



## MA Marine Fisheries Advisory Commission March 27, 2025 Meeting Summary

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This document serves as a brief summary of the March 27, 2025 Marine Fisheries Advisory Commission (MFAC) business meeting. This business meeting was held virtually, and the recording is available on [DMF's YouTube Channel](#). All meeting materials are available on the [MFAC's past meeting website](#).

**Action Items.** The MFAC deliberated on and ultimately approved eleven final recommendations from the Division of Marine Fisheries (DMF) to amend regulations for the upcoming fishing season. Subject to the final rule-making process, DMF anticipates these regulatory changes will go into effect later this spring.

**Striped Bass Total Length Management.** The MFAC unanimously approved DMF's recommendation to modify its definition affecting total length measurement for striped bass. The new definition will require fish be measured with the upper and lower fork of the tail squeezed together. This revised definition will apply when determining compliance with both commercial and recreational striped bass size limits. The prior rule allowed for the forked tail to either fanned out or squeezed. This raised concerns about the uneven applications of measuring methods, particularly with regards to the recreational slot limit (28" to less than 31" total length). DMF investigated this issue in 2024 and determined that while pinching the tail can add approximately 0.3" to the fish's total length, fanning the tail can reduce a fish's total length by 1.4". Therefore, in the recreational striped bass fishery tail manipulation can change the 3" slot limit into a 4.7" slot limit primarily through tail fanning which would accommodate the retention of additional larger fish that would otherwise be protected by the maximum size. DMF is also pursuing this method of measurement be standardized coastwide by the Atlantic States Marine Fisheries Commission. DMF's recommendation on proposed rules affecting the commercial size limit and gaffing is expected at the April business meeting.

**Commercial Menhaden Management.** The MFAC unanimously approved DMF's recommendation to revise the trigger that drops the limited entry fishery's trip limit 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). This is designed to allow access to the state's menhaden quota and the Episodic Event Set-Aside, while also safeguarding some access to small scale fishing opportunities later in the season. DMF will also initiate a Harvester Partnership Pilot Program in 2025 that will allow eligible menhaden seiners to share catch from their net with similarly permitted and rigged vessels. This program is intended to avoid the release of dead fish from seines when retention would have exceeded the trip limit, and may also ameliorate user group conflicts by reducing the amount of seine sets that are being made.

For 2026, DMF is also taking a permitting action to further restrict the issuance of the limited entry Menhaden Endorsement. Renewals will be limited to only those permit holders who had a trip that landed at least 6,000 pounds between January 1, 2014 and December 31, 2024 or hold the endorsement in conjunction with a Fish Weir Endorsement. DMF anticipates this will reduce the number of permits issued from 51 to 18. This action is being taken to constrain the

potential activation of latent effort that could affect quota management, participant profitability, and on-the-water conflict. DMF is not taking any action to limit the issuance of the Coastal Access Permit – Purse Seine Endorsement which allows access to the small-scale menhaden seine fishery. The scale and impact of this fishery on quota use is negligible and this will maintain opportunities for new entrants to gain experience in this fishery and for bait to be made available to the local commercial lobster industry.

*Commercial Summer Flounder Management.* The MFAC unanimously approved DMF's recommendations to: (1) reduce the Period I (January 1 – April 22) quota allocation from 30% overall to 15% overall beginning in 2026; (2) reduce the Period I trip limit from 5,000 pounds to 2,000 pounds; (3) reduce the Period II trip limits during the summertime season (April 23 – September 30) from 600 pounds to 500 pounds for net fishers and 400 pounds to 325 pounds for hook fishers; (4) amend the in-season trip limit reduction trigger so that trip limits are decreased should 75% of the quota be taken on or before August 15, rather than August 1; (5) add a subsequent in-season trip limit reduction trigger to reduce trip limits for all gear types to 200 pounds should 90% of the quota be taken on or before September 1; and (6) eliminate Saturday as an open fishing day during the period of April 23 – August 31. This will allocate more of the annual quota to the summertime fishery when the fish has historically been of greater value and is more available to more of our permit holders. It also slows quota consumption and buffers against potential increases in effort in the summertime fishery to maintain some quota for September to accommodate the fishery along Nantucket Shoals and afford day boat druggers a bycatch of summer flounder when targeting other species. DMF will also renew its Consecutive Daily Trip Limit Program for 2025 with two modifications. First, fish may not be offloaded within 24 hours of the start of the trip. Second, DMF will no longer require catch from the first day be stored in a discrete container that is sealed with a single use plastic tag; instead catch from day one must be adequately segregated from catch from day two and labeled as such.

*Groundfish Management.* The MFAC unanimously approved DMF's recommendations to: (1) increase the yellowtail flounder trip limit from 350 pounds to 500 pounds; (2) increase the monkfish tail trip limit from 536 pounds to 1,000 pounds; (3) adopt new boundaries for cod management areas consistent with the federal fishery management plan; and (4) complement the federal harvest moratorium on Southern New England cod. With regards to yellowtail flounder and monkfish, these actions increase state waters access to non-cod species. With regards to cod, these actions are designed to ensure state management does not undermine federal conservation and management objectives as required by federal law. DMF opted to maintain the 400-pound commercial trip limit for Western Gulf of Maine cod and not pursue a reduction to buffer against a potential exceedance of the state waters sub-component for this stock given the low inshore availability of cod and continued attrition in the state waters commercial fishery. Lastly, DMF is moving to update the control date for the Groundfish Endorsement from December 31, 2018 to December 31, 2024.

