



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

**9:00AM**

**Tuesday, March 17, 2026**

**DFW Field Headquarters**

**1 Rabbit Hill Road**

**Westborough, MA**

[Meeting Link](#)

1. Call to Order and Routine Business (9:00 AM)
  - a. Call to Order
  - b. Roll Call Attendance
  - c. Vote to Conduct Hybrid Meeting
  - d. Review of March 2026 Business Meeting Agenda
  - e. Review and Approval of February 2026 Draft Business Meeting Minutes
2. Agency Updates (9:15 AM)
  - a. Office of Law Enforcement: Personnel, Recent Operations & Marine Fishery Incidents
  - b. Department of Fish and Game: Recent Meetings and Events and Department-wide Activities and Projects
  - c. Division of Marine Fisheries: Personnel, Recent Meetings and Events, and Agency Activities and Projects
3. 2026 Omnibus Public Hearing (9:45)
  - a. Final Actions on Commercial Scup, Black Sea Bass, Summer Flounder, Sea Scallop Dredge Width, and Recreational Bluefish
  - b. Permitting Decisions on CAP Consolidation and Sea Scallop Shucking Endorsement
  - c. Final Decisions to Withdraw Horseshoe Crab Quota Reallocation and Lobster Permitting Proposals
4. Future Emergency Regulations (11:15AM)
  - a. 2026 Gulf of Maine Cod and Haddock Limits
  - b. 2026 Recreational Black Sea Bass Limits
5. Presentations (11:45AM)
  - a. Cat Cove Facility Upgrades
  - b. Wastewater Discharge and Shellfish Sanitation
6. Other Business and Public Comment (1:00PM)
7. Adjourn (1:15PM)

All times are approximate and the agenda may be amended by MFAC at start of business meeting.

## Next Meeting Dates

April 23, 2026  
DFW Field Headquarters  
Westborough, MA

May 28, 2026  
Katherine Cornell Theater  
Tisbury, MA

Marine Fisheries Advisory Commission  
Draft Business Meeting Minutes  
February 11, 2026  
Via Zoom

Attendees

**Marine Fisheries Advisory Commission:** Ray Kane, Chair; Shelley Edmundson, Clerk; Sooky Sawyer; Ray Jarvis; Chris McGuire; Eric Nelson; Bill Doyle; Bill Amaru; Willy Goldsmith

**Division of Marine Fisheries:** Dan McKiernan, Director; Story Reed, Deputy Director; Bob Glenn, Deputy Director; Kevin Creighton; Nichola Meserve; Jared Silva; Melanie Griffin; Kelly Whitmore; Derek Perry; Bradlie Morgan; Steve Wilcox; Wendy Mills; Elise Koob; Scott Schaeffer; Brad Schondelmeier; David Chosid; Greg Skomal; Kerry Allard; Tracy Pugh; Amanda Meli; Luke Putaansuu; Anna Webb; Kristen Thiebault; Ben Gahagan; Laura Tomlinson; Brendan Reilly; Bill Hoffman; Emma Fowler; Ross Kessler; Nick Buchan; Maren Budrow; Alex Boeri; Erich Druskat

**Department of Fish and Game:** Tom O'Shea, Commissioner; Sefatia Romeo-Theken.

**Massachusetts Environmental Police:** Matt Bass.

**Members of the Public:** Michael Pierdinock; Beth Casoni; Julia Logan; Olivia Loparto; Andrew Applegate; Sam Pickard; Joseph; Glen Fernandes; Jorge Davies; Alvin; Willy Hatch; Sean Leach; Nick O'Toole; Jeremy Loparto; Jason; Jonah; Joseph Huckemeyer.

Call to Order and Routine Business

Chairman Ray Kane called the meeting to order. He asked the group for a minute of silence in remembrance of the lives lost with the sinking of the F/V Lily Jean earlier this year. Ray noted that among the lost was Captain Gus Sanfilippo, who previously served on the Marine Fisheries Advisory Commission.

Chairman Kane then welcomed Willy Goldsmith, a newly appointed member of the MFAC. Goldsmith thanked the Chair and looked forward to working with the MFAC.

## Review of the February 2026 Business Meeting Agenda

The Chair asked if there were any amendments to the February 2026 business meeting agenda. Bill Doyle asked for time to discuss a letter of support from the MFAC for the Division of Marine Fisheries (DMF) and UMass Dartmouth to continue modeling wastewater treatment plant effluent due to its impact on shellfish area reclassifications. This would be brought up under “Other Business”.

## Review and Approval of December 2025 Draft Business Meeting Minutes

Chairman Kane sought amendments to the December 2025 draft business meeting minutes. No amendments were proposed. **The Chair called for a motion to approve the December 2025 business meeting minutes as drafted. Chris McGuire made a motion to approve the minutes, and Bill Amaru seconded the motion. The motion passed unanimously (8-0-1 with the Chair abstaining).**

## Agency Updates

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

Lieutenant Matt Bass provided the update for the Massachusetts Environmental Police (MEP). MEP officers were involved with the ongoing effort to survey and assess the site of the F/V Lily Jean’s sinking. Additionally, a recent Center for Coastal Studies (CCS) aerial survey spotted 37 North Atlantic right whales in Cape Cod Bay. MEP worked closely with DMF during the seasonal trap closures to address any gear remaining in the area.

On personnel, MEP has a total of 97 law enforcement staff, with 76 active in the field. Six new officers will be onboarded this year, all of which have previous experience as police officers. Chairman Kane asked to clarify upcoming retirements. Lieutenant Bass responded that 3 – 5 retirements are anticipated in the near future. Kane expressed interest in the MFAC submitting a letter to Governor Healey to request additional funding be allocated towards additional MEP staffing. There were no objections.

Sooky Sawyer then asked Lieutenant Bass about MEP activity in Provincetown concerning draggers landing lobsters. Bass described an ongoing case concerning an oversized lobster seizure that took place in January. Bill Amaru asked to clarify whether the enforcement concerned local vessels or a vessel offloading in Provincetown. Bass confirmed that the enforcement concerns broadly deal with vessels landing in Provincetown and not specific local boats.

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

Commissioner Tom O'Shea provided updates on behalf of the Department of Fish and Game (DFG). He first acknowledged the loss of the crew from the F/V Lily Jean. He recognized the impact on the fishing community, and thanked Sefatia Romeo-Theken for her efforts to support impacted families, as well as Governor Healey and Senator Bruce Tarr.

Commissioner O'Shea then welcomed Willy Goldsmith to the MFAC. He remarked on the value of Goldsmith's experience in fisheries management and science.

The Commissioner recently attended the Massachusetts Lobstermen's Association's (MLA) Annual Weekend. The event provided an opportunity for him to connect with industry members and hear from DMF staff about their derelict gear initiative.

O'Shea applauded Bob Glenn and DMF for their efforts to develop a marine habitat restoration center at the Cat Cove Laboratory in Salem. He suggested DMF brief the MFAC on this effort at a future meeting.

Lastly, Commissioner O'Shea remarked on anticipated budget restrictions for this upcoming year which have constrained hiring state-wide.

Chairman Kane thanked MFAC members for attending the Commissioner's Cup award ceremony for DMF's annual recreational fishing derby. Commissioner O'Shea applauded DMF for their effort in hosting this event.

## Division of Marine Fisheries: Personnel, Recent Meetings and Events, and Agency Activities and Projects

Director McKiernan thanked the MFAC for their flexibility in rescheduling this meeting to accommodate the funeral of Gus Sanfilippo. The Director shared brief remarks regarding the tragic sinking of the F/V Lily Jean and the loss of Captain Sanfillipo — a former MFAC member — as well as the crew and observer onboard the vessel. Dan thanked Deputy Commissioner Sefatia Romeo-Theken for her attention and care in supporting the Gloucester community.

The Director recently attended the US-Canada Lobster Town Meeting in New Brunswick. He emphasized the importance of Massachusetts representation at this meeting, including Tracy Pugh's role on the Planning Committee. The meeting hosted valuable discussion on market trends, with consideration to shifts in landing distribution and the impact of tariffs. He hoped for greater Massachusetts participation at the 2027

meeting (to be held in Maine). The Director also attended MLA's Annual Weekend and echoed Commissioner O'Shea's remarks on the value of speaking directly with industry members. He also applauded the success of the Commissioner's Cup ceremony for recreational fishing derby awards.

The Director shared updates on the status of three lawsuits involving state and interstate fishery management. One federal court case attempted to reopen a 1998 Outer Cape Cod lobster lawsuit ruled and the court recently denied this request and ruled in favor of the Commonwealth's motion to dismiss. There are also two ongoing cases in state court. The first deals with v-notch possession standard for the Outer Cape Cod Lobster Conservation Management Area and the other involves an electronic vessel tracking requirement for dual state-federal lobster trap permit holders.

DMF has two pilot programs occurring this winter. One allows the fishing of on-demand trap gear and the other sea scallop dredge fishing in certain areas along the North Shore. There was some concern raised by Salem Sound and Gloucester fishers and NOAA Fisheries that the scallop dredge program was ripe to cause a gear conflict with the on-demand program and potential result in the loss of expensive on-demand gear. DMF met with NOAA Fisheries and then held a meeting with NOAA Fisheries and participants in each program to clarify how this work could cooccur. There was a general consensus that gear conflicts could largely be avoided by the seasonality of each activity, increased communication, and avoidance of certain bottom types.

The Legislative Coastal Caucus has requested a meeting with DMF to discuss horseshoe crab management in the Commonwealth.

The New England Fishery Management Council (NEFMC) nominations being sought. MFAC members will be asked to review the Commonwealth's nomination recommendations before they are shared with the Secretary of Commerce.

The 2025 Belding Award will be presented to Henry Lind at the next Massachusetts Shellfish Officers Association (MSOA) meeting on March 19<sup>th</sup> at DMF's New Bedford Office. Bill Amaru asked to be notified of the exact time and location of this event. Jared Silva said DMF would provide this information to MFAC members.

On upcoming meetings, DMF will hold a public hearing on February 24<sup>th</sup> at Massachusetts Maritime Academy in Buzzards Bay with a listen-in option via Zoom.

Chris McGuire echoed Dan's recognition of the successful MLA's Annual Weekend event. He asked to clarify Bob Glenn's comment at the MLA event on potential changes to the timing of lobster gear closures in response to shifts to potential seasonal shifts in right whale behavior.

Glenn explained that there have been anecdotal observations of right whales aggregating in our waters earlier in the winter. DMF intends to analyze available spatio-temporal data to better understand how this may affect potential entanglement risk given our current trap gear closure does not go in effect until February 1. Better understanding this risk will help DMF assess management strategies.

Glenn and the McKiernan then discussed how the Consolidated Appropriations Act held the lobster fishery in compliance with the Endangered Species Act and the Marine Mammal Protection Act through 2028. The Atlantic Large Whale Take Reduction Team will initiate rulemaking later in 2026 with the goal to implement rules at the end of 2028. This timeline will allow changes to go into effect in 2029, when the Consolidated Appropriations Act allows.

Chairman Kane asked if the Coastal Caucus could help address the impact of ice in coastal harbors restricting fishing vessels. Bill Doyle added that his town has requested an ice breaker to help open their harbor. Dan said that this can be explored.

## Future Emergency Regulations

### Atlantic Mackerel Recreational Bag Limits and Commercial Trip Limits

Melanie Griffin provided an update on Atlantic mackerel regulations. The 2025 stock assessment suggested increased recruitment in 2024, allowing the Mid-Atlantic Fishery Management Council (MAFMC) to increase Acceptable Biological Catch (ABC) and liberalize commercial and recreational fishing limits. DMF intends to implement relevant aspects of this action by emergency regulation for May 1, 2026, consistent with the expected federal implementation timeline. With regards to the recreational fishery, the MAFMC approved an increase in the recreational angler bag limit from 20 to 25 fish for private anglers and 25 to 50 fish for anglers onboard for-hire vessels. On the commercial side, the state waters trip limit would continue to match the federal open access trip limit. However, whereas the open access trip limit is currently 5,000 pounds reduced to 2,500 pounds once 80% of the annual quota is taken, the new trip limit starts at 20,000 pounds, decreases to 5,000 pounds, and then decreases again to 2,500 pounds in response to achieving certain quota-use thresholds.

Chairman Kane asked about size limits for forage fish like Atlantic mackerel. Griffin responded that size limits are not typically used for forage fish, though this may be considered in response to recent Executive Orders to optimize fishery management.

### Update on Potential 2026 Recreational Black Sea Bass Limits

Nichola Meserve shared an update on potential black sea bass recreational limits for 2026. She reminded the MFAC that the Atlantic States Marine Fisheries Commission

(ASMFC) and MAFMC approved a 20% coastwide harvest liberalization across the region for 2026 and 2027. Liberalizations have been distributed across regions. For 2026, the states within the Northern Region (MA–NY) are allowed to liberalize their recreational black sea bass limits to increase harvest by 27%, states within the Southern Region (DE-NC) are allowed to increase harvest by 16.5%, and the remaining increase (about 16-18%) will go to New Jersey. Meserve described the truncated regulatory timeline and noted that management options must be provided to the ASMFC by the end of February. The ASMFC Board will review and approve proposals in March, and states will inform the ASMFC of final measures by April 1. In response to this framework, DMF sought to discuss presumptive management approaches with the MFAC to help inform decision making.

Based on recent public scoping and angler surveys, DMF was working to develop a management approach that sought to balance maintaining an open season start date of no later than the third Saturday in May, reducing the minimum size from 16.5" to 16", maintaining a bag limit of no less than 4-fish in May and June, and extending the season into the fall. Meserve then outlined several different potential management options that met these objectives and their projected harvest levels.

McKiernan and Meserve discussed the dynamic between Massachusetts and other states in the Northern Region. Meserve added that the Northern Region states continue to work towards developing a regional approach, which may include considerations to uniformly reduce minimum size limits by ½-inch, set a common season opening date, and smooth out some discrepancy in harvest opportunities among the states.

McKiernan applauded Meserve and Chairman Kane for their work on the ASMFC.

Willy Goldsmith asked whether MRIP Wave 5 data is included in these projections. Meserve responded that the model does not include the most recent Wave 5 due to time limitations; rather, it uses two years' worth of data (mid-2023 to mid-2025).

Bill Amaru asked about any difference in fecundity between black sea bass at 16" and 16.5". Meserve responded that fish of these sizes are similar ages, but she wasn't sure of their fecundity. However, she emphasized that the half inch reduction is mainly targeted to reduce discards. Amaru and Meserve discussed the benefits of this approach to the recreational sector. Meserve added that in recent years, the assumed dead discards in Massachusetts have outpaced harvest according to the 15% discard mortality estimate used coastwide. Amaru voiced support for the minimum size reduction.

Eric Nelson, Ray Jarvis, and Willy Goldsmith expressed support for reducing the minimum size limit in order to minimize discards. Nelson and Meserve discussed differences in minimum sizes across neighboring states. Meserve noted the benefit of

Massachusetts aligning with Connecticut and Rhode Island. Jarvis and Goldsmith expressed support for the season extension into October, if possible, given that black sea bass may be targeted in the fall closer to Rhode Island. Goldsmith added that he would prefer a season extension over a higher bag limit.

Meserve then described the measures across other states in 2025. She noted that a key difference in Massachusetts from the Northern Region is preference for a higher bag limit earlier in the season.

Shelley Edmundson asked about size reductions across other states and voiced support for matching this reduction in Massachusetts. Meserve noted that states will likely first aim for a 16" minimum size, then incorporate other measures as they're able.

The Chair asked about the projected magnitude of harvest later in the season. Meserve explained the model shows a reduction in catch rate from September to October but noted the model was data poor for Massachusetts given limited access in Wave 5 in prior years.

The MFAC did not object to DMF's prioritizations and management approach.

McKiernan stated that DMF will report back to the MFAC at their March business meeting to provide more specific fishing limits and move to file emergency regulations immediately thereafter.

## Discussion Items

### Interstate Fisheries Management Update

DMF staff briefed the MFAC on the recent ASMFC winter meeting and the joint meeting of the ASMFC and MAFMC.

