the private recreational shoreside angler to have access to the fishery yet along access to those species that can be legally caught and/or released. Many cannot afford to buy a boat or go on a for hire vessels and as a result shoreside angling is the only mechanism for them to catch and/or release sharks.*
- *Consistent with the lines of evidence above the SBCBA does not support the proposed shark related measures.*

Recreational Black Sea Bass Season (322 CMR 6.28)

*SBCBA supports a May 17<sup>th</sup> opening date.*

To address biosecurity concerns related to reports regarding the use of Pacific lugworms as bait in the northeast, DMF is proposing to prohibit



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the sale and use of non-native seaworm species. (13) the use and sale of non-native seaworms.

***The SBCBA supports this measure.***

We thank you for the opportunity to comment on this important matter. If you have any questions or comments, please contact the SBCBA at the email below.

Very truly yours,

*Tom Depersia*

Capt. Tom Depersia  
SBCBA, Founding President & Trustee  
[hugetuna@aol.com](mailto:hugetuna@aol.com)

*Damon Saco*

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Ray Kane, MassFAC

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Letter to the Director of Massachusetts DMF regarding American Eel fishery.

William Chace  
720 Main Road  
Westport, MA 02790  
Sailorbill1954@gmail.com  
774-264-0646

February 18, 2025

Director Dan McKiernan  
Massachusetts Division of Marine Fisheries  
251 Causeway Street, Suite 400  
Boston, MA 02114

Dear Director McKiernan,

I am writing to express my support for the proposed regulations concerning the American Eel fishery put forth in your letter dated Dec 12, 2024, to MFAC, for a limit on commercial fishing licenses for same. I believe that proposal #1a and b would certainly provide a baseline of control over harvesting and a path forward toward rebuilding eel biomass. Additionally, restricting harvest methods to just pot fishing would establish a standard that could be modified (number of pots, mesh size, escape vents) in the future should you see the need.

Some requirements for data collection should be imposed on those who would be eligible to harvest in this proposed regime. Simply reporting how many pounds were landed does little to help fisheries managers and scientists in their quest to rejuvenate this important fishery. Suffice to say that some level of responsibility for rebuilding the fishery should rest with those who would have the privilege to participate in it. I would suggest some version of an observer program would be a good start.

Additionally, I urge the powers that be to consider the fishing family and the matter of transferability regarding this proposed regulation. I am a third-generation fisherman from Westport, MA. My sons and grandsons should have the ability to carry on my life's work. It is only the transferability in a restricted access regime, (a method that has shown value in Mass.) that would allow that to happen while keeping in place the needed restrictions required to rebuild the biomass of American Eels.

Lastly, thank you for the work you continue to do in managing our state fisheries. It is a task that truly matters to all of us.

Sincerely,

William P. Chace, Jr.  
Westport, MA  
License #184233



**From:** [Mark Mattson](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** attention of Director Daniel McKiernan Comments on Regulations  
**Date:** Monday, March 10, 2025 11:40:30 AM

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Dear Director Daniel McKiernan,  
thank you for the opportunity to comment on proposed changes. It appears some fisheries are overfished. Even black sea bass and fluke are hard to catch legal sizes. I ask that commercial fisheries be eliminated, or at least very strictly limited. The fish belong to the people, not the industry. It is your job to protect them. Do your job.  
thanks Mark Mattson



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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



MAURA T. HEALEY  
Governor

KIMBERLEY DRISCOLL  
Lt. Governor


REBECCA L. TEPPER  
Secretary

THOMAS O'SHEA  
Commissioner

DANIEL J. MCKIERNAN  
Director

### MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: March 21, 2025

SUBJECT: **Requirement for Mariners to Report Large Whale and Sea Turtle Entanglements**

#### Proposed Final Rule

I recommend DMF use its authority at G.L. 130, §17(10)<sup>1</sup> to require mariners report any observed entanglement of large whales or sea turtles in fishing gear to the Massachusetts Environmental Police (MEP), NOAA Fisheries, or the Provincetown Center for Coastal Studies. This proposed final rule does not differ from my public hearing proposal as presented to the MFAC in September 2024<sup>2</sup>. Note that this proposed final rule does not require a formal vote by the MFAC, as it will be filed pursuant to G.L. 130, §17(10) rather than G.L. c. 130, §17A. However, I do seek consensus from the MFAC to move this forward and encourage members to provide me with their feedback on this decision.

#### Background and Rationale

Over the past several years, DMF has been working to draft a Habitat Conservation Plan and apply for an Incidental Take Permit application for loggerhead and leatherback turtles (“sea turtles”) and North Atlantic right whales. In consultation with NOAA Fisheries, there was some discussion regarding the benefits of expanding the states entanglement reporting requirements. Since the late 1990s, DMF has required mariners to report any observed entanglements of right whales to the appropriate authorities. This would expand the reporting requirement cover observations of entangled sea turtles and other large whale species to help Commonwealth enhance disentangling efforts; confirm whether or not the entanglements involve gear from the Massachusetts state waters fishery; and track any entanglements attributable to the Massachusetts Mixed Species Pot/Trap Fishery for evaluation against the management triggers set by the forthcoming Incidental Take Permit.

<sup>1</sup> G.L. c. 130, §17(10) reads, “Notwithstanding any contrary provision of law, with the exception of chapter 130 of the General Laws of the Commonwealth of Massachusetts, adopt, amend, or repeal all rules and regulations, with the approval of the Governor, necessary for the maintenance, preservation and protection of all marine fisheries resources between the mean high water mark of the commonwealth and a straight line extension of the lateral boundaries of the commonwealth drawn seaward to a distance of 200 miles or to a point where the water depth reaches 100 fathom, whichever is the greatest.” Whereas G.L. c. 130, §1 defines the term fish as, “any animal life inhabiting the ocean or its connecting waters including any crustacean or marine fish...”