*Use of Conch Pots in the Federal Zone.* The MFAC unanimously approved extending certain controls over the state waters conch pot fishery to the use of conch pot gear in the adjacent federal zone by state permitted fishers. This included: (1) requiring the fisher hold a DMF-issued conch pot regulated fishery permit endorsement to possess or land whelks taken by conch pot gear in federal waters; (2) requiring a valid annual conch pot trap tag be affixed to all conch pot gear present on the vessel or set in the water; (3) extending the applicability of the 200-conch pot limit and April 15 – December 15 conch pot fishing season. 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. 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 as it presents a serious and avoidable entanglement risk to protected whales and sea turtles, and should an entanglement occur, it may be misattributed to the state waters fishery.

*False Albacore and Atlantic Bonito Catch and Size Limits.* The MFAC approved (5-2-1) DMF's recommendation to adopt a 16" fork length minimum size for both species and a 5-fish per person possession limit (both species combined). Commercial weir fishers and commercial fishers using mechanized mackerel jigs are exempt from these possession and size limits. DMF pursued a precautionary management approach for these species given the lack of a stock assessment to inform coastwide fishery management and the growing economic and social importance of the recreational fishery for these species to anglers along our southern coast. The possession limit will constrain the development of targeted commercial fisheries and cover nearly all recreational fishing activity currently occurring—including the retention of these species for fishing derbies—while controlling additional growth in recreational retention. The minimum size represents the estimated size at maturity for both species. The exemptions accommodate historic commercial fishing activities where these species may be incidentally caught, and the realities of the fishing activities make it unduly cumbersome to actively sort and discard live bycatch.

*Restrictions on Shore-Based Shark Fishing and Deployment of Bait in Rod and Reel Fisheries.* The MFAC approved (6-1-1) DMF's recommendation to: (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 measuring greater than 18 inches and a hook for which the maximum distance measured between the two points inside the curve created by the hook exceeds  $\frac{5}{8}$  inch when measured straight across from the point to the shank (i.e., hook gape); (2) prohibit shore-based shark angling along Cape Cod Bay beginning at the northern-most point of Plymouth Beach around the Outer Cape including Chatham Harbor and all of Monomoy Island; (3) prohibit chumming when shore-based shark fishing throughout the Commonwealth from sunrise to sunset; and (4) prohibit the use of mechanized and remote controlled devices to deploy baits when fishing with rod and reel gear. The primary purpose of these rules is to constrain the growth of shore-based shark fishing in Massachusetts that targets white sharks, thereby preventing significant public safety concerns. By applying the mechanized and remote-controlled device rule more broadly to rod and reel fishery there is an ancillary benefit of limiting the expansion of the gear into other fisheries, such as striped bass, where its application could result in longer fight times and increased post-release mortality.

*Prohibition on the Retention of Oceanic Whitetip Sharks.* The MFAC unanimously approved DMF's recommendation to prohibit the retention and landing of oceanic whitetip sharks. This ensures Massachusetts regulations conform to the federal and interstate management plan, which banned retention in 2024 in response to a 2018 determination that the species warrants listing as threatened under the federal Endangered Species Act. While these species are not commonly caught in our waters, they could be landed in our ports.

*Prohibition on Sale and Use of Pacific Lugworm as Bait.* The MFAC unanimously approved DMF's recommendation to prohibit the use and sale of Pacific lugworms as bait. This prohibition was driven by biosecurity concerns related to the importation and use of this species as bait, particularly as it relates to pathogen transmission (White Spot Syndrome Virus and Convert Mortality Nodavirus) and potential impacts to crustacean, shellfish, and finfish species.

Recreational Black Sea Bass Season. The MFAC unanimously approved DMF's recommendation to adopt an open recreational black sea bass season of May 17 – September 1. This replaces last year's May 18 – September 3 season in order to maintain a Saturday opening date.

Paperwork Requirement for Possession and Sale of Dogfish Fins. The MFAC unanimously approved DMF's recommendation to require any business selling spiny or smooth dogfish fins in the Commonwealth to be able to produce paperwork that demonstrates their lawful origin. This closes a loophole that could potentially allow illegal shark fins to be marketed as dogfish fins and avoid needing to incur expenses to genetically test fins in the market to determine the species and the legality of the product.

### **Final Regulatory Actions**

DMF also informed the MFAC of two additional final regulatory actions. First, DMF will limit access to the commercial American Eel Endorsement in 2026 to only those who reported landing any quantity of eels from January 1, 2015 through December 31, 2024. This responds to the continued low abundance of eels in Massachusetts and concerns about commercial permit latency and underreporting of commercial catch. Second, DMF will require all mariners report sea turtle and large whale entanglements to the Massachusetts Environmental Police, NOAA Fisheries, or the Center for Coastal Studies.

### **Discussion Items**

*ASMFC Draft Lobster Addendum XXXII.* DMF provided background on the development of Draft Addendum XXXII which seeks to repeal the size limits and escape vent rules scheduled for implementation through Addendum XXVII. There was some discussion about draft Addendum XXXII not containing a provision to repeal the v-notch standardization measure for the state waters only fishery in the Outer Cape Cod Lobster Management Area.

*Federal Fisheries Management Update.* This item was postponed until a future meeting.

**Upcoming Meetings.** The MFAC will meet next of April 24, 2025 at the Kingston Town House located at 26 Evergreen Street in Kingston, MA.