Deputy Director Bob Glenn covered American lobster and Jonah crab. The technical committee (TC) was tasked with the development of potential biological reference points to account for changing environmental conditions and stock productivity for evaluation in the next stock assessment. Additionally, the Board initiated a Management Strategy Evaluation and formed a steering committee to identify potential goals and objectives for the Gulf of Maine/Georges Bank lobster stock. The Jonah crab TC did not recommend any immediate management actions for data updates.

Chairman Kane asked about the timeline before the Management Strategy Evaluation. Glenn responded one of the key roles of the steering committee will be to determine the timeline and was optimistic that they would be able to create well-defined objectives in the next 18 months.

Bill Amaru asked if any industry members will be included in steering committee. Glenn responded that each state will appoint industry representatives.

Nichola Meserve then reviewed board meetings for winter flounder, spiny dogfish, American eel, menhaden, and striped bass.

In response to the 2025 winter flounder stock assessment and federal specification process, the ASMFC set status quo commercial and recreational state waters limits for both the Gulf of Maine and Southern New England (SNE)/Mid-Atlantic (MA) management areas for 2026–2028. The Board tasked the TC with evaluating impacts related to potentially increasing the recreational limit in SNE/MA in the future.

The commercial spiny dogfish quota was set at 9.2 million pounds for Fishing Year 2026 and 2027, down from 9.34 million pounds this year. While the trip limit for the Northern Region will remain at 7,500 pounds, there is some interest in considering higher limits or weekly aggregate limits to address economic efficiency and quota underutilization.

The Convention on International Trade in Endangered Species recently met. The proposal to list American eel on Appendix II — at risk of becoming a threatened species — was rejected.

The Menhaden Board continues to develop a draft addendum to consider revisions to the Chesapeake Bay reduction fishery cap.

The Striped Bass Board initiated discussions to scope the development of a working group to consider future striped bass management in consideration of the likelihood that the stock may be entering a period of lower productivity due to environmental changes.

Meserve then pivoted to discuss MRIP recalibration and the joint ASMFC and MAFMC meeting. Changes to the MRIP fishing effort survey will result in revisions to private and shore-based catch estimates. A recalibrated time series of recreational catch estimates is expected in the summer (delayed from this spring). Additionally, there is some consideration of moving from two-month (“waves”) to one-month catch estimates pending resource availability.

The ASMFC and the MAFMC continue to work to develop a range of proposals regarding recreational fishing sector separation. A stakeholder workshop will be held later this year to consider potential management guidelines, methods to assign alternative limits to for-hire vessels, and revisions to state and federal permitting rules including reporting requirements and entry criteria. Meserve anticipated the workshop will include about 20 participants and there will be an application process to participate.

Chairman Kane and Meserve discussed the anticipated level of participants sufficient to adequately reflect stakeholder interests.

### Federal Fisheries Management Update

Melanie Griffin provided an update on the NEFMC's most recent January 2026 meeting. The report focused on the setting of recreational Western Gulf of Maine (WGOM) cod and Gulf of Maine (GOM) haddock limits for Fishing Year 2026. For WGOM cod, the NEFMC recommended maintaining the 1-fish bag limit and 23" minimum size while going from a September 1–October 31 open season to an October 1–October 31 open season. For GOM haddock, the NEFMC recommended maintaining the 15-fish bag limit and April 1–February 28 open season but decreasing the minimum size from 18" to 17". Additionally, DMF covered the NEFMC's programmatic review of the Limited Access General Category Individual Fishing Quota program for the sea scallop fishery; considerations for Essential Fish Habitats; and a preview of the April 2026 NEFMC meeting agenda.

### North Shore Sea Scallop Pilot Program

Story Reed informed the MFAC that DMF was set to initiate a new pilot program to allow sea scallop dredging in two discrete areas off Gloucester and Salem Sound that have been historically closed to mobile gear fishing. The pilot program will occur this year from February 15–April 30. An application period ran from January 20–February 3 and there were 31 qualified applicants. Before receiving their Letter of Authorization to participate in this pilot program, qualified applicants would be required to install an operable tracking device to inform DMF of fishing effort and location, aid in enforcement and compliance, and enhance the data available to better inform management moving forward. DMF intends to monitor tracking data weekly to understand where and how fishing is taking place.

Director McKiernan added that a meeting was recently held to discuss this program between on-demand lobstermen and mobile gear fishermen. Reed and Jared Silva noted that there was interest in the mobile gear fishermen on how to view on-demand gear using online applications. Silva added that there is a difference in timing of these fisheries, where scallopers will likely use the areas in February and early spring, and ropeless gear will likely be used in the area in April and May. Issues were largely mitigated at this meeting, and an additional meeting will likely be held in the future.

McKiernan explained how the pilot program will address concerns around interactions between fishing gear and shipwrecks, underwater cables, as well as potential user group conflicts with recreational divers and commercial fishers piloting on-demand trap gear.

## Offshore Wind Energy Update

Brad Schondelmeier provided the MFAC with an update on offshore wind energy projects and awards provided by the Massachusetts Fisheries Innovation Fund.

On energy project updates, the report focused on the current status of various projects and recent federal actions and resulting litigation. On the Fisheries Innovation Fund Awards, twenty proposals were seeking \$3.37M in funding. Of these proposals, six were approved to receive up to \$1.17M in funding. This includes three fishing gear development projects (trap gear and mechanical jigging) to expand fishing opportunities around wind arrays and build fleet resiliency; two community projects to promote local seafood and enhance seafood marketing; and one safety project to evaluate potential hazards related to towing over cable protection mattresses.

Bill Amaru asked about any proposals aimed at studying fish migration through offshore wind areas with concern to high energy impact from cables. Schondelmeier noted that fishing research was not emphasized in the first solicitation in order to focus on projects that may increase monetary value for fishermen; however, there is potential for this to be explored in future solicitations.

## Presentation on Summer Flounder Stock Assessment

Director McKiernan shared that this was presented in response to concerns about summer flounder distribution and potential inaccurate assessments.

DMF stock assessment scientist, Elise Koob, provided a presentation to the MFAC on the summer flounder stock assessment. The presentation examined the 2025 stock assessment, which found that Spawning Stock Biomass (SSB) was at 83% of the target and Fishing Mortality (F) was at 76%, meaning it was not overfished and overfishing was not occurring. Koob also outlined the various fisheries dependent and independent data used in the stock assessment and stock trends and catch limits overtime.

Based on the current assessment results, the MAFMC was able to increase catch limits for next two calendar years (2026 and 2027). However, the Science and Statistical Committee found a retrospective bias in the model that overestimated terminal year-class strength and previously resulted in the yo-yoing of catch limits across stock assessments. In response, a 12% management uncertainty buffer was applied to reduce catch limits. Koob also reviewed historic abundance and catch limit data.

Koob then described the current state of the summer flounder fishery in Massachusetts based on commercial fisheries data, MRIP estimates, and the state's bottom trawl surveys. These data generally demonstrate a shift in resource availability away from inshore waters where they were historically caught. Commercial harvester data shows a

shift in fluke landings from state waters into federal waters over the past 15-years. MRIP estimates reflect a slight increase in for-hire catch alongside a substantial decrease in total summer flounder catch by private recreational angler modes, suggesting reduced inshore/nearshore availability. Lastly, while DMF's 2025 resource assessment survey showed higher catch of summer flounder and greater numbers of smaller fish compared to recent years (suggesting a strong 2023 year class), the catch occurred in deeper depth strata. Koob opined that this may be the result of the north and eastward shift in stock distribution documented in the 2018 assessment. Research in Rhode Island is currently investigating this through tagging studies.

Chairman Kane asked about stock distribution data after the 2018 assessment. Koob responded that the most comprehensive dataset addressing stock distribution was produced in that assessment.

Kane then followed up on a request from Bill Amaru at a prior MFAC meeting for DMF to investigate a potential exemption for skate and monkfish gillnet fishers to retain and land an incidental catch of summer flounder. McKiernan indicated that staff were looking into the question and he intended to reach out to the Cape Cod Commercial Fishermen's Alliance to better understand the scope of the problem.

Ray Jarvis thanked Koob for her presentation and expressed interest in the tagging research. Koob responded that she can provide an update on this data later in 2026.

### Other Business and Public Comment

The Chair invited MFAC members for other business.

Bill Doyle asked the MFAC for their help with a letter of support advocating for continued funding towards modeling the effluent of wastewater treatment plants as this work is critical to maintaining shellfish fisheries. Director McKiernan suggested that DMF could present on the issue at an upcoming MFAC meeting and Doyle could follow up and work with Chairman Kane to draft a letter to the Healey Administration for the MFAC's consideration.

Sooky Sawyer asked about the North Shore Sea Scallop Pilot Program and any anticipated interactions with ghost gear. Silva noted that this was not discussed with industry members, but the Letters of Authorization can include clarification that derelict gear can be brought ashore according to new regulations and framework. Reed added that gear dumpsters will be available in Rockport and Gloucester for use at that time.

The Chair invited public comment. Beth Casoni of the Massachusetts Lobstermen's Association thanked DFG and DMF for attending MLA's Annual Weekend. She echoed

earlier comments that future events can allow for increased discussion between DMF and industry.

### Adjournment

Chairman Kane thanked everyone for attending the meeting. The Chair asked for a motion to adjourn the meeting. **Shelley Edmundson made a motion to adjourn and Ray Jarvis second the motion. There were no objections. The meeting was adjourned.**

### Meeting Materials

- February 11, 2026 MFAC Business Meeting Agenda
- December 18, 2025 MFAC Draft Business Meeting Minutes
- Memorandum Emergency Regulations and Future Public Hearing on Atlantic Mackerel Commercial and Recreational Rule Changes
- Recreational Atlantic Mackerel Presentation
- Presentation on 2026-2027 Recreational Black Sea Bass Measures from Public Scoping Meeting
- Presentation on Interstate Fishery Management Updates
- Presentation on Recreational Black Sea Bass Measures
- January 2026 NEFMC Meeting Summary
- Presentation on New England Regional Fishery Updates
- North Shore Sea Scallop Pilot Program Slide
- Presentation on Offshore Wind Updates
- Presentation on Summer Flounder Stock Assessment

### Next Meeting Date

March 17, 2026

Westborough



Maura T. Healey  
*Governor*

Kimberly Driscoll  
*Lt. Governor*

Rebecca L. Tepper  
*Secretary*

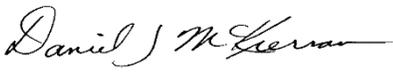
Thomas K. O'Shea  
*Commissioner*

Daniel J. McKiernan  
*Director*

---

### Memorandum

To: Marine Fisheries Advisory Commission (MFAC)

From: Daniel J. McKiernan, Director 

Date: March 10, 2026

Subject: **Recommendation on Commercial Scup Limits**

---

#### Final Recommendation

I recommend the MFAC approve liberalizing the June commercial hook and line and fish pot limits for scup by increasing the trip limit from 400 pounds to 800 pounds and the number of fishing days per week from three (Sunday, Tuesday, Wednesday) to five (Sunday–Thursday). See Table 1.

This final recommendation does not differ from my public hearing proposal<sup>1</sup>.

#### Background and Rationale

NOAA Fisheries declared the scup resource rebuilt in 2009. Subsequently, commercial scup quotas were increased — including the state-by-state summertime quotas — and DMF took action to liberalize summertime state fishing limits in response. However, DMF maintained more restrictive limits during June in recognition of it being the peak spawning period and interest in protecting spawning fish.

Over time, and throughout various permutations to the state's scup management program, the more conservative June limits for hook and line and pot gear have persisted. At present, the hook and line and pot fishery opens in May with five fishing days per week (Sunday–Thursday) and an 800-pound trip limit; limits then become more restrictive in June with three fishing days per week (Sunday, Tuesday, Wednesday) and a 400-pound trip limit; and then become less restrictive during the July–September period when there are no closed fishing days and a 1,500-pound trip limit. More restrictive June limits do not occur across other gear types, as the net fishery has no closed fishing days and a 10,000-pound weekly limit throughout the summertime period and the weir fishery has a sub-quota that is not managed by trip limits or open fishing days.

---

<sup>1</sup>See page 94 in DMF's December 2025 MFAC business meeting materials for relevant public hearing proposal [memorandum](#).

In 2025, DMF received an industry request to adjust the June commercial scup limits for the hook and line and pot fisheries so that they would be commensurate with the less restrictive limits afforded in May. The argument was made that scup is a primary target species during the spring months and the existing regulations made it cost prohibitive to target scup in June, and relaxing the June rules consistent with May would correct this and allow the fishery to profitably occur. Creating greater seasonal access to this resource could in turn create a more stable supply of fish in order to build markets.

The state's summertime commercial scup quota is routinely underutilized by about 50% (Figure 1). In 2025, the fishery operated under a 1.64-million-pound quota and only about 40% was taken. While the quota is dropping to about 1.45 million pounds in 2026 and 1.31 million pounds in 2027, there is still sufficient quota available to accommodate this increased access. Further, the 2025 management track assessment demonstrates the stock remains abundant with biomass at 322% of its target and fishing mortality only at 56% of its threshold. Accordingly, the relative benefits of maintaining more conservative limits in June may be diminished as compared to the potential economic benefits providing additional access to the quota.

Virtual hearings were held on February 26 and March 4, with written comment accepted during January 30–March 6. Written public hearing testimony on this proposal was limited and generally supportive. DMF did receive a single written comment from a commercial fisher who advocated for even higher springtime limits. While I am not modifying this final recommendation based on this public comment, I am willing to discuss it further with industry and potentially adjust the commercial scup limits in future years. Additionally, there was one comment in objection to this proposal at public hearing on the grounds of animal welfare.

**Enclosed**

Written public comment

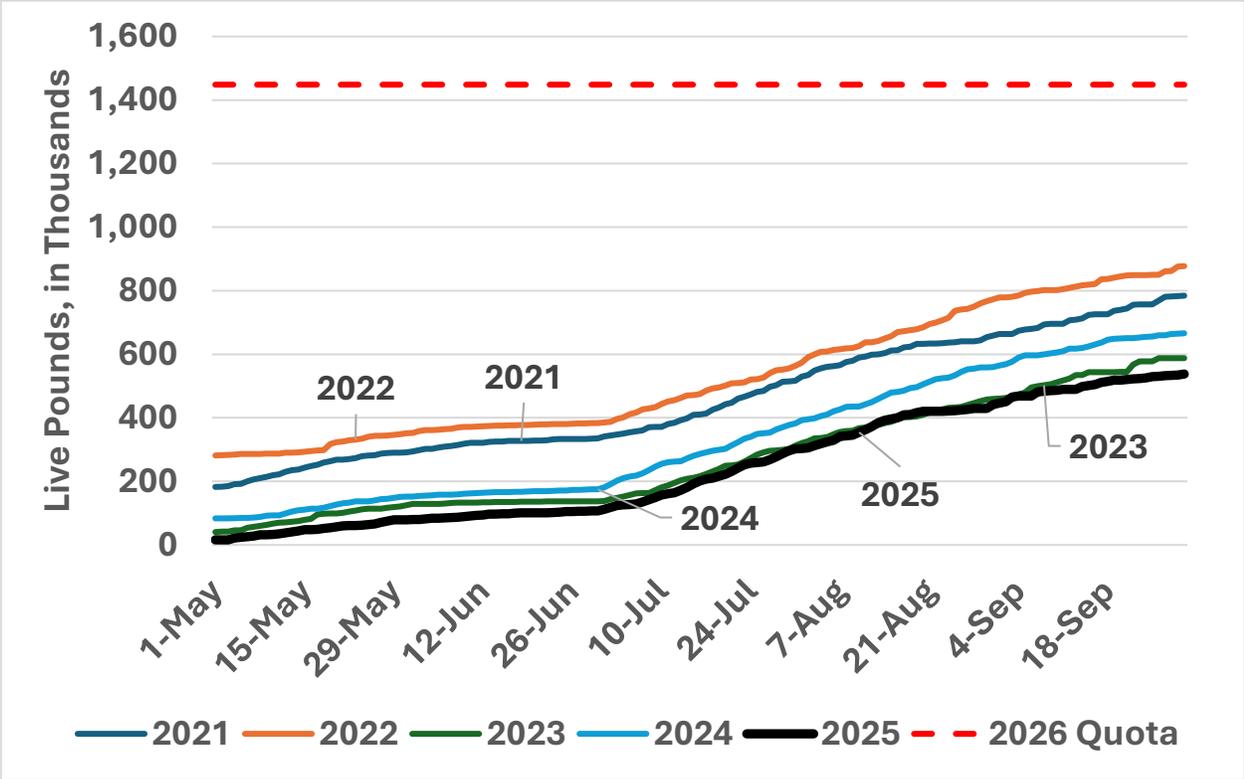
## Appendix of Tables and Figures

Table 1. Current and Recommended Measures Affecting Commercial Scup Fishery

Period	Gears	Season	Closed Days	Limit	Size
Winter I	All	Jan – April	None	2,000 lb/trip	9”
Summer	Trawl*	May – Sept	None	10,000 lb/week	9”
Summer	Weir	May – Sept	None	300,000 lb cap	9”
Summer Current	Hook/Pot	May	Fri and Sat	800 lb/trip	9”
Summer Current	Hook/Pot	June	Sat, Mon, Thu and Fri	400 lb/trip	9”
<b>Summer Recommended</b>	<b>Hook/Pot</b>	<b>May - June</b>	<b>Fri and Sat</b>	<b>800 lb/trip</b>	<b>9”</b>
Summer	Hook/Pot	July – Sept	None	1,500 lb/trip	9”
Winter II	All	Oct – Dec	None	2,000 lb/trip	9”

\* Small mesh trawlers are authorized to retain 2,000 pounds of scup per trip during April 15–June 15, 200 pounds of scup per trip during June 16–September 30, and 1,000 pounds of scup during October 1–April 14.