<sup>2</sup> Refer to page 44 of the September 2024 MFAC [meeting materials](#) for more details.

My expectation is that the adoption of this regulation will codify best practices and allow DMF to educate mariners as to the importance of reporting observed entanglements. DMF will have to conduct substantial outreach and education to reach these constituents and will in part do so by working through the MEP and local authorities (e.g., harbormasters). To this effect, I anticipate MEP will use their discretion when enforcing the rule and will rely on mariner education, as I envision few conceivable situations where non-compliance with this regulation alone would necessitate a criminal or non-criminal citation.

There was no public testimony at the public hearings on this proposal and only a single written public comment was received. This comment opposed this action due to concerns that enhanced entanglement reporting and the misidentification of entangled species may further negatively impact the public standing of commercial pot fishers. While I understand this concern, I see enhanced entanglement reporting as being to the benefit of our commercial fisheries. Not only could it enhance disentanglement efforts to potentially reduce the harm caused by the entanglement, it will also allow us to better track the source of the gear involved in the entanglement and protect our fishery from being misidentified as the source of the gear. A large portion of large whale entanglements observed in Massachusetts can be attributed to fishing gear from other jurisdictions (other states, federal waters, Canadian waters). Massachusetts' coastal waters are commonly the location where large whale entanglements are observed given its importance as a seasonal feeding area for several species of large whale and because of Massachusetts' unique geography being at the confluence of the Gulf of Maine, Georges Bank, and the Southern New England shelf.

**Enclosed**

Written public comment

**From:** [Tyler Hagenstein](#)  
**To:** [Fish, Marine \(FWE\)](#)  
**Subject:** DMF proposed regulation changes  
**Date:** Saturday, March 15, 2025 12:58:28 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.

Thank you for taking the time to read my comments on the proposed rule changes.  
I'll keep it short and write a response to restrictions I feel need comment.

Striped bass- absolutely should have a commercial slot limit, glad this is finally being considered. As far as the slot goes, I think the fish size should be 30"-40". Ideally these smaller fish would fill up quota slower and give commercial fisherman more days to fish and leave the bigger breeders alone. I think it is also extremely important to eliminate out of state fishermen.

Bonito/albies - These two species should not be regulated as one. Perhaps the recreation limit could be 5 fish a day, but certainly not commercial limits. Their numbers are increasing ever year in our waters and could give baymen and commercial fisherman an opportunity sustain their livelihood.

Americal eel- baymen like myself depend on multiple species to piece together their year. Sometimes one species or another isn't harvested for years between sets or booms in populations. It would be unfair to strip eel permit holders of their right to fish them for not fishing them in recent years. There simply hasn't been enough eels around to make it worth while. I have tried to target eels a few times over the years but have been largely unsuccessful because of the enormous green crab population in my area. Before restricting commercial fisherman I think it would be more valuable to the local resource to further restrict eel use by recreational fisherman.

Rec black seabass- I suggest keep this fishery open well past September 1st but shrinking the catch limits. These fish are abundant.

Protected species entanglement- there will be a degree of inaccuracy here that could draw even more negative light on commercial pot fishermen, who have been heavily demonized by right whale activists. While I have always sympathized with the animals, news/media headlines have captured the attention of too many people who do not understand the fisheries and are called into action by non government environmental groups to bring unnecessary restrictions on fisherman.

Lastly!!! Please reverse last years horseshoe crab restrictions that were pushed by MA Audubon!!!

Thank you for your consideration,

Tyler Hagenstein  
Commercial fisherman, shellfish farmer, and recreational fisherman.

# Striped Bass Total Length Measurement

## Recommendation

Approve a modification to the definition of “total length” for striped bass that requires the upper and lower fork of the tail to be squeezed together when measuring fish in the recreational or commercial fishery.

- Same as public hearing proposal.

## Background

- DMF rules allow tail to be fanned or squeezed; has not been adjusted since maximum size implemented.
- Interest among stakeholders and enforcement for a uniform methodology.
- Analysis found that fish  $\geq 27.7$ ” included in slot by squeezing, but fanning can reduce length by more with fish up to 32.4” brought into the slot.
- Next addendum to interstate FMP may standardize coastwide.

## Rationale

- Provide clarity to anglers, uphold intended conservation of size limits, and enhance enforcement.
- Largely supported in comment.

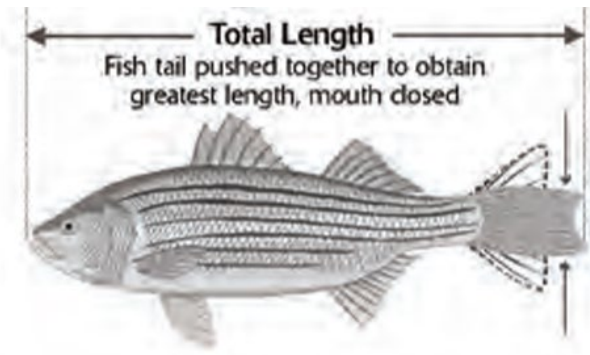
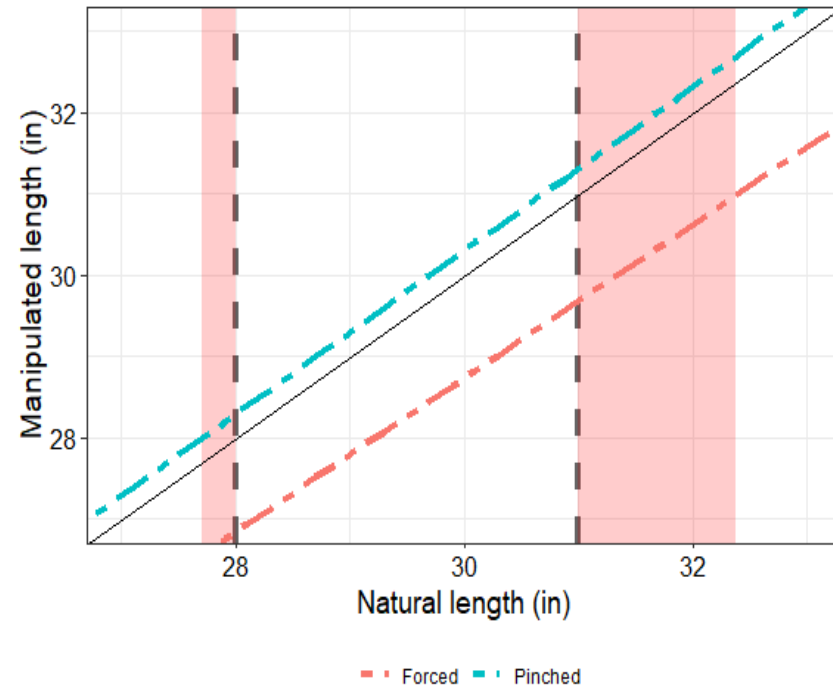


Image: NJ DEP





# Total Length Measurement Recommendation

## **DMF Recommended Motion**

Approve a modification to the definition of “total length” for striped bass that requires the upper and lower fork of the tail to be squeezed together when measuring fish in the recreational or commercial fishery.



# Menhaden Trip Limit Recommendation

## Recommendation

- Revise the trigger that drops the limited entry fishery's trip limit from 25,000 pounds to 6,000 pounds so that it occurs if 98% of the quota is reached on or after September 1, rather than if 90% of the quota is used prior to September 1.

Recommendation is within the range of options proposed for public comment.

## Background

- 90% trigger adopted when purse seines removed from FMP's incidental and small-scale fishery allowance (which allows other gears to continue fishing at 6,000-lb limit after 100% quota).
- Designed to allow purse seine fishery to continue throughout season of local availability.
- At current quota and effort levels, 10% (~1 mlb) risks leaving quota unused and fleet unable to access EESA.

## Rationale

- Encourage quota to be taken before September 1 when fishery can access EESA. If quota remains available into September, then 2% (~200,000 pounds) is set aside to continue small scale access.
- Can pursue quota transfers if EESA already taken by another state or 2% set-aside not aligned with resource availability.
- A modification to the trigger was roundly supported in public comment; concern with full rescission jeopardizing late-season small-scale access.



# Menhaden Effort Control

## **Intended Permitting Action (does not require MFAC action)**

- Restrict the renewal of Menhaden Endorsements in 2026 to those holders with a minimum of one landing of at least 6,000 lb between January 1, 2014 and August 1, 2023 or those who hold the Menhaden Endorsement in conjunction with a Fish Weir Endorsement.
- No action taken to limit access to CAP-Purse Seine Endorsement.

## **Background**

- August 1, 2023 control dates adopted due to industry concern about potential new effort (driven by other bait shortages) that would disrupt current management and fishery performance.
- Significant latent effort in both endorsement; CAP-Purse Seine open entry with increased issuance.

## **Rationale**

- Restrict new effort in the limited access fishery. At current level of activity, quota is manageable, fishery profitable, and user-group conflict minimized.
  - DMF estimates Menhaden Endorsements will be reduced from 51 in 2024 to 18 in 2026.
  - 10-year reference period includes all years of permit issuance and retains several historical users that would be removed under proposed 5-year reference period.
  - 6,000-lb threshold aligns with limited entry access level, consistent with initial criteria
  - Continues to allow weir operators to land fish if they become available in their gear.
  - Action widely supported at public hearing.
- Access to open entry fishery maintained to allow new entrants to gain experience at small-scale and for lobstermen to collect their own bait. Open access fleet's potential impact on quota is sufficiently limited by trip limit and inshore net restrictions. Can employ control date in future if warranted.
  - Restricting access was not well supported in public comment.



# Menhaden Harvester Catch Sharing

## **Pilot Program Authorization and Controls (does not require MFAC action)**

- New pilot program for 2025 to allow a menhaden purse seine vessel to share its catch with another similarly permitted and rigged vessels.
- Eligibility: all Menhaden Endorsement holders and only those CAP-Purse Seine Endorsement holders with landings the prior year.
- A vessel will only be allowed to partner with one other rigged vessel per day.
- Each partnering vessel can only take fish from the net (not off the other vessel) and must bring the fish ashore themselves.

## **Background**

- DMF rules limit ability for seiners to transfer catch except to a carrier vessel. Aggregate catch held between seiner and carrier vessel cannot exceed applicable trip limit.
- Proponents seek to be able to bridle fish from another vessel's net, such as to reduce potential release of dead fish ("slippage") should a set exceed the trip limit, under separate limits.
- ME allows two vessels to enter into a designated partnership to share harvest provided both vessels are rigged for seining at same scale, had menhaden landings the prior year, and are in good standing with Law Enforcement. Program can be suspended based on resulting landings rate or concern about misuse.

## **Rationale**

- Improve efficiency and reduce slippage in seine fishery, potentially reducing user/gear conflicts.
- Controls designed to limit use to backdoor new effort into the fishery.
- Took into consideration comment at hearings about not having a single designated partner.



# Commercial Menhaden Management

## DMF Recommended Motion

- Revise the trigger that drops the limited entry fishery's trip limit from 25,000 pounds to 6,000 pounds so that it occurs if 98% of the quota is reached on or after September 1, rather than if 90% of the quota is used prior to September 1.



# Overview of Summer Flounder Management

- 2025 quota is 571,147 lb.
  - P1 Allocation: 171,344 lb
  - P2 Allocation: 399,803 lb
- DMF reduced P1 trip limit from 5,000 lb to 2,000 lb via in-season adjustment and suspended Multi-State Landing Program for 2025.
- **P1 Fishery has landed ~25,000 lb to date (4.3% of total quota). Will likely produce a substantial rollover of P1 allocation to P2 for 2025.**
- P2 Fishery scheduled to open on April 23.