Figure 1. Massachusetts Summertime Scup Landings (2021–2025) and 2026 Quota





To the Commissioner

Please consider the following comments on behalf of Red's Best. We feel for the fishing year 2026 these adjustment would be accurate to fulfill the quota for the state fisheries. If there are any comments or questions please feel free to reach out to either of us.

**FLUKE**

April 23rd - August 31st.

800 lbs per day summer trawl

600 lbs per day rod and reel

2 day limit all season

September 1 - October 1

1,000 lbs per day trawl

October 1 - November 1

5,000 lbs per day trawl

Nov 1

If over 20% of the quota is remaining - 10,000 lbs per day trawl

**BLACK SEABASS**

We agree with the current recommendations

2 day pilot program in effect for the whole season

**SCUP**

We agree with the current recommendations

Best regards,

Jared Auerbach CEO

Rory O'Donnell

WildFish LLC, 37 Boston Fish Pier, Boston, MA 02210  
tel: 617 830 1672 fax: 857 496 1155  
www.redsbest.com



**From:** [Jacob Angelo](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Scup and sea bass public comment  
**Date:** Friday, March 6, 2026 9:00:14 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,

I am writing in regards to the proposed changes to our state scup and Seabass regulations.

Consider that the scup quota is significantly under utilized I would suggest allowing a 1500lb daily limit for the whole season. I understand that there are some concerns regarding user conflict between recreational and commercial but considering the low spring scup prices the 800lb limit isn't very enticing.

For Seabass I would like to suggest an additional control date on October 1st to increase the limit by another hundred pounds. As we get deeper into the fall the days we can go reduces greatly because of the weather. We also have to chase them much further. The water gets colder and the fish in the pots do not have the same endurance as when the water is warmer causing the fish to often times get banged up.

Thank you for your considerations!

- Jacob Angelo  
Cell: 508-367-7830  
Barnstable Seafood: 774-994-1711



Maura T. Healey  
*Governor*

Kimberly Driscoll  
*Lt. Governor*

Rebecca L. Tepper  
*Secretary*

Thomas K. O’Shea  
*Commissioner*

Daniel J. McKiernan  
*Director*

**Memorandum**

To: Marine Fisheries Advisory Commission (MFAC)  
 From: Daniel J. McKiernan, Director *Daniel J. McKiernan*  
 Date: March 10, 2026  
 Subject: **Recommendation on Commercial Black Sea Bass Limits**

**Final Recommendation**

I recommend the MFAC approve the following adjustments to the commercial black sea bass limits (Table 1):

1. Eliminate the April 1–April 22 closure period and allow trawlers to retain and land an incidental catch limit of 100 pounds consistent with the rest of the calendar year.
2. Amend the date whereby commercial closed fishing days for pot and hook and line gear are automatically eliminated so that it occurs on September 1 rather than September 15.
3. Amend the date from September 1 to September 15 when the quota-conditional trip limit increases are implemented for commercial black sea bass pot and hook and line gears. The quota-use threshold to trigger this increase (at least 15% remaining) and the trip limit increases (500 pounds to 600 pounds black sea bass pots and 250 pounds to 300 pounds for hook and line gear) will remain status quo.

This final recommendation does not differ from my public hearing proposal<sup>1</sup>.

**Background and Rationale**

Over the past five years (2021–2025), the state’s commercial black sea bass quota has fluctuated between 741,071 pounds (2023) and 998,901 pounds (2022). In each of these five years, the fishery has landed at least 95% of the available quota with over 99% of the allocated quota harvested in 3 out of 5 years. See Table 2. During 2023–2025, quota closures occurred between September 13 and October 21.

<sup>1</sup>See page 35 in DMF’s September 2025 MFAC business meeting materials for relevant public hearing proposal [memorandum](#).

For 2026 and 2027, Massachusetts' commercial quota is increasing by 30% to just over 1 million pounds. This quota increase is the result of decisions made by the Mid-Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission in August 2025, which were captured in my September memorandum. In short, the black sea bass resource remains in strong condition with the biomass at 284% of its target and fishing mortality only reaching 73% of its threshold, based on the 2024 stock assessment.

When considering this quota increase in the context of recent fishery performance (Figure 1), there is an opportunity to make modest liberalizations to commercial fishing limits to enable quota utilization while maintaining a commercial fishery that begins post spawning (July 1) and continues into the late-fall when the fish migrate offshore. In my view, the best way to achieve this is by having the existing regulatorily established in-season adjustments for the directed pot and hook and line fisheries occur earlier on September 1 rather than September 15. This will allow additional late-summer and early-fall harvest opportunities when weather windows tend to be more favorable. Additionally, this quota increase provides an opportunity to correct a remnant regulation that eliminated the ability for trawlers to retain and land an incidental catch of black sea bass of up to 100 pounds throughout April.

Public comment on this proposal was limited and of a mixed nature. Virtual hearings were held on February 26 and March 4, with written comment accepted during January 30–March 6 (enclosed).

Some commercial fishers and dealers supported the action because it would enhance their ability to land the available quota. However, others favored starting the season with more liberal limits to allow the quota to be more readily achieved. While I appreciate this interest, my preference is to maintain the fishery into the fall to minimize regulatory discards. Lastly, there was a comment favoring adding in an additional quota-conditional trip limit adjustment for October 1. While I understand the interest in enabling quota utilization before the fish move offshore, I am not amending my recommendation. As staff monitor fishery performance this year we may be able to determine if such an action is necessary and what reasonable parameters may be. If we are facing the likelihood of a quota underage this fall, DMF and the MFAC can always use the agency's declaratory authority in September to make in-season adjustments affecting the limits for the remainder of 2026.

There was also public comment from commercial and recreational fishing interests that opposed the action. The prevailing sentiment is that inshore fishing conditions are waning and that this is being driven by commercial quota utilization. Of particular concern is that the commercial minimum size (12") is far smaller than the recreational minimum size (currently 16.5") and this disparity enables the commercial fishery to take the resource before it becomes available to the recreational fishery.

An 11" commercial minimum size is established by the federal fishery management plan. It is based on both the life history of the species and the management preference to discourage regulatory discarding. Our 12" minimum size pre-dates the adoption of the FMP, and I have no intention of further deviating from the coastwide standard, as it could put our seafood economy at a competitive disadvantage compared to the rest of the Atlantic coast.

I am uncertain as to what — if any — extent this minimum size disparity across sectors impacts the availability of larger fish in our inshore waters relative to other factors (e.g., year class strength, environment). However, I am sympathetic to the comments made by recreational anglers who seek greater parity in the minimum size standard. The Northern Region (Massachusetts–New York) is

afforded a 27% increase in recreational harvest in 2026 and 2027. One of the anticipated liberalizations is a reduction in the recreational minimum size from 16.5" to 16" for 2026 and 2027. This minimum size reduction—coupled with the anticipated matriculation of the larger recent year classes (2021 and 2022) into the recreational fishery—may improve inshore fishing conditions beginning this year and hopefully relieve some of this tension between sectors.

Please note that the recreational and commercial fisheries are subject to vastly different management programs. The commercial fishery is managed by a limited access effort control program and a hard quota that is increased or reduced in response to stock conditions. DMF then routinely adjusts fishing limits to achieve certain management objectives (e.g., quota utilization, season length). The recreational fishery is not similarly managed. Instead, states manipulate season, bag limit, and size limit rules with the intent of achieving annual recreational harvest targets. When Massachusetts needed to reduce recreational harvest, the preference among our anglers tended towards sacrificing a smaller minimum size to better maintain the season and bag limits. As a result, the recreational minimum size has moved from 14" to 16.5" since 2016. Based on angler feedback, a 16.5" (or 16") minimum size surpasses the acceptable limit in the recreational fishery, and I hope to prioritize additional size reductions in future recreational liberalizations with support from stakeholders.

### **Other Considerations**

In recent years, DMF has initiated a multi-day program for black sea bass pot permit holders that allows them to possess and land consecutive daily trip limits that were lawfully caught and retained over two consecutive open fishing days provided each day's catch is segregated and tagged. DMF has usually waited to start the program during the late summer rather than at the start of the season on July 1. This allows the agency to monitor and assess quota performance and determine if such a program is necessary to achieve the quota without risking an early season closure. I intend to continue in this manner despite some public comment requesting this program be authorized at the start of the season on July 1.

### **Enclosed**

Written public comment

## Appendix of Tables and Figures

Table 1. Recommended 2026 Commercial Black Sea Bass Limits Compared to Status Quo

Gear Type	Season	Trip Limit (lbs)	Closed Fishing Days	Minimum Size
All	January 1 – March 31	100	None	12"
Weirs	April 1 – December 31	N/A*	None	12"
Trawls Current	April 23 – December 31	100	None	12"
Trawls Recommended	<b>April 1 – December 31</b>	100	None	12"
Summer Pots Current	July 1 - September 14	500	Fri and Sat	12"
Summer Pots Recommended	<b>July 1 – August 31</b>	500	Fri and Sat	12"
Fall Pots Current	September 15 – December 31	600 if ≥ 15% of quota remains; 500 otherwise	None	12"
Fall Pots Recommended	<b>September 1 – December 31</b>	600 if ≥ 15% of quota remains; 500 otherwise	None	12"
Summer Hook and Other Gears Current	July 1 - September 14	250	Fri and Sat	12"
Summer Hook and Other Gear Recommended	<b>July 1 – August 31</b>	250	Fri and Sat	12"
Fall Hook and Other Gears Current	September 15 – December 31	300 if ≥ 15% of quota remains; 200 otherwise	None	12"
Fall Hook and Other Gears Recommended	<b>September 1 – December 31</b>	300 if ≥ 15% of quota remains; 200 otherwise	None	12"

\* Weirs are not subject to a daily trip but rather their annual landings are capped at 24,000 pounds.

Table 2. Landings and Quota Utilization By Year, 2021–2025

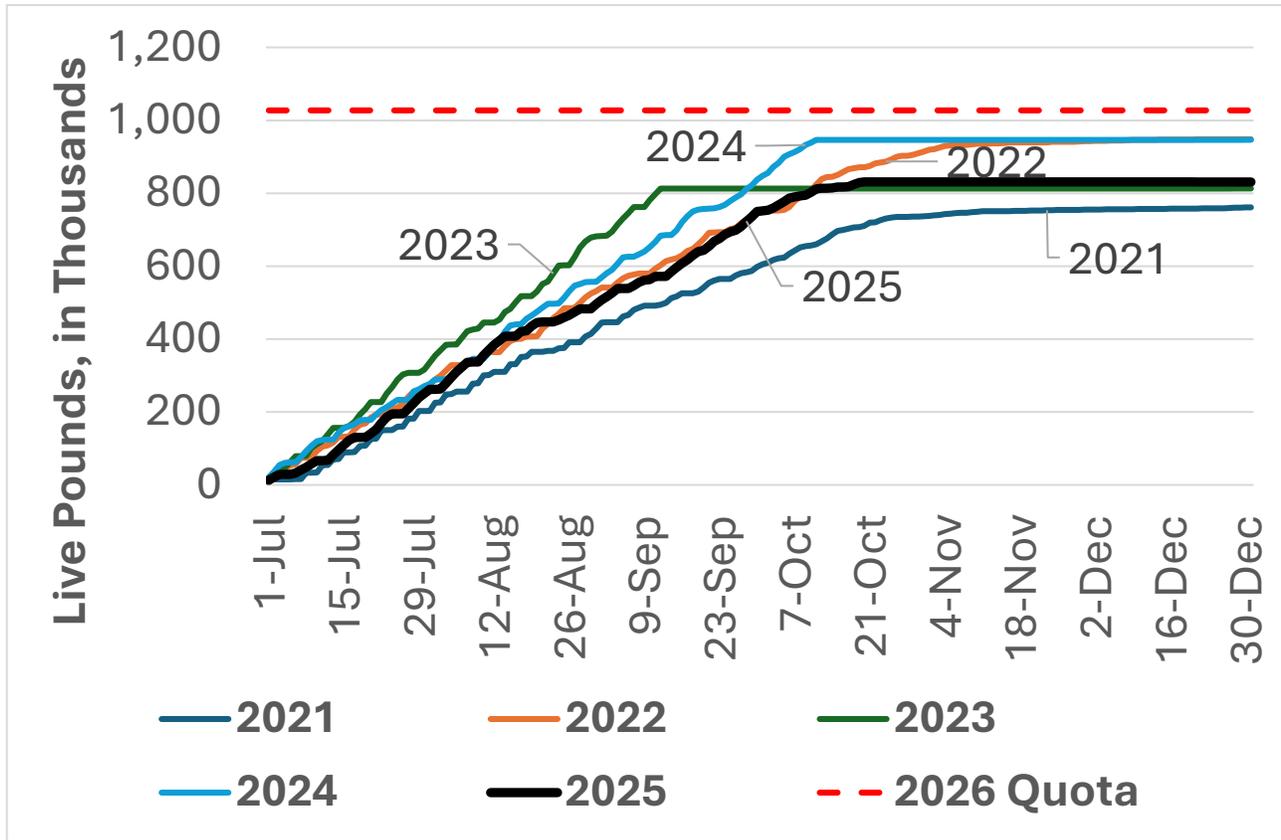
<b>Year</b>	<b>Landings (lbs)</b>	<b>Allocated Quota (lbs)</b>	<b>Transfer Adjusted Quota (lbs)</b>	<b>Percent of Transfer-Adjusted Quota Landed</b>	<b>Quota Closure</b>
2021	761,289	791,700	791,700	96.2%	N/A
2022	948,182	998,901	948,901	99.9% <sup>1</sup>	N/A
2023	813,102	741,071	816,071	99.6% <sup>2</sup>	September 13
2024	946,571	926,338	926,338	102.2% <sup>3</sup>	October 12
2025	830,896	837,216	837,216	99.25%	October 21

<sup>1</sup> In 2022, Massachusetts transferred out of state 50,000 lb of unused quota after the end of the season. Had this transfer not occurred, the percent of quota landed would have been 94.9%.

<sup>2</sup> In 2023, Massachusetts received a 75,000-lb transfer to mitigate for a quota overage. Had the transfer not occurred, the percent of quota landed would have been 109.7%.

<sup>3</sup> Payback for this overage was not required because the coastwide quota was not exceeded.

Figure 1. Massachusetts Black Sea Bass Landings (2021 – 2025) and 2026 Quota



**From:** [Matthew Mayhew](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** attention of Director Dan McKiernan.  
**Date:** Saturday, March 7, 2026 9:29:44 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.

This Is a Public Comment on the proposed rule changes for 2026.

1. Regarding the Summer Flounder fishery. I understand the thought process on these changes. I do think this could have a negative effect on price, but like you said in your report this has a lot to do with effort if let's say other fisheries are not targeted as in 2024. IN FAVOR

2. Sea Bass I would just like to say that I don't often catch over #100LB with the net but during squid season on a 1-3day trip this can happen and it would be great to utilize a multi day cumulative trip quota or large tow system where you call in to report a lets say #300 tow instead of just high grading and throwing #200 pounds back.

3. Horse Shoe Crab Bait Quota shift.

The Last few years for the Conch fishery has been an up and a down year fallowed by this past year having a rebound in landings and use of horse shoe crabs. The fishery uses an abundance of crabs in the fall and freezer space becomes limited mid summer. If the bio medical industry needs more crabs lets please keep the horse shoe crab bait quota at 140,000 and just make an increase to the biomedical 240,000. I saw an abundance of horse shoe crab in vineyard sound last summer and released 95% because of a poor bait price and not wanting to kill a cornerstone species for a miserable price. With conch hopes high I foresee a Stock piling of crab happening this year.

- To Increase good reporting data on horse shoe crab/bait skate and more for bait fishery implement automatic Bait dealer permit for certain bait potential permits so that no bait is sold without getting counted. Or just allow to be Entered just on Safis would be best when filing out the months catch reports. Without a bait dealer permit people like myself don't hardly have time for more paperwork so if its just a bait sale item on Safis at least it would be counted. Question what does Biomedical Pay for Horse shoe Crab ?

Thanks for all of your time on these species,

Matthew Mayhew

**From:** [Jacob Angelo](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Scup and sea bass public comment  
**Date:** Friday, March 6, 2026 9:00:14 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,

I am writing in regards to the proposed changes to our state scup and Seabass regulations.

Consider that the scup quota is significantly under utilized I would suggest allowing a 1500lb daily limit for the whole season. I understand that there are some concerns regarding user conflict between recreational and commercial but considering the low spring scup prices the 800lb limit isn't very enticing.

For Seabass I would like to suggest an additional control date on October 1st to increase the limit by another hundred pounds. As we get deeper into the fall the days we can go reduces greatly because of the weather. We also have to chase them much further. The water gets colder and the fish in the pots do not have the same endurance as when the water is warmer causing the fish to often times get banged up.

Thank you for your considerations!

- Jacob Angelo  
Cell: 508-367-7830  
Barnstable Seafood: 774-994-1711

**From:** [Tom Luce](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** 2026 Public Comment for State fisheries  
**Date:** Wednesday, February 25, 2026 3:38:45 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.

ATTN: Dan McKiernan.

Suggestions:

Sea Bass regulatory changes:

Perhaps propose 6 days per week opening, beginning July 1. Instead of a 5-day. This will enable capitalizing on higher prices for Jumbo and Large sea bass as they are more prevalent earlier in the season. The previous few years, by September, Jumbo and Large sea bass begin migrating out of range, eventually leaving only medium sea bass left to harvest. And they are not worth much .75 cents-1.00\$ per pound.

Also, a concerted effort to promote and market Black Sea Bass is desperately needed. Very rarely do you see Black Sea bass on local menus or fish markets. Frustratingly, the fishery is still heavily dependent on the Asian market.

Horseshoe Crab:

The most important issue is to protect horseshoe crab harvesting in the State of Massachusetts. Bill H.898 in the MA State Legislature wants to permanently ban Bait harvesting levels to zero. But not the biomedical? No horseshoe crabs-no Conch Pot Fishery. Using alternative baits would result in a minimum 50% catch rate loss, essentially eliminating any profit. And wiping out the fishery. The Horseshoe Crab assessment/recruitment in MA waters is healthy and has been quota managed since 1998. The Red Knot bird migration pattern does not coincide with the Massachusetts horseshoe crab spawning timeframe. And in fact, research shows they migrate Northwest from their Delaware Bay stop over area towards St. John's/Hudson Bay. Therefore, not a factor in MA waters-a main issue the environmental/conservation organizations always focus on. There is no justification to end the bait harvest, this bill should be easily voted down in favor of the fishermen.

In 2025, percentages for Bio/Bait harvesting was 60%-40% respectively. Changing the crab allotments for 2026 doesn't change the percentages. The poundage is only borrowed due to the current assessment of bait usage. It's hard to believe the Biomedical Industry willingly sacrificing their quota in the future for the bait market. Hence, the need to solidify quota percentages going forward.

The conch gauge increases is definitely the main reason for reduced effort, directly leading to less bait usage. But this can change in the near future-replenished conch due to the gauge size conservation measures. And especially if market conditions stabilize and improve.

Also, marketing and awareness for Channeled Whelk is a must. Another fishery unknown outside of niche ethnic markets. The Florida keys and South Florida is well known for having several conch dishes. Local Jamaicans and Caribbeans on Cape Cod adamantly praise our Conch as better than the Queen Conch. And yet, again, the Massachusetts Conch pot fishery is mainly dependent on the Asian markets.

Thanks for reading Dan.

Tom Luce

508-274-9402

Sent from my iPhone

**From:** [Mark Mattson](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Proposed changes to summer flounder and black seabass  
**Date:** Friday, February 20, 2026 4:43:28 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 Daniel J. McKiernan,  
while I don't object to the bluefish regs once again you are allowing excessive catch of summer flounder and black seabass. Both of those used to be plentiful and of large size years ago, now around Marthas vineyard they can be caught but most are undersized. Commercial catch is ruining the fishery for us little guys. I know these comments haven't stopped you in past years but I still object.  
thanks  
Mark Mattson

**From:** [Myron Chamberlain](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Date:** Friday, January 30, 2026 10:31:28 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.

I have been a commercial rod and reel fisherman for 35 years and your blackseabass stocks are wrong there are less and less fish and the fish are smaller you're high quotas for the last 4 years are destroying the stocks and I'm not the only fisherman that believes that I use to get my limit of 250 pounds in 3 hours and now I have to fish 7 to 8 hours for 150 pounds you need to talk to the fisherman to see this



To the Commissioner

Please consider the following comments on behalf of Red's Best. We feel for the fishing year 2026 these adjustment would be accurate to fulfill the quota for the state fisheries. If there are any comments or questions please feel free to reach out to either of us.

**FLUKE**

April 23rd - August 31st.

800 lbs per day summer trawl

600 lbs per day rod and reel

2 day limit all season

September 1 - October 1

1,000 lbs per day trawl

October 1 - November 1

5,000 lbs per day trawl

Nov 1

If over 20% of the quota is remaining - 10,000 lbs per day trawl

**BLACK SEABASS**

We agree with the current recommendations

2 day pilot program in effect for the whole season

**SCUP**

We agree with the current recommendations

Best regards,

Jared Auerbach CEO

Rory O'Donnell

WildFish LLC, 37 Boston Fish Pier, Boston, MA 02210  
tel: 617 830 1672 fax: 857 496 1155  
www.redsbest.com



To: Daniel J. McKiernan, Director DMF

From: Paul G. Caruso

Subject: Comments regarding recent fisheries management proposals

Regarding bluefish recreational changes I am neutral. Any changes to the existing recreational bag limits is likely to have negligible impact on harvest if the current availability remains static. For almost 10 years running adult bluefish have been scarce in our waters. This should be a call to reduce our commercial harvest as the few fish coming here have been captured by our net fishery which in the early part of the season is operating in the same time and space as our recreational fishery. Hook and line is no match for deep draft gillnets in shallow waters.

Regarding changes to our commercial fluke fishery quota we have a similar situation. Our commercial hook and line fishery operates in the same time and space as our recreational fishery at a much reduced size limit cropping off fish a full two years before they recruit to the recreational fishery. The inshore net fishery story is the same. A 2 inch fishing circle of a hook can't compete against a 180 foot fishing circle of a dragger's nets. Our recreational fluke fishery has been almost non-existent for the last ten years and the little access we have is a full 25 miles at sea from ramps and harbors.

Much the same story for sea bass. Commercial fisheries work in the same space as recreational fisheries and get a two or three year head start working on 12 inch fish when the recreational fishery operates at a 16.5" inch minimum size. Those 12 inch fish are a wasted landing as the ex-vessel price is poor and there is no yield on a 12" fish.

In short increased quotas can lead to reduced availability in our waters for our large recreational fishery and there are plenty of conflicts already. Just as important an increase in quota does not increase the amount of available fish to catch in our waters, both fisheries are dependent on what share mother nature provides us based on year class strengths and water temperatures, bait availability, accessibility, etc. In the accessibility part of the equation recreational fishermen in small vessels and shore bound anglers are always on the losing end!



Maura T. Healey  
*Governor*

Kimberly Driscoll  
*Lt. Governor*

Rebecca L. Tepper  
*Secretary*

Thomas K. O'Shea  
*Commissioner*

Daniel J. McKiernan  
*Director*

**Memorandum**

To: Marine Fisheries Advisory Commission (MFAC)

From: Daniel J. McKiernan, Director *Daniel J. McKiernan*

Date: March 10, 2026

Subject: **Recommendation on Commercial Summer Flounder Limits**

**Final Recommendation**

I recommend the MFAC approve the following adjustments to the commercial summer flounder limits (Table 1):

1. Establish the Period I (January 1 – April 22) and Period II (April 23 – December 31) quota allocations based on the magnitude of the annual quota. If the state’s quota exceeds 750,000 pounds, Period I will be allocated 30% overall and Period II will be allocated 70% overall plus any underage from Period I. However, if the quota does not exceed 750,000 pounds, Period I will be allocated 15% overall and Period II will be allocated 85% overall plus any underage from Period I.
2. Adopt a 5,000 pound trip limit for Period I irrespective of the magnitude of the quota.
3. Increase the baseline Period II summertime (April 23 – August 31) trip limit from 500 pounds to 600 pounds for net fishers and 325 pounds to 400 pounds for hook fishers.
4. Eliminate Saturday as a closed fishing day during the Period II summertime fishery thereby allowing the commercial possession, retention, and landing of summer flounder seven days per week.
5. Increase the baseline September trip limit to 600 pounds for net fishers and 400 pounds for hook fishers so that it is commensurate with the baseline summertime trip limit.
6. Increase the quota-conditional September trip limit from 800 pounds to 1,000 pounds for all gear types if at least 20% of the quota is available on September 1.
7. Increase the baseline October trip limit from 800 pounds to 1,000 pounds so that it is commensurate with the quota-conditional trip limit for September.
8. Establish a new November – December management season with a baseline trip limit of 5,000 pounds commensurate with the quota-conditional trip limit for October and a quota-conditional trip limit of 10,000 pounds if at least 20% of the quota remains available on November 1.

This final recommendation differs from my public hearing proposal<sup>1</sup> in response to public comment that sought to better ensure quota utilization, particularly during the offshore fisheries in the fall and winter. More discussion of the public comment will follow below.

## **Background**

Massachusetts commercial summer flounder quota is increasing by 75% from approximately 600,000 pounds in 2024 and 2025 to about 1 million pounds in 2026 and 2027. This quota increase is the result of specifications established by the Mid-Atlantic Fishery Management Council (MAFMC) and the Atlantic States Marine Fisheries Commission (ASMFC) in August 2025 in response to the 2025 stock assessment. This assessment found the resource is not overfished nor experiencing overfishing with the biomass at 83% of its target and fishing mortality at 74% of its threshold. This represents an improvement over the prior assessment (2023) which concluded overfishing was occurring and drove the reduced quota levels experienced in the last two calendar years.

Details regarding these specifications are elaborated on in my September memorandum. However, I want to remind the MFAC of two specific items. First, while the coastwide quota is increasing by 45%, Massachusetts state allocation is increasing by 75%. This is a product of the formula used to calculate state-by-state quota allocations and Massachusetts quota share increasing from its 6.82% baseline percentage when the coastwide quota exceeds 9.55 million pounds<sup>2</sup>. Second, the ASMFC and MAFMC had reservations (which DMF shares) about prior volatility in the summer flounder assessment projections and retrospective patterns<sup>3</sup>. In response, these bodies opted to reduce the potential fishery limits by 12% to account for uncertainty and promote fishery stability (Table 2). Therefore, this 45% coastwide quota increase is more conservative than it could have otherwise been.

## **Rationale**

### Overview

In response to this increasing commercial quota for 2026 and 2027, DMF has set forth several recommendations to improve fishery access and enhance quota utilization (Figure 1) such that Massachusetts can better access its near 1-million pound quota over this calendar year and the next. There are three-specific aspects to this recommendation: (1) liberalizing Period I limits to better access available quota while ensuring ample quota remains available to the summertime fishery; (2) unwinding regulatory adjustments to Period II summertime fishing limits taken in 2025 to ensure quota availability into September and return these seasonal limits to where they were in prior years

---

<sup>1</sup>See page 28 in DMF's September 2025 MFAC business meeting materials for relevant public hearing proposal [memorandum](#).

<sup>2</sup> Amendment 21 to the federal fishery management plan that attempts to increase equity across states quota allocations by increasing certain states allocations (including Massachusetts) when stock conditions are strong and the coastwide quota exceeds a threshold of 9.55 million pounds. When this occurs, all additional quota above the threshold is allocated in equal shares of 12.375% to all states (except Maine, New Hampshire, and Delaware which share 1% of the additional quota). Coastwide quota up to 9.55 million pounds is allocated according to the historic shares based on 1980–1989 landings, or 6.82% for Massachusetts.

<sup>3</sup> The very high 2023 and 2023 fishery limits based on the 2021 stock assessment were heavily influenced by a 2018-year class that ended up not being as large as expected, which was corrected for in the 2024 and 2025 fishery limits. The 2025 stock assessment projections are similarly influenced by the estimates of increased year class strength in 2023 and 2024.

when the quota was also around 1-million pound; and (3) adjusting the Period II fall fishing limits so that trip limits predictably increase in response to seasonal changes to the species seasonal offshore migration and deteriorating weather to ensure the limits remain high enough to incentivize the targeting of available quota.

Virtual hearings were held on February 26 and March 6, with written comment accepted during January 30–March 6. Written public comments and public hearing testimony on this proposal was limited and of a mixed nature. Comments from industry were generally supportive with certain requests made to modify my DMF’s management program to further enhance access to the quota. I have incorporated some of these requests into this final recommendation. Additionally, there were a small number of comments received from the recreational fishing community objecting to liberalizations to commercial fishing limits, which I will engage with in detail at the end of this memorandum.

### Period I Wintertime Fishery

The first aspect of my recommendation addresses how quota is allocated between Period I and Period II. Historically, the quota allocation was 30:70 between Period I and Period II. However, in 2025, it was adjusted to 15:85. This was done in response to enable more quota to be made available to the inshore summertime fishery given the reduced magnitude of the quota (600,000 pounds) and that summer flounder are more valuable to more permit holders at that time-of-year. The recommended action allows DMF to annually and predictably toggle between the historic and current Period quota allocation ratios based on the magnitude of the annual quota. The 30:70 ratio would apply when the annual quota exceeds 750,000 pounds and the 15:85 ration would apply in all other years. Effectively, this provides the wintertime fishery with additional quota in years when the quota is high and constrains it in years when it is lower thereby balancing quota utilization with the risk of limiting quota availability for the inshore summertime fishery.

Next, the recommendation adjusts the Period I trip limit. Over the past several years, DMF has toggled the Period I trip limit up and down in response to the magnitude of the annual quota. Similar to quota allocations, this was done to strike a balance between quota use and availability to the inshore summertime fishery. My public hearing proposal sought to build this balancing act into the regulation by having the trip limit be set at 5,000 pounds in years when the quota exceeds 750,000 pounds and 2,000 pounds in all other years. However, DMF received a public comment from a prominent seafood dealer encouraging a higher wintertime trip limit to incentivize targeting the fish offshore irrespective of the quota. After some thought, the above-described quota allocation recommendation sufficiently achieves the sought after balance between quota use and summertime quota availability such that toggling trip limits would be redundant and unnecessary. Accordingly, I am advancing the recommendation to adopt a single uniform trip limit of 5,000 pounds.