Period	Gear	Season	Open Days	Trip Limit	Size Limit
Period I	All	Jan 1 – Apr 22	Sun - Sat	2,000 pounds reduced to 100 pounds after 30% quota use	14"
Period II	Nets	Apr 23 – Sept 30	Sun - Sat	600 pounds, reduced to 400 pound if 80% of quota is taken before Aug 1 and increased to 800 pounds if 20% quota remains on Sept 1.	14"
Period II	Hooks	Apr 23 – Sept 30	Sun - Sat	400 pounds, reduced to 250 pound if 80% of quota is taken before Aug 1 and increased to 800 pounds if 20% quota remains on Sept 1.	14"
Period II	All	Oct 1 – Dec 31	Sun – Sat	800 pounds, increased to 5,000 pounds if 10% of quota remains on October 1.	14"



# Period I Recommendations

## Recommendation

- For 2026, reduce the Period I quota allocation from 30% to 15%.
- Reduce the Period I trip limit from 5,000 lb to 2,000 lb (by regulation).

Recommendation is same as public hearing proposal.

## Rationale

- Make more quota available to the summer period when resource is more available to more of our commercial permit holders and ex-vessel value of fish tends to be higher.
  - From 2022 – 2024, average ex-vessel value for May – September is \$3.40 compared to \$1.90 for October – April.
- If approved, DMF would consider renewing Multi-State Landing Program for 2026 to allow more robust access to Period I quota allocation.
- Scale trip limit to allocation to slow quota consumption rate, achieve a longer season, and limit the risk of a seasonal overage.
- Concerns exist about quota underutilization if too much quota is available to summer fishery. If quota is underutilized come October 1, access will be provided to offshore fleet to take quota during the late-fall and early-winter



# Period II Recommendations

## Recommendation

- Eliminate Saturday as an open fishing day during April 23 – August 31 resulting in six open fishing days per week. (Maintain seven open fishing days for September 1 and beyond).
- Reduce April 23 – September 30 baseline trip limit for net fishers from 600 lb to 500 lb
- Reduce April 23 – September 30 baseline trip limit for hook fishers from 400 lb to 325 lb
- Amend initial in-season trip limit reduction trigger so that trip limits are decreased should 75% of quota be taken on or before August 15, rather than August 1. If triggered, resulting trip limits would be 400 lb for net fishers and 250 lb for hook fishers.
- Add a subsequent in-season trip limit reduction trigger to reduce trip limits to 200 lb for all gears should 90% of quota be taken before September 1.

Recommendation is within the range of options proposed for public comment.

## Rationale

- Seeks to balance industry interest in taking most of quota during summertime period when fish is most valuable while retaining some quota for early fall to accommodate bycatch in trawl fleet and hook effort on Nantucket Shoals.
- Industry is concerned both about the impact of effort moving into the fishery on quota consumption and taking too drastic of an action and constraining ability to take quota.
- Approach favors use of quota-based triggers to maintain access at start of season while responding to quota use.
- Trip limit reductions may slow weekly landings by limiting highliner performance.
- Reduction in open fishing days may slow quota consumption while reducing vessel traffic and user group conflicts on fishing grounds on Saturdays during summer period.





# Consecutive Daily Trip Limit Program

## **Program Authorization and Controls (does not require MFAC action)**

- For 2025, DMF will authorize the Consecutive Daily Trip Limit Program.
- This will allow vessels to land two days' trip limits of summer flounder, whelk, black sea bass, and horseshoe crabs that were lawfully caught and retained over two consecutive open fishing days.
- Participating vessels will not be authorized to offload within 24-hours of the start of any trip.
- Catch tagging requirement will be eliminated in favor of having first day's catch separately stored from second day's catch and labeled as such.

## **Background**

- DMF has accommodated the Consecutive Daily Trip Limit Program during the P2 fishery since 2019.
- Designed to enhance economic efficiency and address on-the-water safety issues for draggers.
- Allows dealers to more efficiently service a variety of Cape Cod ports where fish is being landed.

## **Persistent Industry Concerns**

- Results in more expedient quota utilization.
- Allegations that program has produced daily trip limit violations and encourages high grading.
- Has evolved beyond its initial purpose and now accommodates offshore fishery.

## **Additional Considerations**

- Mandatory electronic cellular vessel monitoring for all participants in 2026.
- DMF reserves authority to discontinue program once a certain threshold of quota use is reached (e.g., 90% quota use).



# Commercial Summer Flounder

## **DMF Recommended Motion**

1. Reduce the Period I quota allocation from 30% to 15% beginning in 2026.
2. Reduce the Period I trip limit from 5,000 lb to 2,000 lb (by regulation).
3. Eliminate Saturday as an open fishing day from April 23 – August 31.
4. Reduce April 23 – September 30 baseline trip limit for net fishers from 600 lb to 500 lb
5. Reduce April 23 – September 30 baseline trip limit for hook fishers from 400 lb to 325 lb
6. Amend initial in-season trip limit reduction trigger so that trip limits are decreased should 75% of quota be taken on or before August 15, rather than August 1. If triggered, resulting trip limits would be 400 lb for net fishers and 250 lb for hook fishers.
7. Add a subsequent in-season trip limit reduction trigger to reduce trip limits to 200 lb for all gears should 90% of quota be taken before September 1.



# Commercial Non-Cod Groundfish Trip Limits

## Recommendation

- Increase commercial GOM yellowtail flounder trip limit from 350 pounds to 500 pounds.
- Increase commercial monkfish trip limit from 536 pounds tail weight (1,560 pounds whole weight) to 1,000 pounds tail weight (2,910 pounds whole weight).