### Summertime Fishery

I recommend rolling back several actions taken in 2025 to constrain quota consumption during this season and return to the management program we had in prior years when the quota was similarly set at around 1-million pounds. This includes: (1) increasing the trip from 500 pounds to 600 pounds for net fishers and 325 pounds to 400 pounds for hook fishers; and (2) adding Saturdays back in as an open fishing day to allow commercial fishing seven days per week. This should provide the

summertime fishery with additional access to the available quota. Additionally, the scheduling flexibility provided by allowing fishing seven days per week should enhance fishing safety by allowing small boat fishers to better choose their fishing days and disincentivize fishing in heavy seas and winds.

The same prominent dealer submitted public comment encouraging the adoption of even more liberal summertime limits to encourage quota utilization. However, I am not revising my recommendation based on this comment for two reasons.

First, participants in the inshore fishery have consistently and passionately advocated that DMF maintain more conservative summertime limits to preserve the day boat nature of this fishery — even if it comes at the expense of maximizing quota utilization during the summertime season — and instead favors delaying significant trip liberalizations to utilize available quota until fall.

Second, further increasing summertime commercial fishing limits enhances ongoing user-group conflicts with the recreational fishery. These activities cooccurring in time and space and there is a sentiment among some recreational fishers that the commercial fishery is negatively impacting inshore recreational fishing conditions. This is undoubtedly exacerbated by the lack of parity in minimum size limits across sectors with the commercial fishery having a substantially smaller 14” minimum size limit and the recreational fishery having a 17.5” minimum size limit for vessel-based anglers and a 16.5” minimum size limit for shore-based anglers. While I think the matter is decidedly more complicated, I do not think it is necessary to exacerbate this conflict, particularly as prior experience indicates the inshore dayboat fishery will likely object to further liberalizations to the summertime limits.

### Fall Fishery

In recent years, DMF has managed the fall fishery in two seasons: September and October through December. My recommendation is to manage this with three distinct seasons — September, October, and November through December. This change is based on public comment from the dealer sector suggesting DMF adopt a more dynamic approach that reflects the changing economic needs to target these fish as they migrate offshore and become spatially less accessible to the Massachusetts permit holders.

September will remain its own season, as it represents a transition from inshore fishing to offshore fishing. Baseline limits will remain consistent with the summertime period and will increase from 500 pounds to 600 pounds for net fishers and 325 pounds to 400 pounds for hook fishers. However, the quota-conditional limit will increase from 800 pounds to 1,000 pounds should more than 20% of the quota remain on September 1. This will enhance access to quota if it is available. I recognize this may be objectionable to some in the recreational fishing community, particularly as the recreational summer flounder season remains open through September 23. However, recreational fishing declines rapidly throughout the month, the fish become less accessible as they migrate offshore, and many recreational anglers target other species (bluefin tuna, striped bass, tautog, bonito, and false albacore). Therefore, I think this recommended adjustment is reasonable and balanced.

October and November through December will now become two distinct management seasons. For October, the baseline trip limit will increase from 800 pounds to 1,000 pounds commensurate with

the quota-conditional trip limit in September. The quota conditional trip limit will remain status quo at 5,000 pounds if more than 10% of the quota remains available on October 1. During the November through December season, the baseline trip limit will increase to 5,000 pounds commensurate with the quota-conditional trip limit in October and the quota-conditional trip limit will be 10,000 pounds if more than 20% remains on November 1. This approach is intended to incentivize the targeting of these fish as they move offshore.

### Public Comment from the Recreational Fishing Sector

There is a sentiment across all fisheries that enhanced commercial fishing access harms recreational fishing and can be detrimental to stock conditions. This is particularly acute regarding summer flounder because of declining inshore fishing conditions and a perceived lack of management parity across sectors.

As a threshold issue, the best available science — the 2025 stock assessment — supports the commercial quota increase for 2026 and 2027. This increase is also more conservative than it could have been given management uncertainty. Therefore, there is no underlying scientific rationale to support more conservative limits and intentionally constraining access to the available quota. Such an action would place our seafood industry in a position of competitive disadvantage.

Additionally, there is no direct evidence that suggests increasing access to the commercial summer flounder quota is the cause of declining inshore summer flounder recreational fishing conditions. However, I do recognize that inshore fishing conditions are not what they once were. Over the past two decades, the summer flounder biomass has fluctuated greatly and with that has come changes to various recreational and commercial fishing limits and fishing effort for this species. However, one steady observation has been that inshore fishing conditions have declined. We hear consistent reports from recreational and commercial fishers that Nantucket Sound, Vineyard Sound, and Buzzards Bay and commercial fisheries data demonstrates a shift in summertime effort from state waters to the federal zone. Commission members will recall that DMF staff (Elise Koob) presented at the February 2026 meeting some findings from the most recent assessment. Given these findings, poor local inshore fishing conditions are not indicative of broader stock wide trends. Rather, it is DMF's view that declining inshore fishing conditions are likely driven by environmental factors and documented north and eastward shift of the summer flounder biomass<sup>4</sup>. Accordingly, this reality is more complicated than a simple cause and effect related to commercial fishing access that DMF can resolve through regulatory adjustments.

The complicated differences in commercial and recreational fisheries management framework contribute to a perceived lack of parity across sectors and challenging optics. As a threshold matter, the commercial fishery is subject to a hard quota. DMF manages this quota through a limited access effort control program with mandatory reporting requirements, and various regulations (e.g., seasons, trip limits, fishing days) to encourage quota use while achieving other management objectives (e.g., season length, inshore-offshore preferences). Accordingly, when the commercial quota is adjusted in response to a stock assessment, DMF is able to directly translate this into regulatory adjustments. The recreational fishery is not similarly managed. The recreational fishery is subject to a soft annual recreational harvest limit (RHL). States are then required to manipulate season, bag limit, and size

---

<sup>4</sup> Koob's full presentation at the February 2026 MFAC business meeting can be viewed on [DMF's YouTube Channel](#).

limit rules to achieve but not exceed the RHL. Further, when a stock assessment increases the RHL, it does not automatically translate to recreational fishing limit adjustments. This is because the Percent Change Approach adopted by the MAFMC and ASMFC to set recreational fishing limits seeks to enhance year-to-year stability in recreational fishing limits by preventing liberalizations and reductions under certain conditions (Table 3). Within this framework, the stock must be at 90% of its biomass target before the fishery can realize potential liberalizations afforded by an increasing RHL. Accordingly, while the RHL for summer flounder is increasing by 38% this year for 2026 and 2027, recreational fishing limits will remain status quo as the biomass is only at 83% of the target.

This situation is further complicated by the significant discrepancy in the commercial and recreational minimum size limits. This enables the commercial fishery to harvest some of the resource before it becomes available to recreational fishers. This lack of parity in minimum size limits understandably advances perspectives that commercial liberalizations come at the direct expense of recreational fishing. The commercial minimum size is established by the FMP and is derived from the life history of the species and the management preference to discourage regulatory discarding. It has been adopted coastwide and I have no intention of deviating from the coastwide standard, as it will put our seafood economy at a competitive disadvantage compared to the rest of the Atlantic coast. However, Massachusetts has likely reached or exceeded the maximum acceptable recreational minimum size. In future years, if Massachusetts is able to liberalize its recreational summer flounder rules, DMF can prioritize reducing the minimum size so that the disparity lessens. That said, we reached the current recreational minimum size standard in large part because when facing prior recreational harvest reductions recreational anglers have preferred to increase the minimum size rather than alter bag limits or season.

### **Other Considerations**

Since 2019, DMF has authorized a multi-day program for inshore trawlers that allows them to possess and land consecutive daily trip limits of summer flounder and other species caught in the inshore trawl fishery (e.g., scup, black sea bass, whelk, horseshoe crabs), provided the fish were lawfully caught and retained over two consecutive open fishing days and each day's catch is segregated and the second day's catch must be clearly labeled as such. The start date of this program has fluctuated over the years for various reasons. Given the magnitude of the annual quota this year and next, I intend to renew the program and initiate it effective May 1 in both 2026 and 2027. Application information will be publicized in early April. I do not anticipate there will be any changes to the conditions to the program compared to 2025.

### **Enclosed**

Written public comment

## Appendix of Tables and Figures

Table 1. Recommended 2026 Commercial Summer Flounder Limits Versus Status Quo

Period	Gear	Season	Trip Limit (lbs)	Closed Days	Minimum Size
P1 Current	All	January 1 – April 22	2,000 pounds. 100 pounds once allocation is taken.	None	14"
P1 Recommended	All	January 1 – April 22	<b>5,000 pounds.</b> 100 pounds once allocation is taken.	None	14"
P2 Summertime Current	Nets	April 23 – August 30	500 pounds. 400 pounds if 75% of quota is taken on or before August 15.	Saturday	14"
P2 Summertime Recommended	Nets	April 23 – August 30	<b>600 pounds.</b> 400 pounds if 75% of quota is taken on or before August 15.	<b>None</b>	14"
P2 Summertime Current	Hooks	April 23 – August 30	325 pounds. 200 pounds if 75% of quota is taken on or before August 15.	Saturday	14"
P2 Summertime Recommended	Hooks	April 23 – August 30	<b>400 pounds.</b> 200 pounds if 75% of quota is taken on or before August 15.	<b>None</b>	14"
P2 September Current	Nets	September 1 – 30	500 pounds. 800 pounds if at least 20% of the quota remains. 200 pounds if 90% or more of quota is taken before September 1.	None	14"
P2 September Recommended	All	September 1 – 30	<b>600 pounds. 1,000 pounds if at least 20% of the quota remains.</b> 200 pounds if 90% or more of quota is	None	14"

			taken before September 1.		
P2 September Current	Hooks	September 1 – 30	325 pounds. 800 pounds if at least 20% of the quota remains. 200 pounds if 90% or more of quota is taken before September 1.	None	14"
P2 September Recommended	Hooks	September 1 – 30	<b>400 pounds. 1,000 pounds if at least 20% of the quota remains.</b> 200 pounds if 90% or more of quota is taken before September 1.	None	14"
P2 Fall Current	All	October 1 – December 31	5,000 pounds if at least 10% of the quota remains. 800 pounds if 10% or less of the quota remains.	None	14"
P2 October Recommended	All	<b>October 1 – 31</b>	5,000 pounds if at least 10% of the quota remains. <b>1,000 pounds if 10% or less of the quota remains.</b>	None	14"
<b>P2 November – December Recommended</b>	<b>All</b>	<b>November 1 – December 31</b>	<b>10,000 pounds if at least 20% of the quota remains. 5,000 pounds if 20% or less of the quota remains.</b>	<b>None</b>	<b>14"</b>

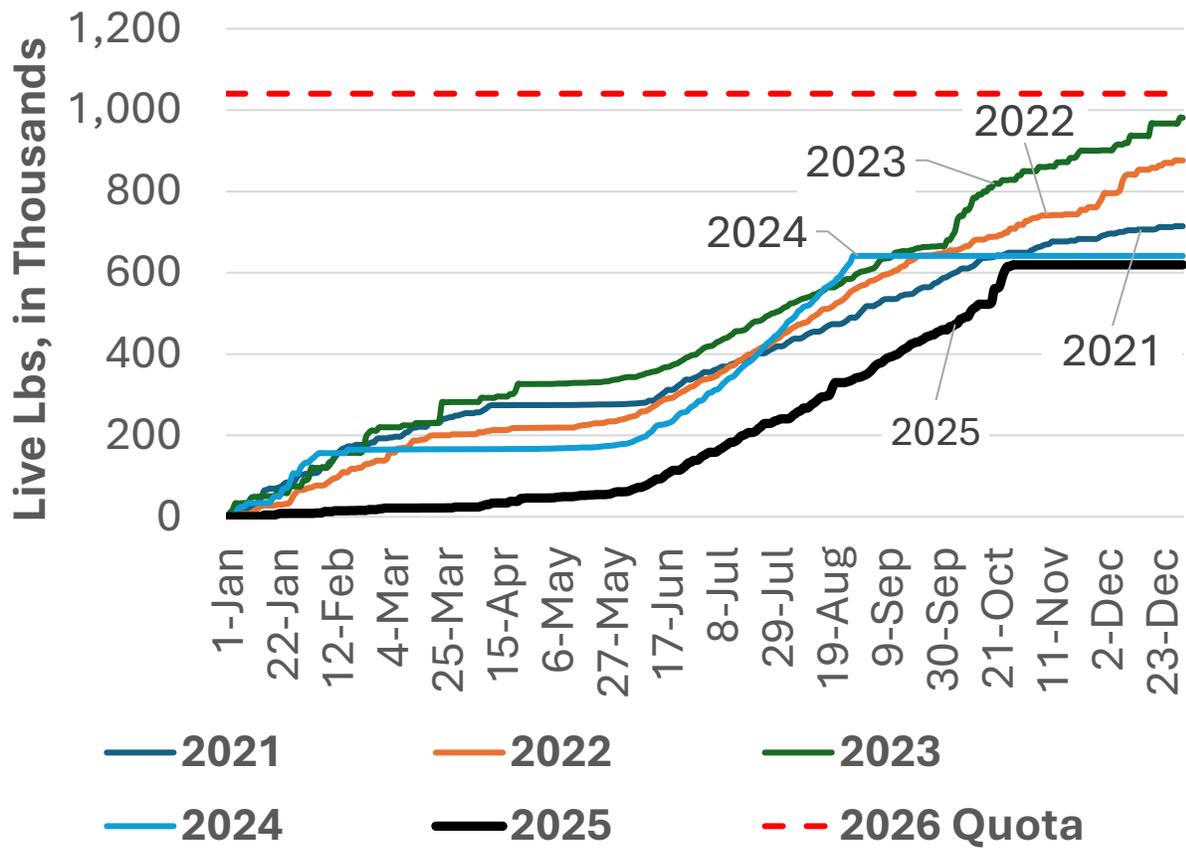
Table 2. 2026-2027 Specifications for Summer Flounder in Millions of Pounds

	<b>2025</b>	<b>2026/2027</b>	<b>Basis</b>
<b>OFL</b>	<b>24.97</b>	<b>31.89/32.42</b>	Stock assessment projection
<b>ABC</b>	<b>19.32</b>	<b>30.01</b>	Derived by SSC
<b>Com ACL</b>	<b>10.62</b>	<b>16.50</b>	ABC x 55% (per FMP)
<b>Com ACT</b>	<b>10.62</b>	<b>14.52</b>	COM ACL Minus Commercial Management Uncertainty at 12%
<b>Com Quota</b>	<b>8.79</b>	<b>12.78</b>	COM ACT Minus Commercial Discards
<b>Rec ACL</b>	<b>8.69</b>	<b>13.50</b>	ABC X 45% (per FMP)
<b>Rec ACT</b>	<b>8.69</b>	<b>11.88</b>	REC ACL Minus Recreational Management Uncertainty at 12%
<b>Rec Harvest Limit</b>	<b>6.35</b>	<b>8.79</b>	REC ACT Minus Recreational Discards

Table 3. Recreational Management Setting Process under Percent Change Approach

<b>Future RHL vs Estimated Harvest</b>	<b>SSB compared to target level (SSB/SSBmsy)</b>	<b>Change in Expected Harvest</b>
Future 2-year avg RHL greater than upper bound of harvest estimate CI (harvest expected to be lower than RHL)	<b>Very high</b> ( $\geq 150\%$ )	Liberalization % = difference between harvest est & 2-year avg RHL, not to exceed 40%
Future 2-year avg RHL greater than upper bound of harvest estimate CI (harvest expected to be lower than RHL)	<b>High</b> ( $\geq 110\%$ but $< 150\%$ )	Liberalization % = difference between harvest est & 2-year avg RHL, not to exceed 20%
Future 2-year avg RHL greater than upper bound of harvest estimate CI (harvest expected to be lower than RHL)	<b>Near target</b> ( $\geq 90\%$ but $< 110\%$ )	Liberalization: 10%
Future 2-year avg RHL greater than upper bound of harvest estimate CI (harvest expected to be lower than RHL)	<b>Low</b> ( $\geq 50\%$ but $< 90\%$ )	No liberalization or reduction.
Future 2-year avg RHL within harvest estimate CI (harvest expected to be close to RHL)	<b>Very high to low</b> (greater than 50%)	No liberalization or reduction.
Future 2-year avg RHL less than lower bound of harvest estimate CI (harvest expected to exceed RHL)	<b>Very high</b> ( $\geq 150\%$ )	No liberalization or reduction unless AM triggered.
Future 2-year avg RHL less than lower bound of harvest estimate CI (harvest expected to exceed RHL)	<b>High</b> ( $\geq 110\%$ but $< 150\%$ )	Reduction: 10%
Future 2-year avg RHL less than lower bound of harvest estimate CI (harvest expected to exceed RHL)	<b>Near target</b> ( $\geq 90\%$ but $< 110\%$ )	Reduction % = difference between harvest est. & 2-year avg RHL, not to exceed 20%
Future 2-year avg RHL less than lower bound of harvest estimate CI (harvest expected to exceed RHL)	<b>Low</b> ( $\geq 50\%$ but less than 90%)	Reduction % = difference between harvest est. & 2-year avg RHL, not to exceed 40%

Figure 1. Massachusetts Summer Flounder Landings (2021 – 2025) and 2026 Quota



To: Daniel J. McKiernan, Director DMF

From: Paul G. Caruso

Subject: Comments regarding recent fisheries management proposals

Regarding bluefish recreational changes I am neutral. Any changes to the existing recreational bag limits is likely to have negligible impact on harvest if the current availability remains static. For almost 10 years running adult bluefish have been scarce in our waters. This should be a call to reduce our commercial harvest as the few fish coming here have been captured by our net fishery which in the early part of the season is operating in the same time and space as our recreational fishery. Hook and line is no match for deep draft gillnets in shallow waters.