Recommendation is the same as the public hearing proposal.

## Rationale

- Yellowtail flounder landings have been trending downward due to reduced participation and there is room to liberalize the trip limit without threat of exceeding the sub-component.
- Allow gillnetters to more profitably target monkfish with little threat of significantly increasing harvest due to small gillnet fleet.
- Provide access to non-cod groundfish stocks.

Stock	FY19 SW Landings	FY20 SW Landings	FY21 SW Landings	FY 22 SW Landings	FY23 SW Landings	FY 25 SW Sub-Comp*
CC/GOM YTF	94,000 lbs	73,000 lbs	58,000 lbs	42,000 lbs	19,000 lbs	62,000 lbs

\*FY25 state waters sub-component is preliminary based on Draft FW69, as approved by the NEFMC in December 2024.

Final limits will be established by NOAA Fisheries pending final rule making.

All figures rounded to the nearest pound.



# Cod Management

## Recommendation

- Adopt definitions for the Western Gulf of Maine and Southern New England cod stock areas.
- Establish a moratorium on the retention and possession of Southern New England cod by all fishers.
- No changes to WGOM cod trip limit.

Recommendation within range of options proposed for public comment.

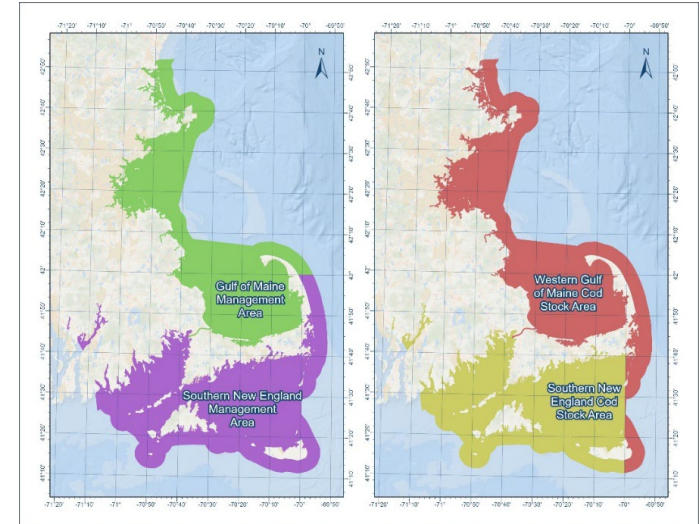
## Rationale

- Responds to pending changes to federal FMP (AM25 & FW69) and ensures compliance with federal law.
- Backstops federal rules for enforcement & compliance purposes.
- Limited effect on state waters.
  - No cod fishing activity in state waters portion of SNE.
  - Moves WGOM boundary south to include state waters east of Cape and Nantucket.

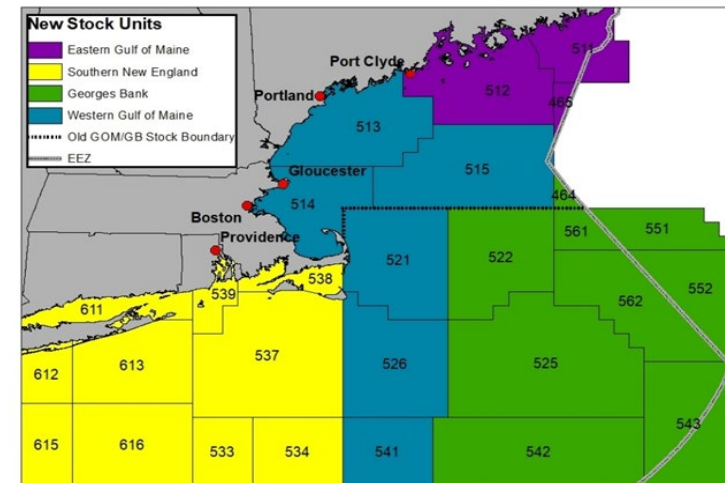
## WGOM Cod Decision

- No change to WGOM trip limit recommended.
- Attrition may be sufficient to buffer against exceedance of sub-component.
- Triggering an AM could create significant challenges to managing state waters fishery in future.

## Recommended State Waters Cod Stock Areas



## Federal Cod Stock Areas in AM25



# Groundfish Endorsement Control Date

## **Intended Permitting Action (does not require MFAC action)**

- Update the Groundfish Endorsement (“GE”) Control Date from December 31, 2018 to December 31, 2024.

## **Background**

- Substantial latent effort in GE fishery with 484 GEs issued in 2024 and only about 15-20 highly active permit holders.
- Activation of effort would be problematic given low sub-components for various stocks, including WGOM cod.
- Exceedance of sub-components may trigger accountability measures for recreational fishers and federal permit holders.

## **Rationale**

- Make control date more current to be inclusive of any recently activated permits should DMF determine using control date to further limit entry is warranted.
- Need to use control date is ameliorated by transferability standards.