Regarding changes to our commercial fluke fishery quota we have a similar situation. Our commercial hook and line fishery operates in the same time and space as our recreational fishery at a much reduced size limit cropping off fish a full two years before they recruit to the recreational fishery. The inshore net fishery story is the same. A 2 inch fishing circle of a hook can't compete against a 180 foot fishing circle of a dragger's nets. Our recreational fluke fishery has been almost non-existent for the last ten years and the little access we have is a full 25 miles at sea from ramps and harbors.

Much the same story for sea bass. Commercial fisheries work in the same space as recreational fisheries and get a two or three year head start working on 12 inch fish when the recreational fishery operates at a 16.5" inch minimum size. Those 12 inch fish are a wasted landing as the ex-vessel price is poor and there is no yield on a 12" fish.

In short increased quotas can lead to reduced availability in our waters for our large recreational fishery and there are plenty of conflicts already. Just as important an increase in quota does not increase the amount of available fish to catch in our waters, both fisheries are dependent on what share mother nature provides us based on year class strengths and water temperatures, bait availability, accessibility, etc. In the accessibility part of the equation recreational fishermen in small vessels and shore bound anglers are always on the losing end!



To the Commissioner

Please consider the following comments on behalf of Red's Best. We feel for the fishing year 2026 these adjustment would be accurate to fulfill the quota for the state fisheries. If there are any comments or questions please feel free to reach out to either of us.

**FLUKE**

April 23rd - August 31st.

800 lbs per day summer trawl

600 lbs per day rod and reel

2 day limit all season

September 1 - October 1

1,000 lbs per day trawl

October 1 - November 1

5,000 lbs per day trawl

Nov 1

If over 20% of the quota is remaining - 10,000 lbs per day trawl

**BLACK SEABASS**

We agree with the current recommendations

2 day pilot program in effect for the whole season

**SCUP**

We agree with the current recommendations

Best regards,

Jared Auerbach CEO

Rory O'Donnell

WildFish LLC, 37 Boston Fish Pier, Boston, MA 02210  
tel: 617 830 1672 fax: 857 496 1155  
www.redsbest.com



**From:** [Matthew Mayhew](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** attention of Director Dan McKiernan.  
**Date:** Saturday, March 7, 2026 9:29:44 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.

This Is a Public Comment on the proposed rule changes for 2026.

1. Regarding the Summer Flounder fishery. I understand the thought process on these changes. I do think this could have a negative effect on price, but like you said in your report this has a lot to do with effort if let's say other fisheries are not targeted as in 2024. IN FAVOR

2. Sea Bass I would just like to say that I don't often catch over #100LB with the net but during squid season on a 1-3day trip this can happen and it would be great to utilize a multi day cumulative trip quota or large tow system where you call in to report a lets say #300 tow instead of just high grading and throwing #200 pounds back.

3. Horse Shoe Crab Bait Quota shift.

The Last few years for the Conch fishery has been an up and a down year fallowed by this past year having a rebound in landings and use of horse shoe crabs. The fishery uses an abundance of crabs in the fall and freezer space becomes limited mid summer. If the bio medical industry needs more crabs lets please keep the horse shoe crab bait quota at 140,000 and just make an increase to the biomedical 240,000. I saw an abundance of horse shoe crab in vineyard sound last summer and released 95% because of a poor bait price and not wanting to kill a cornerstone species for a miserable price. With conch hopes high I foresee a Stock piling of crab happening this year.

- To Increase good reporting data on horse shoe crab/bait skate and more for bait fishery implement automatic Bait dealer permit for certain bait potential permits so that no bait is sold without getting counted. Or just allow to be Entered just on Safis would be best when filing out the months catch reports. Without a bait dealer permit people like myself don't hardly have time for more paperwork so if its just a bait sale item on Safis at least it would be counted. Question what does Biomedical Pay for Horse shoe Crab ?

Thanks for all of your time on these species,

Matthew Mayhew

**From:** [Mark Mattson](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Proposed changes to summer flounder and black seabass  
**Date:** Friday, February 20, 2026 4:43:28 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 Daniel J. McKiernan,  
while I don't object to the bluefish regs once again you are allowing excessive catch of summer flounder and black seabass. Both of those used to be plentiful and of large size years ago, now around Marthas vineyard they can be caught but most are undersized. Commercial catch is ruining the fishery for us little guys. I know these comments haven't stopped you in past years but I still object.  
thanks  
Mark Mattson



Maura T. Healey  
*Governor*

Kimberly Driscoll  
*Lt. Governor*

Rebecca L. Tepper  
*Secretary*

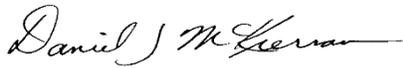
Thomas K. O'Shea  
*Commissioner*

Daniel J. McKiernan  
*Director*

---

## Memorandum

To: Marine Fisheries Advisory Commission (MFAC)

From: Daniel J. McKiernan, Director 

Date: March 9, 2026

Subject: **Recommendation on Sea Scallop Dredge Width Modification**

---

### Final Recommendation

I recommend the MFAC move to vote in favor of adopting a 10.5-foot maximum sea scallop dredge width for Massachusetts waters to create uniformity with federal small-dredge gear requirements.

This final recommendation does not differ from my public hearing proposal<sup>1</sup>.

### Background and Rationale

At an August 26, 2025 industry meeting, DMF was informed that the state's 10-foot maximum sea scallop dredge width rule was out-of-phase and more restrictive than the federal 10.5-foot maximum sea scallop dredge width rule affecting Limited Access General Category Northern Gulf of Maine and Individual Fishing Quota permit holders, and for vessels participating in the Limited Access Small Dredge Program. This discrepancy complicates enforcement and compliance for dual state-federal permit holders, particularly when the federal Northern Gulf of Maine fishery is open and both jurisdictions may be fished on a single trip. DMF has determined that this regulatory discrepancy was unintended. Further, adopting a state rule that complements the existing federal rules will create consistency in the maximum dredge size rules across jurisdictions and prevent unintentional non-compliance.

Virtual hearings were held on February 26 and March 6, with written comment accepted during January 30–March 6. Public hearing testimony on this proposal was limited and supportive. No written public comments were received.

---

<sup>1</sup>See page 92 in DMF's December 2025 MFAC business meeting materials for relevant public hearing proposal [memorandum](#).



The Commonwealth of Massachusetts  
**Division of Marine Fisheries**  
 (617) 626-1520 | [mass.gov/MarineFisheries](http://mass.gov/MarineFisheries)



Maura T. Healey  
*Governor*

Kimberly Driscoll  
*Lt. Governor*

Rebecca L. Tepper  
*Secretary*

Thomas K. O’Shea  
*Commissioner*

Daniel J. McKiernan  
*Director*

**Memorandum**

To: Marine Fisheries Advisory Commission (MFAC)  
 From: Daniel J. McKiernan, Director *Daniel J McKiernan*  
 Date: March 11, 2026  
 Subject: **Recommendation on Recreational Bluefish Limits**

**Final Recommendation**

I recommend the MFAC approve a two-fish increase to the bluefish recreational possession limits, resulting in a 5-fish limit for anglers fishing from shore or a private vessel and a 7-fish limit for anglers fishing from a for-hire vessel. The season will remain year-round with no size limit.

This final recommendation does not differ from my public hearing proposal as presented to the MFAC in September 2025<sup>1</sup> and taken to public comment this winter.

**Background and Rationale**

My recommendation is consistent with recent actions of the Mid-Atlantic Fishery Management Council (MAFMC) and Atlantic States Marine Fisheries Commission (ASMFC) to liberalize the recreational fishing limits in response to a 40% increase in the recreational harvest limit (RHL) for 2026 and an expected underutilization at the current fishing limits. This marks the first allowed increase to the recreational limits since the resource entered a rebuilding plan in 2020, when the possession limit was lowered from 15 fish (all modes) to its current 3-fish limit for the private mode and 5-fish limit for the for-hire mode. According to the 2025 stock assessment, bluefish are no longer overfished in 2024 (89% of biomass target) nor subject to overfishing (47% of fishing mortality threshold), and the stock is projected to rebuild ahead of the 2028 deadline (although this will not be confirmed until the next assessment).

Public comment on this proposal was limited (<10 comments) and of a mixed nature. Virtual hearings were held on February 26 and March 6, with written comment accepted during January 30–March 6 (enclosed). While several comments supported taking advantage of the allowance and maintaining

<sup>1</sup> See page 41 in DMF’s September 2025 MFAC business meeting materials for the relevant public hearing proposal [memorandum](#).

inter-jurisdictional consistency, others found it premature to liberalize prior to the stock reaching its biomass target. The latter group often referenced on-the-water observations of reduced availability and harvest target underperformance.

My recommendation endorses the public hearing proposal for several reasons. To begin with, the MAFMC and ASMFC specifications are precautionary: the management bodies acted conservatively in both setting the RHL (30% uncertainty buffer applied) and selecting the recreational measures (projected to underutilize the RHL). The recreational measures were not amended in *anticipation* of rebuilding (as one comment put it) but on account of what would have been excessive forgone fishing access during the rebuilding program. The increased possession limits are still less than half of that in place when the stock was declared overfished and are not expected to cause management instability due to the conservative manner in which they were set. Note that the prior overfished stock designation coincided with the incorporation of revised recreational catch estimates into the 2019 stock assessment. While another MRIP recalibration is pending, it is not expected to be of the same magnitude; nonetheless the MAFMC and ASMFC incorporated this into the aforementioned uncertainty buffer.

Furthermore, regarding the comments about recent reduced availability, this should not be confused with overall abundance. Resource distribution plays a large role in interannual availability and performance with limits. In the recreational fishery, bluefish are often not the primary target when caught, impacting how many are kept and meaning that effort for other species (like striped bass) impacts bluefish catch. Despite the data suggesting that few anglers currently limit out, I believe the increased bag limit will provide some benefit. One comment suggested that the current bag limit discourages some directed effort for bluefish. Additionally, for-hire captains routinely comment on the importance of the bag limit in attracting clientele.

Another major consideration is coastwide consistency. Uniform recreational fishing regulations between jurisdictions enhance compliance, enforcement, and equity. NOAA Fisheries has already approved the increased limits in federal waters and for federal for-hire permit holders. Most states are expected to follow suit and I do not wish to penalize our state anglers and for-hire businesses with more restrictive measures than will be found in other jurisdictions. Likewise, I recommend continuing the mode split despite my apprehension about such approaches. In addition, not taking an allowed liberalization in the recreational sector when one is being applied to the commercial sector can disrupt the management plan's intended recreational/commercial allocation, with possible implications for future allocation decisions

## **Enclosures**

Written Public Comment

**From:** [Robert Pierce](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** 2026 Omnibus Public Hearing - Comments  
**Date:** Friday, February 27, 2026 10:11:02 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 Mr. McKiernan,

I attended the February 26, 2026 virtual hearing on proposed changes to DMF rules for 2026. Regarding the Recreational Change to Bluefish bag limits, I agree with the participants who advocated for the current bag limits to remain 5/3 until the targets for recovery are met. This makes sense to me. It is encouraging to see that positive recovery results are being achieved, even though fishermen are reporting bluefish levels are still lower in the areas where the fish are traditionally found. Let's not increase fishing pressure on the stocks prematurely. Let's be sure that stocks have recovered sufficiently before changing the limits.

Thank you for considering my comments.

Robert L. Pierce  
5 Old Planters Rd  
Beverly, MA 01915

**From:** [Parker Mauck](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Proposed change to the recreational Bluefish bag limits  
**Date:** Thursday, February 26, 2026 6:33:33 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.

Attn. Dan McKiernan

Thank you for the Zoom presentation on February 26th and for the opportunity to comment on the recreational bag limits for Bluefish.

I am a fly and light tackle guide based in Westport, MA and I run approximately 100 trips per year in Buzzards Bay and the waters around the Elizabeth Islands.

I appreciate the value of having Massachusetts regulations harmonized with neighboring states whenever possible, but I oppose raising the Bluefish bags limits from 3 to 5 shore and private vessels and 5 to 7 for For-Hire vessels.

- 1) Recreational and commercial harvest limits and quotas are not being met. Isn't it likely that this is because there are not enough fish in our waters to readily hit these established limits?
- 2) Anecdotally, I do not see Bluefish in our waters at the levels we used to. There are Bluefish around in certain places, at certain times, but not nearly at the levels we used to see.
- 3) In past years we had a very high daily bag limit of 15 fish per day and we reduced the Bluefish populations to the point of being overfished. Recognizing this, we then established goals for improving the stock status and lowered the daily bag limits to the current levels of 3/5 (shore-private/for hire). Goals were set, and now the proposal is to increase the bag limit in *anticipation* of hitting the goals. Let's take a more cautious approach and wait until we actually hit the goals before we raise the bag limits.

I oppose raising the daily recreational bag limits and support the status quo regulations.  
Sincerely, Parker G. Mauck

Capt. Parker G. Mauck  
[pgmauck@gmail.com](mailto:pgmauck@gmail.com)  
(508) 496-8682  
[www.westportfly.com](http://www.westportfly.com)



**From:** [wfiora1@icloud.com](mailto:wfiora1@icloud.com)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Recreational bluefish limits  
**Date:** Thursday, February 26, 2026 6:24:17 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.

I am a recreational angler and Massachusetts resident and would urge DMF not to increase the daily possession limit for bluefish.

As noted in your presentation, the bluefish population is still rebuilding and I would urge DMF to wait until the rebuilding period has reached its conclusion before considering any changes in the daily possession limit.

As a fisherman who is on the water many days each year, I see far fewer bluefish than in previous years and I believe the fishery needs more time to rebuild.

Best regards,

Bill Fiora

**From:** [coppa3@charter.net](mailto:coppa3@charter.net)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Proposed 2026 Bluefish regulations  
**Date:** Wednesday, February 4, 2026 8:48:34 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.