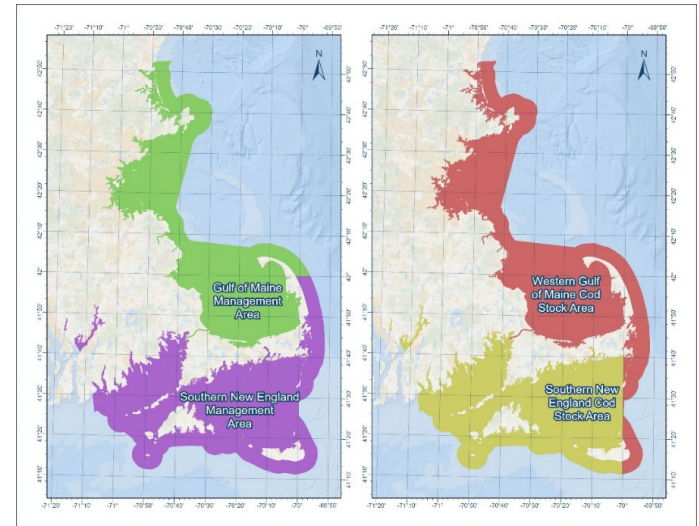


# Groundfish Management

## DMF Recommended Motion

1. Increase commercial GOM yellowtail flounder trip limit from 350 pounds to 500 pounds.
2. Increase commercial monkfish trip limit from 536 pounds tail weight (1,560 pounds whole weight) to 1,000 pounds tail weight (2,910 pounds whole weight).
3. Adopt definitions for the Western Gulf of Maine and Southern New England cod stock areas consistent with recent changes to the federal stock boundary delineations. This moves boundary line east of Cape Cod from 42° 00' N to include state waters along the eastern shore of Cape Cod and Nantucket.
4. Establish a moratorium on the retention and possession of Southern New England cod by all fishers.

## Recommended State Waters Cod Stock Areas





# Controls on Use of Conch Pots in Federal Zone

## Recommendation

- Require any MA-fisher who sets conch pots in federal waters to hold a DMF-issued conch pot permit.
- Require all conch pots to have a valid MA trap tag affixed to the gear when on the vessel or set in state or federal waters.
- Require all conch pot permit holders to set no more than 200 conch pots and to haul out conch pot gear from December 16 – April 14 annually.

Recommendation is same as public hearing proposal. No public comment received.

## Rationale

- Reported shift in conch pot fishing effort to the east, including into federal waters off Nantucket.
- No federal FMP or state trip limit that could limit whelk pot fishing effort in federal waters.
- Uncontrolled proliferation of gear poses entanglement risk to sea turtles and whales.
- Federal waters off Nantucket are an area of moderate use by right whales.

## Other Considerations

- Will not similarly manage fish pot fisheries because effort is constrained by state and federal rules.
- DMF needs to work with NOAA Fisheries and TRT to develop new marking and modification rules for Other Trap/Pot Fisheries in the Northern Nearshore Trap/Pot Waters.
- Fish and conch pot gear set in the federal zone must comply with ALWTRP buoy line marking and modification rules, not state rules. Need to educate permit holders on differing state/federal rules.
  - Required to use of 600-pound weak link at buoy
  - Required to mark buoy lines with three 1' red marks (top, middle, and bottom).
  - Use of weak rope is not required for federal waters, but DMF encourages it.



# Recommended Controls on Use of Conch Pots in Federal Zone by State Permitted Fishers

## **DMF Recommended Motion**

1. Require any MA-fisher who sets conch pots in federal waters to hold a DMF-issued conch pot permit.
2. Require all conch pots to have a valid MA trap tag affixed to the gear when on the vessel or set in state or federal waters.
3. Require all conch pot permit holders to set no more than 200 conch pots and to haul out all conch pot gear from December 16 – April 14 annually.





# False Albacore and Bonito Limits

## Recommendation

- Adopt a 16" minimum size and 5-fish per person possession limit for false albacore and bonito (both species combined) in state waters, applicable to all harvest modes (i.e., both recreational and commercial sectors).
- Exempt commercial fishers targeting mackerel using mechanized mackerel jigs and fish weirs from these limits.
- Note: Rule would not apply to possession in EEZ

Recommendation within the range of options of the public hearing proposal.

## Rationale

- Lack of FMP and stock assessment leave species vulnerable to potential overexploitation.
- Establish precautionary management that constrains commercial fishery development and limits expansion of current retention practices in recreational fishery.
- Combined species limit preferred for ease of enforcement and compliance.
- Most recreational fishing is catch and release. Raw MRIP retention data for 2024 shows when fish are retained average angler retention is about 2.5 bonito and fewer than 1 false albacore per angler.
- Fewer than 15 permit holders have sold Atlantic bonito in any of the past five years with annual landings not exceeding 1,000 pounds and an ex-vessel value of about \$5.00 per pound.
- 16" approximates estimated size at maturity for both species and is the length around which retention begins to occur for both species.
- Minimum size may constrain use of juvenile animals as bait.
- DMF Expects other northeast states to consider similar rules moving forward.
- Exemptions afforded to gears that may incidentally catch these species. No cap on bycatch currently being considered because limited data available. Will better sample these fisheries to understand bycatch.



# Recommended False Albacore and Bonito Limits

## **DMF Recommended Motion**

1. Adopt a 16” minimum size and 5-fish per person possession limit for false albacore and Atlantic bonito (both species combined) in state waters, applicable to all harvest modes.
2. Exempt commercial fishers using mechanized mackerel jigs and fish weirs from these limits.