Mr. Mckinnon,

Recommend the bag limits on Bluefish remain as 2025, do not concur with an increase. Three and Five fish limits/person respectively are enough for private and Charter boat anglers, no increase is needed, protect the fishery for the future, the expansion is premature in my opinion based on what we are seeing out there for quality fish (over 20"), the species is an important gamefish for Massachusetts Guides/Charter boats, the current (2025) harvest allocation provides enough for folks that want to take some fish home to eat.

v/r  
Carl Moberg  
Westport River Outfitters

**From:** [Nelson Sigelman](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Proposed bluefish limits  
**Date:** Friday, January 30, 2026 1:54:56 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.

Attn: DMF Director Dan McKiernan

Dear Dan:

I am in favor of an increase in the bluefish recreational limit from three fish to five fish. I enjoy smoked bluefish. To do it right takes time. There's overnight brining, allowing a pellicle to form, and several hours of smoke. It's pretty much a two-day process. But nicely packaged smoked bluefish is a valuable item on the Island's summer social circuit (MV Magazine: "[What Are You Smoking](#)").

In recent years, bluefish have been scarce in Vineyard Sound and Nantucket Sound. From a practical standpoint, when I'm fishing by myself, three average-sized bluefish do not justify the time and trouble to crank up the smoker. Five changes the equation in favor of the smoker, and means I no longer have to invite dunces along just so I can keep enough fish to smoke.

Thanks,

Nelson Sigelman  
Vineyard Haven

--

***[Martha's Vineyard Fish Tales](#)**: How to catch fish, rake clams, and jig squid, with entertaining tales about the sometimes crazy pursuit of fish*

***[Martha's Vineyard Outdoors, Fishing, Hunting and Avoiding Divorce on a Small Island](#)***

MV Times Review, Jan. 2, 2018, "[Good Sports](#)"

Vineyard Gazette, May 25, 2018, "[Front Row Seat to the Natural World](#)"

[marthasvineyardoutdoors.com](http://marthasvineyardoutdoors.com)

To: Daniel J. McKiernan, Director DMF

From: Paul G. Caruso

Subject: Comments regarding recent fisheries management proposals

Regarding bluefish recreational changes I am neutral. Any changes to the existing recreational bag limits is likely to have negligible impact on harvest if the current availability remains static. For almost 10 years running adult bluefish have been scarce in our waters. This should be a call to reduce our commercial harvest as the few fish coming here have been captured by our net fishery which in the early part of the season is operating in the same time and space as our recreational fishery. Hook and line is no match for deep draft gillnets in shallow waters.

Regarding changes to our commercial fluke fishery quota we have a similar situation. Our commercial hook and line fishery operates in the same time and space as our recreational fishery at a much reduced size limit cropping off fish a full two years before they recruit to the recreational fishery. The inshore net fishery story is the same. A 2 inch fishing circle of a hook can't compete against a 180 foot fishing circle of a dragger's nets. Our recreational fluke fishery has been almost non-existent for the last ten years and the little access we have is a full 25 miles at sea from ramps and harbors.

Much the same story for sea bass. Commercial fisheries work in the same space as recreational fisheries and get a two or three year head start working on 12 inch fish when the recreational fishery operates at a 16.5" inch minimum size. Those 12 inch fish are a wasted landing as the ex-vessel price is poor and there is no yield on a 12" fish.

In short increased quotas can lead to reduced availability in our waters for our large recreational fishery and there are plenty of conflicts already. Just as important an increase in quota does not increase the amount of available fish to catch in our waters, both fisheries are dependent on what share mother nature provides us based on year class strengths and water temperatures, bait availability, accessibility, etc. In the accessibility part of the equation recreational fishermen in small vessels and shore bound anglers are always on the losing end!



Maura T. Healey  
**Governor**

Kimberly Driscoll  
**Lt. Governor**

Rebecca L. Tepper  
**Secretary**

Thomas K. O’Shea  
**Commissioner**

Daniel J. McKiernan  
**Director**

**Memorandum**

To: Marine Fisheries Advisory Commission (MFAC)

From: Daniel J. McKiernan, Director 

Date: March 9, 2026

Subject: **Coastal Access Permit Consolidation**

**Final Decisions**

I intend to finalize the action proposed at public hearing to consolidate the issuance of Coastal Access Permits (CAP) for 2027. This is a two-part action. First, it eliminates the various activity-specific CAP sub-endorsements for squid, whiting, sea herring, and North Shore mobile gear, thereby allowing the general CAP permit endorsement to cover all previously authorized mobile gear fishing activities. Second, those seven permit holders who previously held a CAP-Scallop Dredge Permit will be upgraded to a general CAP permit. This action will not affect the CAP-Purse Seine permit endorsement<sup>1</sup>.

This action is consistent with my public hearing proposal<sup>2</sup>.

**Background and Rationale**

Eliminating the CAP-Sub Endorsements

In the 1990s, DMF developed a series of activity-specific CAP sub-endorsements that covered small mesh trawl fishing for squid, whiting, and sea herring and the seasonal use of mobile gear in exemption areas 1A and 1B on the North Shore. These sub-endorsements were available to any person with a general CAP endorsement and triggered supplemental reporting requirements. However, comprehensive trip level reporting has replaced the need for these

<sup>1</sup> The CAP-Purse Seine permit is an open access regulated fishery permit endorsement. It is the permit needed to fish with purse seines seaward of the inshore restricted areas and allows participation in the open access menhaden purse seine fishery.

<sup>2</sup> See page 47 in DMF’s September 2025 MFAC business meeting materials for relevant public hearing proposal [memorandum](#).

activity-specific supplemental reporting requirements thereby eliminating the intended purpose of these sub-endorsements. Accordingly, to simplify permitting requirements, DMF is moving to eliminate these sub-endorsements. The activities previously authorized by these CAP sub-endorsements will now be authorized by the general CAP endorsement.

#### Upgrading CAP-Scallop Dredge

Around the same time, DMF also established the CAP-Scallop Dredge endorsement. This is a more restricted CAP endorsement that allows only the towing of sea scallop dredges rather than the broader use of other mobile gears (e.g., trawls, scallop dredges, and various seines). The endorsement is limited entry and transferable. It was initially only issued to those people who did not meet the criteria to obtain the general CAP endorsement but could demonstrate having fished with a sea scallop dredge in state waters.

At present, seven of these endorsements persist in DMF's permitting system. Four of these endorsements are now part of fishing operations that currently have a broader CAP endorsement. Therefore, converting their CAP-Scallop Dredge endorsement to a general CAP will not constitute a permit upgrade, as they will be eligible to receive the general CAP permit in 2027 under the first aspect of this proposal. The remaining three permit holders will obtain a permit upgrade as this action will replace their more restricted CAP-Scallop Dredge endorsement with the broader general CAP endorsement. This could potentially enable them to participate in the state's inshore trawl fisheries. However, based on their existing permitting profiles, they would each need to invest in the necessary species-specific endorsements (e.g., groundfish, summer flounder). Further, such a pursuit would also require a vessel upgrade (i.e., to tow an otter trawl) and a deviation in long-standing fishing practices. In my view, the potential for this permitting action to increase trawl fishing effort is nominal, "on paper only", and is likely outweighed by the benefit of a more streamlined permitting scheme.

#### Public Comment

Virtual hearings were held on February 26 and March 6, with written comment accepted during January 30–March 6. Public hearing testimony on this proposal was limited and supportive. No written public comments were received.



Maura T. Healey  
*Governor*

Kimberly Driscoll  
*Lt. Governor*

Rebecca L. Tepper  
*Secretary*

Thomas K. O'Shea  
*Commissioner*

Daniel J. McKiernan  
*Director*

---

## Memorandum

To: Marine Fisheries Advisory Commission (MFAC)

From: Daniel J. McKiernan, Director 

Date: March 9, 2026

Subject: **Elimination of Sea Scallop Shucking Endorsement**

---

### Final Decision

I intend to move forward and eliminate the Sea Scallop Shucking Endorsement for 2027. This action does not differ from my public hearing proposal<sup>1</sup>.

### Background and Rationale

This is a housekeeping action to simplify DMF's permit requirements for sea scallop fishers. DMF allows any commercial permit holder to add the Sea Scallop Shucking Endorsement at no cost to their permit. The endorsement allows the named person or vessel to shuck sea scallops at sea and land the shucked adductor muscles. It was developed in the 1980s to distinguish those fishers who intended to land shucked adductor muscles from those who intended to land whole in-shell product. The public health burden is squarely on the permit holders who seek to possess and land whole in-shell sea scallops. This activity requires a DMF-issued Shellfish Endorsement and strict adherence to state and federal rules governing shellfish sanitation, including harvester tagging and fishing only within areas open to the retention of shellstock. Considering this, there are no additional permitting, enforcement, or public health benefits to be achieved by requiring another endorsement to cover the shucking of product. The intended distinction is no longer necessary and the endorsement has become superfluous. Accordingly, DMF is moving to eliminate this endorsement.

Virtual hearings were held on February 26 and March 6, with written comment accepted during January 30–March 6. No comments were received.

---

<sup>1</sup> See page 47 in DMF's September 2025 MFAC business meeting materials for relevant public hearing proposal [memorandum](#).



Maura T. Healey  
*Governor*

Kimberly Driscoll  
*Lt. Governor*

Rebecca L. Tepper  
*Secretary*

Thomas K. O'Shea  
*Commissioner*

Daniel J. McKiernan  
*Director*

---

## Memorandum

To: Marine Fisheries Advisory Commission (MFAC)

From: Daniel J. McKiernan, Director 

Date: March 12, 2026

Subject: **Withdrawal of Proposal to Reallocate Horseshoe Crab Quota**

---

### Final Decision

I am withdrawing my recommendation to reduce the annual horseshoe crab bait quota from 140,000 crabs to 100,000 crabs and reallocate these 40,000 crabs to the horseshoe crab biomedical quota at a 1:2 ratio to increase the annual horseshoe crab biomedical quota from 200,000 crabs to 280,000 crabs. This reverses the action set forth in my public hearing proposal<sup>1</sup>. As a result, for 2026, the horseshoe crab fishery will move forward with status quo management, including a bait quota of 140,000 crabs and a biomedical quota of 200,000 crabs.

DMF will continue to monitor fishery performance and fishery independent data to analyze whether amendments to the horseshoe crab management program — including quotas — are warranted. If such determinations are reached, then we will reengage with the MFAC to develop potential draft regulatory proposals for a future public hearing.

### Background on Public Hearing Proposal

In August 2025, DMF received requests from a horseshoe crab dealer encouraging the agency to consider ways to reallocate bait crab quota to biomedical quota<sup>2</sup>. DMF agreed to investigate the request and during the course of our due diligence found: (1) channeled whelk markets had contracted in recent years due to reduced domestic demand and international trade issues; (2) there was an excess supply of bait crabs resulting in dealers having to cold store bait at

---

<sup>1</sup> See page 85 in DMF's December 2025 MFAC business meeting materials for the relevant public hearing proposal [memorandum](#).

<sup>2</sup> Jamie Bassett of Shellfish Broker LLC provided DMF a written request on August 8, 2025 and followed up with an in-person request at the August 21, 2025 MFAC business meeting. See page 203 of the August MFAC meeting materials for the [written request](#) and pages 12 and 13 of the August 2025 [MFAC meeting minutes](#) for a summary of the in-person request.

substantial cost; and (3) despite this excess supply of bait crabs, the horseshoe crab bait quota was being harvested to satisfy biomedical demand through the rent-a-crab program<sup>3</sup>.

By way of background, the current quota program was established in 2023. This action responded to increasing biomedical harvest driven by a second biomedical processor becoming active in the state's fishery. In response, DMF and MFAC took action to reduce the bait quota from 165,000 crabs to 140,000 crabs and established a first-ever biomedical quota of 200,000 crabs<sup>4</sup>. This capped overall horseshoe crab mortality at 2022 levels and provided a supply of bait and biomedical crabs based on prior performance and anticipated needs. At the time, there was public comment from certain biomedical interests requesting additional biomedical quota (e.g., up to 300,000 crabs). DMF did not accommodate this request in the final rule because it would have been contrary to our goal of capping overall mortality at present levels without further reducing the bait quota. Rather, I encouraged the biomedical industry to more fully participate in the rent-a-crab program.

What I did not anticipate was how the confluence of increasing demand for bait crabs from the biomedical sector through the rent-a-crab program and market issues affecting channeled whelk demand would create misalignments resulting in the harvest of bait quota without there necessarily being a bait market to absorb the supply. Accordingly, in December 2025, DMF initiated rule-making to address this misalignment through a quota reallocation. Specifically, the public hearing proposal sought to reduce the bait quota to better match estimated local bait demand for bait in recent years<sup>5</sup>, reallocate the bait quota reduction to the biomedical quota at a 1:2 ratio of bait to biomedical crabs, and increase the biomedical quota to reduce reliance on the rent-a-crab program such that it would not cause further misalignments. As an added

---

<sup>3</sup> The rent-a-crab program is a colloquial term given to an arrangement between biomedical processors and bait dealers where horseshoe crabs harvested against the bait quota are borrowed from the bait dealers by the biomedical processors for bleeding prior to final sale as bait. This practice has historically optimized the utility the crabs harvested against the bait quota and supported the ex-vessel value of bait crabs for our commercial fishers.

<sup>4</sup> The 200,000 horseshoe crab biomedical quota was established by considering historic biomedical harvest prior to the arrival of the second firm in 2022 and then reallocating 25,000 horseshoe crabs from the bait quota reduction to the biomedical fishery at a 1:6 ratio (based on the estimated biomedical mortality rate of 15%) to account for the expansion of biomedical harvest observed in 2022. In turn, this would cap biomedical mortality at approximately 172,000 crabs per year, consistent with historic rates over the prior 10-to-15-year stanza. This was thought to be sustainable as the population of horseshoe crabs expanded in Massachusetts during that time period alongside that harvest.

<sup>5</sup> Pot hauls in the conch pot fishery peaked in 2012 at 600,000 and have been trending downward since. This is likely driven by markets, regulations, and biological factors. Pot hauls have not exceeded 400,000 since 2018 and declined to a near time-series low of 213,848 pot hauls in 2024. While 2025 effort data will not be available for several months, landings suggest it rebounded slightly in 2025, perhaps nearing 2022 or 2023 levels. A prior industry survey indicates that a conch pot fisher mixes about one-quarter to one-third of a horseshoe crab with other bait per pot haul. Accordingly, DMF estimates a quota of 100,000 horseshoe crabs would sufficiently satisfy the bait needs of a conch pot fishery that conducts between 200,000 and 300,000 pot hauls per year with some room for additional growth back towards 400,000 pot hauls.

benefit, DMF estimated the reallocation could reduce the total potential annual horseshoe crab mortality by about 16%<sup>6</sup>.

## Rationale

After digesting the content and tenor of the public comment received, I feel compelled to withdraw my proposal. Over the past 20 years, DMF has implemented measures to enhance conservation and stock conditions are responding. The current bait and biomedical quotas were established in 2023 and designed to cap overall mortality at 2022-levels and ensure there was a sufficient supply of horseshoe crabs to the bait and biomedical fishery. Overall, I believe DMF's state's horseshoe crab management is successfully achieving these goals. While the originally proposed measure may have corrected recent market misalignments, it would do so at disproportionate costs to the fishing and seafood industry and the extreme frustration of various stakeholder groups.

The lack of consensus in this debate is disappointing but is similar to what is occurring in the Delaware Bay region<sup>7</sup>. While I am pivoting on this proposal today, DMF will continue to monitor market misalignments with the bait crab fishery caused by the rent-a-crab program and evaluate potential permitting and regulatory strategies to address these issues should they persist. Further it is my view that the entities involved in the rent-a-crab program work to ensure horseshoe crabs are not harvested for bait just to bleed them, but instead bleed crabs taken during the normal course of commercial fishing to meet bait demand. This is consistent with the historic function of the rent-a-crab program and its intent to optimize the utility of each crab harvested against the bait quota.