# Constraints on Shore-Based Angling

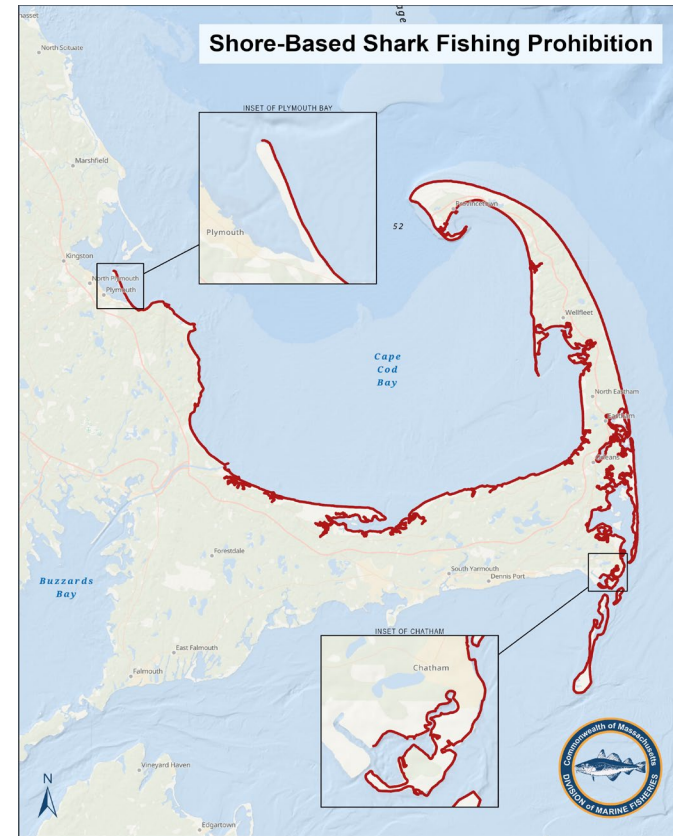
## Recommendation

- Define shore-based shark fishing as the use of rod and reel gear from the shoreline, wade fishing, or from any structure attached to shore using a metal or wire leader that measures greater than 18" with a hook for which the gape exceeds 5/8".
- Prohibit shore-based shark fishing along coast beginning at northernmost point of Plymouth Beach south around the northern and eastern shores of Cape Cod inclusive of Chatham Harbor and all of Monomoy Island.
- Prohibit chumming when shore-based shark fishing throughout the Commonwealth from sunrise to sunset.
- Prohibit use of mechanized or remote-controlled devices to deploy baits when fishing from with rod and reel gear. This does not include casting or setting baits with non-mechanized devices (e.g., kites, kayaks) nor the power or motor source of a vessel. This would apply broadly to all rod and reel fishing.

Recommendation within range of options proposed for public comment.

## Rationale

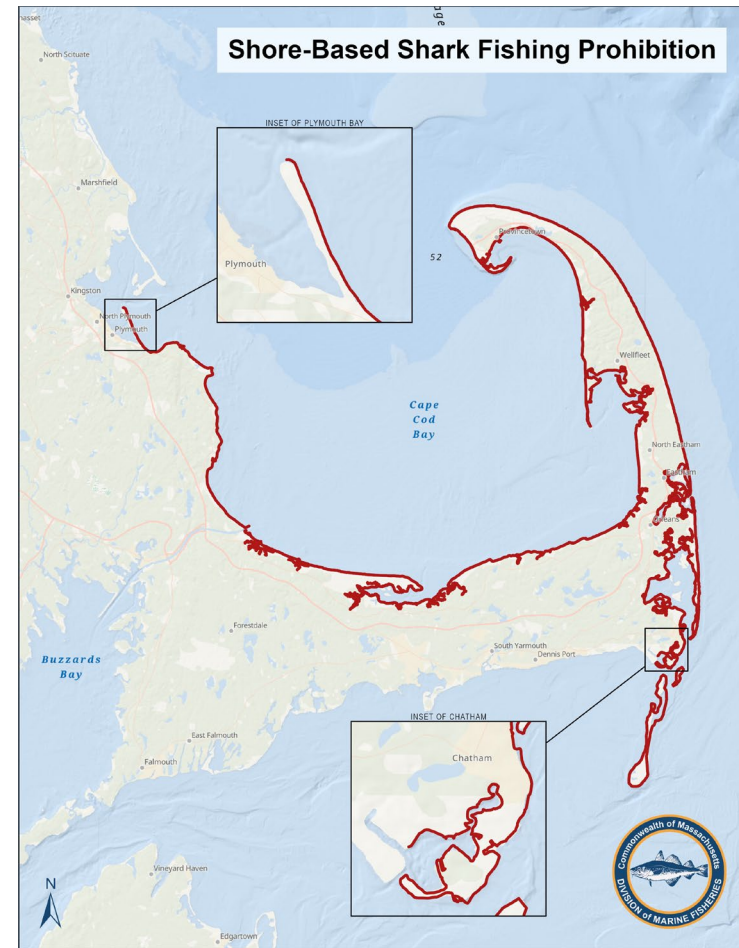
- Curbs proliferation of shore-based shark fishing activities to target white sharks and limits constraints on other historic shore-based shark fishing activities.
- Makes existing prohibition on capturing and attracting white sharks more enforceable.
- Enhances public safety.
- Controls bait deployment methods to limit ability to use emerging tech to target fish at a greater distance to the benefit of public safety and limiting release mortality.



# Recommendations on Shore-Based Angling

## DMF Recommended Motion

1. Define shore-based shark fishing as the use of rod and reel gear from the shoreline, wade fishing, or from any structure attached to shore using a metal or wire leader that measures greater than 18" with a hook for which the gape exceeds 5/8".
2. Prohibit shore-based shark fishing along coast beginning at northernmost point of Plymouth Beach south around the northern and eastern shores of Cape Cod inclusive of Chatham Harbor and all of Monomoy Island.
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4. Prohibit use of mechanized or remote-controlled devices to deploy baits when fishing from with rod and reel gear. This does not include casting or setting baits with non-mechanized devices (e.g., kites, kayaks) nor the power or motor source of a vessel. This would apply broadly to all rod and reel fishing.



# Oceanic Whitetip Sharks

## Recommendation

- Prohibit the retention and landing of oceanic whitetip sharks.

As proposed for public hearing. No comments.

## Rationale

- NOAA Fisheries and ASMFC have adopted a zero-retention limit for species.
- State action necessary to comply with interstate fishery management plan.
- Oceanic whitetip sharks are primarily an offshore species with few if any caught in state waters.

## DMF Recommended Motion

1. Prohibit the retention and landing of oceanic whitetip sharks.



# Prohibition on Sale and Use of Pacific Lugworm as Bait

## **Recommendation**

- Prohibit the sale and use of Pacific lugworms as bait.

As proposed for public comment.

## **Rationale**

- Anecdotal reports of Pacific lugworms being sold in Massachusetts bait and tackle shops and used by local anglers.
- Product can be readily purchased online.
- Biosecurity risk particularly related to pathogen transmission (WSSV and CMNV).
- Potential risk of species becoming naturalized in Massachusetts.
- Supported in public comment.

## **DMF Recommended Motion**

1. Prohibit the sale and use of Pacific lugworms as bait.



# Recreational Black Sea Bass Season

## Recommendation

- Adopt a recreational black sea bass open season of May 17 – September 1.

As proposed for public comment.

Open Season	Minimum Size	Bag Limit
<del>May 18 – September 3</del> May 17 – September 1	16.5"	4 fish

## Rationale

- ASMFC approved status quo management with allowance for small seasonal adjustment through conservation equivalency.
- Maintain a Saturday opening.
- Requires reduction at the end of the season to not increase projected harvest.
- Supported in public comment.

## DMF Recommended Motion

1. Adopt a recreational black sea bass open season of May 17 – September 1.





# Documentation to Possess and Sell Dogfish Fins

## Recommendation

- Require businesses selling spiny or smooth dogfish fins possess paperwork (e.g., bill of lading) that documents the lawful origin of product.

As proposed for public comment. No public comment received.

## Rationale

- State law prohibits the processing, possession, and sale of shark fins with an exception for lawfully harvested and processed smooth and spiny dogfish.
- Concerns that illegal shark fins may be disguised and marketed as dogfish fins.
- Genetic testing is expensive and may be confounded by certain processing techniques.
- Traceability through record keeping would enhance compliance with state law and ease enforcement.

## DMF Recommended Motion

1. Require businesses selling spiny or smooth dogfish fins possess paperwork (e.g., bill of lading) that documents the lawful origin of product.





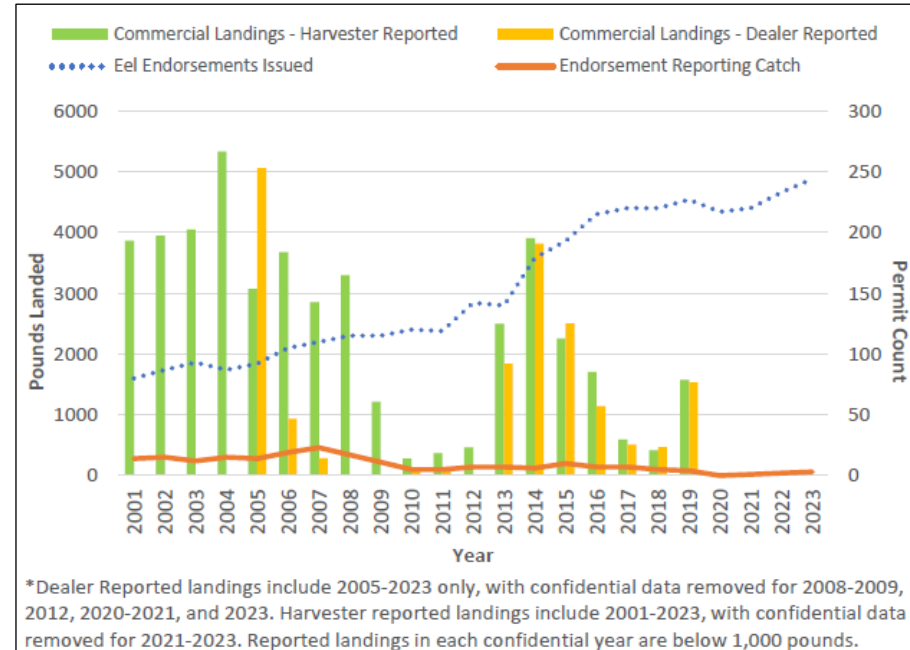
# Commercial Eel Permitting

## Intended Permit Action (does not require MFAC action)

- Adopt an Eel Endorsement control date of December 31, 2024 and limit permit renewals in 2026 to those with at least one pound of eel landed during January 1, 2015 to December 31, 2024.
- Make the Eel Endorsement owner-operator.

## Rationale

- Issuance of Eel Endorsements increasing while reported catch declines.
- Suspect under-reporting of eels kept for bait, as well as illegal/unreported sales. Creates an accountability and conservation issue.
- Potential activation of latent effort also a conservation issue. FMP aiming to reduce yellow eel harvest based on stock status.
- While reported value is minimal, active permit holders opposed moratorium and permit non-transferability.
- Action instead sets a very low bar for endorsement retention and allows active permit transfers.
- Owner-operator typical for limited entry permits.
- Recreational limit still offers ability to retain eels for personal use (but can't mix rec/com trips).



# Entanglement Reporting

## **Regulatory Action (does not require MFAC action)**

- Require mariners to report entanglements of any sea turtle or large whale to NOAA Fisheries, the Massachusetts Environmental Police, or the Center for Coastal Studies.

As proposed for public comment.

## **Rationale**

- Expands existing reporting requirement beyond entangled right whales to include any sea turtle or large whale species.
- Bolsters DMF's pending Incidental Take Permit application.
- Adopts a best practice as a regulation.



The meeting will resume at 10:30



March 28, 2025

Division of Marine Fisheries

Slide 28



# ASMFC Winter 2025: Newly Initiated Actions

## Lobster Draft Addendum XXXII

- Initiated to repeal gauge and escape vent measures of Addendum XXVII due to economic concerns and resulting ME & NH decisions to not move forward with implementation.
- Being fast tracked for final action at May Board meeting (to repeal prior to July 1, 2025 implementation date); special Board meeting occurred in mid-March to approve for public comment.
- Expect a single public hearing (virtual) sometime between 4/1-4/16.
- Trap tag issuance and v-notch possession definitions of Addendum XXVII not affected.
- Letter to be sent to ME & NH ASMFC Commissioners and Governors about process frustrations.
- Gulf of Maine states (esp. ME & NH) expected to work with industry to identify alternative conservation strategies.