---

<sup>6</sup> This estimate is derived from the fishing mortality associated with the bait and biomedical fisheries relative to the magnitude of the existing and proposed quota. The bait fishery has a 100% mortality rate, meaning each crab harvested against the bait quota is killed. The Atlantic States Marine Fisheries Commission uses a 15% mortality rate for the biomedical horseshoe crab fishery in the stock assessment. Accordingly, when the bait quota is 140,000 crabs and the biomedical quota is 200,000 crabs, then total potential annual mortality is 172,000 crabs. If the bait quota were to be reduced to 100,000 crabs and the biomedical quota were to be increased to 280,000 crabs then total potential annual mortality would be 142,000 crabs. This results in an annual reduction of total potential horseshoe crab mortality of 28,000 crabs.

<sup>7</sup> There are analogous discussions transpiring in the Delaware Bay region. This region is managed by the Adaptive Resource Management (ARM) model — required under the Atlantic States Marine Fisheries Commission's (ASMFC) Fishery Management Plan for Horseshoe Crabs — to account for red knot forage needs. The ASMFC has attempted to facilitate discussions among fishery managers, conservation interests, and commercial fishers to chart a reasonable course to accommodate the sustainable harvest allowed under the ARM model. However, despite a near 4-fold increase in the region's horseshoe crab population over the past two decades, early reports from these meetings are pessimistic as conservationists continue to challenge both the science and the model, with little interest in accommodating harvest.

## Summary of Public Comment

Virtual hearings were held on February 26 and March 6, with written comment accepted during January 30–March 6. Comment on this proposal was extensive and of a mixed nature. The public hearing testimony mirrored the extensive written comment.

Written comment was dominated by three form letter campaigns by Mass Audubon, the Pine Barren's Alliance, and the Center for Biological Diversity. The Pine Barren's Alliance and the Center for Biological Diversity objected to the proposal and advocated DMF do more to phase out the harvest of horseshoe crabs. The Mass Audubon campaign supported the action largely because it reduced potential total mortality while also advocating for DMF to phase out the harvest of horseshoe crabs.

There was also a large amount of comment from the horseshoe crab conservation and preservation community that was not associated with any apparently organized letter-writing campaign. These comments largely objected to the proposal on grounds of animal welfare, ecological concerns, and to encourage a prohibition on all harvest. However, like the Audubon letters, there was some tepid support for the proposal given the estimated reduction in potential total mortality.

There was also extensive comment from the fishing and seafood industry. The comment was largely in objection to the action. The objections addressed a diversity of concerns. It was argued that DMF has managed the horseshoe crab resource in a manner that is sufficiently conservative and precautionary, populations are improving, and additional actions to restrict harvest and mortality are not warranted. Commentors also stated it was unnecessary for DMF to further limit the ability of permit holders to participate in the bait fishery and raised concerns about further consolidating access to the resource by providing more quota to two biomedical firms. Others objected to reducing the bait quota out of concern for potential bait needs. While conch pot fishing effort in recent years has waned due to a variety of factors, these factors are dynamic. There was evidence to suggest that market conditions improved in 2025 compared to 2024 and if markets further rebound bait demand should increase accordingly. Additionally, the University of Massachusetts Dartmouth's School for Marine Science and Technology is in the process of conducting a management strategy evaluation for the conch pot fishery for channeled whelk. The results of that evaluation will not be published for several years and may eventually be considered in management and could impact effort. Considering these factors, it was argued that there was too much uncertainty for DMF to constrain the bait quota based on recent performance. Industry's concerns — particularly those regarding bait availability to the conch pot fishery — were also echoed in the comment letters from State Representatives Cabral and Hendricks and State Senator Montigny.

That said, there were a small number of comments from industry in support of the action. These comments were from a subset of permit holders who participate in the biomedical fishery at the dealer and harvester level. These comments touted the health of the resource,

the practices of the biomedical fishery to handle crabs with care to maximize their survival, and the public health benefits of LAL.

One of the state's two biomedical processors — Charles River Laboratories International — supported the proposal. They argue the proposal is empirically justifiable, conservation minded, and beneficial to global public health, as well as Massachusetts industries and working waterfronts.

**Enclosed**

[View written public comment](#)



Maura T. Healey  
*Governor*

Kimberly Driscoll  
*Lt. Governor*

Rebecca L. Tepper  
*Secretary*

Thomas K. O’Shea  
*Commissioner*

Daniel J. McKiernan  
*Director*

**Memorandum**

To: Marine Fisheries Advisory Commission (MFAC)

From: Daniel J. McKiernan, Director 

Date: March 9, 2026

Subject: **Withdrawal of Proposal to Allow Conversion of Coastal Lobster Permit to Offshore Lobster Permit**

**Final Decision**

I am withdrawing the proposal to allow an existing Coastal Lobster Permit holder with a federal lobster trap permit to surrender their Coastal Lobster Permit to DMF and be issued an Offshore Lobster Permit. This decision responds to two considerations. First, the public comment received universally objected to this action. Second, it is likely inappropriate to deviate from our current effort control program as the Atlantic States Marine Fisheries Commission (ASMFC) is initiating a Management Strategy Evaluation (MSE) for American lobster.

**Background and Rationale**

In recent years, DMF has received occasional requests from a small number of dual state-federal Coastal Lobster Permit holders to allow them to conduct a one-time exchange of their permit Coastal Lobster Permit for an Offshore Lobster Permit. This action would enable them to convert their dual state-federal trap allocation to federal (EEZ) only trap allocation and avoid the owner-operator requirement associated with the Coastal Lobster Permit. These requests were primarily from permit holders fishing in Lobster Conservation Management Area 1 (LCMA1) out of Provincetown who sought to use a hired captain to run their lobster operation on Stellwagen while pursuing other economic opportunities. Given existing constraints on trap limits, the action would not undermine controls on permit splitting or increase the maximum number of allowable traps fished. Considering this, DMF opted to move this request forward to public hearing<sup>1</sup>.

<sup>1</sup> See page 47 in DMF’s September 2025 MFAC business meeting materials for relevant public hearing proposal [memorandum](#).

Virtual hearings were held on February 26 and March 6, with written comment accepted from January 30 – March 6. Public comments and testimony unanimously objected to the proposal. Concerns were raised that weakening the owner-operator requirements in LCMA 1 would result in permit consolidation, the development of multi-vessel fleets in the inshore Gulf of Maine, and reduced compliance particularly with complicated whale conservation and management regulations. If these concerns were to become realities, it was argued that it would have deleterious impacts on the state’s lobster fishery. In fact, several commentors indicated that they preferred extending the owner-operator requirements to all permit holders in LMCA1 irrespective of whether they hold a Coastal or Offshore Lobster Permit. I found the comments in opposition to this proposal to be compelling.

Further, since I drafted the initial public hearing proposal in September 2025, the ASMFC’s Lobster Management Board has opted to pursue a Management Strategy Evaluation for the lobster fishery. This will be a multi-year endeavor that will assess various management approaches. This is expected to include an examination of various states’ approaches to permit limitations (effort control plans). Amending state permitting rules at this time could obfuscate these analyses. Further, it could complicate future management, should DMF eventually have to undo this action in response to changes in the Interstate Fishery Management Plan.

**Enclosed**

Written public comment



# Massachusetts Lobstermen's Association

8 Otis Place ~ Scituate, MA 02066  
781.545.6984

February 17, 2026

Daniel McKiernan, Director  
Massachusetts Division of Marine Fisheries  
836 S Rodney French Blvd  
New Bedford, MA 02744

Submitted via: [marine.fish@state.ma.us](mailto:marine.fish@state.ma.us)

RE: Comments on Proposed Modifications to Offshore and Coastal Lobster Permit Rules  
(322 CMR 7.03 and 7.06)

Director McKiernan:

On behalf of the ~1800 members of the Massachusetts Lobstermen's Association, we submit the following comments expressing **serious concern** regarding the Division of Marine Fisheries proposed modification that would allow existing Coastal Lobster Permit holders, whose vessels also hold federal lobster trap permits, to permanently surrender their Coastal Lobster Permit in exchange for an Offshore Lobster Permit.

Established in 1963, the Massachusetts Lobstermen's Association (MLA) is a member-driven organization and a steadfast advocate for the Commonwealth's commercial lobster fleet. We support fisheries management approaches that protect marine resources while ensuring that fishermen can operate viable, sustainable businesses. Regulations that are disconnected from economic reality, operational feasibility, or sound science threaten not only individual fishermen, but also the working waterfronts and coastal economies that depend on them.

The MLA works directly with the Division of Marine Fisheries (DMF), the Atlantic States Marine Fisheries Commission, and the New England Fishery Management Council to ensure that management decisions reflect real-world fishing practices and deliver measurable conservation outcomes. We urge policymakers to provide oversight and direction that prioritize science-based, economically sustainable policies, safeguard access to marine resources, and prevent unnecessary regulatory burdens that jeopardize the future of America's domestic seafood industry.

## Concern Regarding Permit Consolidation and Stacking

The MLA's primary concern is that the proposed permit conversion program, if left open-ended, could create an opportunity for individuals or entities to **stack, accumulate, or amass multiple federal lobster permits over time**. This type of consolidation could fundamentally alter the structure of the Massachusetts lobster fleet, creating long-term access inequities and accelerating fleet consolidation beyond what has historically occurred in this fishery.

The Massachusetts lobster fishery has long been characterized by independent owner-operator businesses that support coastal communities and working waterfronts. Allowing repeated or ongoing conversions from Coastal permits to Offshore permits without limitation risks:

1. Concentrating fishing access into fewer hands;
2. Reducing entry and advancement opportunities for smaller-scale fishermen;
3. Increasing economic barriers within the fishery;
4. Permanently altering the balance between inshore and offshore fishing sectors;
5. Undermining the Commonwealth's long-standing public policy goals supporting diverse, community-based fisheries.

Because Offshore permits carry significant fishing opportunity and geographic range, unrestricted conversions could unintentionally create a pathway for speculative permit acquisition or long-term consolidation strategies that were never contemplated in prior management frameworks.

### **Recommendation: One-Time, Non-Transferable Conversion Opportunity**

To address these concerns, the MLA strongly recommends that the DMF explicitly structure this initiative as a **one-time, limited conversion opportunity** with safeguards to ensure it cannot be used as a mechanism for permit accumulation.

Specifically, the MLA recommends that the DMF:

1. Clearly designate this program as a one-time authorization available only to currently eligible permit holders;
2. Prohibit individuals or business entities from using multiple vessels or permit holdings to obtain more than one Offshore permit through this conversion pathway;
3. Establish eligibility control date to prevent speculative permit transfers intended solely to qualify for conversion;
4. Require that surrendered Coastal permits be permanently retired to prevent future reissuance or indirect consolidation;
5. Conduct a post-implementation review to evaluate fleet structure impacts.

### **Recommendation to Postpone Action Pending Further Evaluation**

We have serious concerns about the timing, scope, and potential long-term consequences of this proposal. While we understand that regulatory adjustments may at times be necessary to address evolving management needs, this modification carries significant structural implications for the Massachusetts lobster fishery. As such, it warrants careful, transparent consideration and broader industry engagement before any final action is taken.

First and foremost, many affected permit holders and coastal communities have not yet been fully informed of the details, nuances, and potential impacts of this proposed change. A permanent surrender of a Coastal Lobster Permit represents an irreversible decision with generational consequences. Without comprehensive outreach and clear explanation of how this shift would affect access, effort distribution, latent permits, trap allocations, area-based management, and future entry into the fishery, stakeholders cannot reasonably evaluate the risks involved.

Additionally, there has been insufficient analysis presented regarding the unintended consequences this action may produce. Changes to permit structures can alter fishing patterns, increase pressure in certain areas, disrupt established business models, and affect shore-side infrastructure and community economics. The interaction between state and federal permitting frameworks further complicates the matter, raising questions about enforcement, equity among sectors, and long-term resource sustainability.

We are particularly concerned that moving forward without adequate data collection and impact assessment could create regulatory imbalances that are difficult—or impossible—to reverse. Before implementing a permanent structural change of this magnitude, the Division should conduct a thorough evaluation of potential

biological, economic, and social impacts, and provide the industry with an opportunity to review and respond to those findings.

Therefore, we respectfully request that the Division of Marine Fisheries delay consideration and implementation of this proposed modification until:

1. Comprehensive outreach has been conducted to ensure all affected permit holders are fully informed;
2. A detailed impact analysis has been completed and shared publicly;
3. Adequate opportunity for stakeholder feedback and discussion has been provided; and
4. The long-term implications for access, effort distribution, and coastal communities have been clearly evaluated.

The Massachusetts lobster industry depends on stability, transparency, and collaborative management. We urge the Division to take the time necessary to fully vet this proposal with the industry before proceeding with a permanent and potentially far-reaching regulatory change.

### **Protecting Long-Term Fleet Stability**

The MLA recognizes the operational challenges associated with maintaining dual state and federal trap authorizations and supports reasonable flexibility where it benefits active fishermen. However, any modification to permit structures must be carefully designed to avoid creating long-term unintended consequences that reduce participation opportunities and destabilize the fleet.

Permit consolidation is difficult—if not impossible—to reverse once it occurs. A measured, clearly defined one-time conversion opportunity would provide relief to eligible fishermen while preserving DMF’s ability to maintain a balanced and accessible fishery into the future.

### **Conclusion**

The Massachusetts Lobstermen’s Association respectfully urges the Division of Marine Fisheries to adopt explicit safeguards ensuring that the proposed Coastal-to-Offshore permit conversion is implemented as a **single, limited opportunity** that prevents stacking or amassing of federal lobster permits. Taking this precautionary approach will help maintain fairness, prevent excessive consolidation, and protect the long-term sustainability and accessibility of the Massachusetts lobster fleet.

We appreciate the Division of Marine Fisheries continued willingness to engage with industry stakeholders and welcome further discussion on how to implement this proposal in a way that supports both fishermen and responsible fishery management.

Respectfully submitted,

*Beth Casoni*

Executive Director

**From:** [Joel Bois](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Written comment attention Dan mck  
**Date:** Thursday, March 5, 2026 11:03:11 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.

In regards to the area 1 offshore lobster permits, how many is one corporation or entity going to be allowed to own? Are we opening ourselves up to another little bay lobster co? Sounds like more consolidation. Happy to expand , clarify.

Thank you,

Joel Bois

Sent from my iPhone

**From:** [mike goodwin](#)  
**To:** [Marine Fish \(FWE\)](#)  
**Subject:** Dropping state permits  
**Date:** Wednesday, February 4, 2026 8:59:14 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.

I'm commenting on the dropping the state lobster and making it a landing permit. This is a terrible idea! It opens the door for people to build corporate fleets. They allow this in Canada and NH and for the most part the owner operators of them areas complain of captains that have nothing to lose attitudes running them boats and making a tough time for the owner operators. This is a small boat owner operator fishery let's protect all the hard work we've done for this fishery. They want to be fleet owners they can buy into area 3! Thanks Mike Goodwin

[Sent from Yahoo Mail for iPhone](#)



Maura T. Healey  
**Governor**

Kimberly Driscoll  
**Lt. Governor**

Rebecca L. Tepper  
**Secretary**

Thomas K. O’Shea  
**Commissioner**

Daniel J. McKiernan  
**Director**

**Memorandum**

To: Marine Fisheries Advisory Commission (MFAC)

From: Daniel J. McKiernan, Director 

Date: March 12, 2026

Subject: **Emergency Regulations to Implement Limits for Recreational Western Gulf of Maine Cod and Gulf of Maine Haddock**

**Emergency Action**

The Division of Marine Fisheries (DMF) seeks to align FY2026 state waters recreational fishing rules for Western Gulf of Maine (WGOM) cod<sup>1</sup> and Gulf of Maine (GOM) haddock with pending federal rule changes recommended by the New England Fishery Management Council (NEFMC) at their January 2026 council meeting (see the [NEFMC press release](#) for more details):

1. WGOM cod: open season of October 1 - 31 with a 1-fish bag limit and 23” minimum size
2. GOM haddock: open season of April 1 – February 28 with a 15-fish bag limit and 17” minimum size

The proposed rules amend the effective FY2025 WGOM recreational rules by eliminating the September cod fishery. Although a May fishery had been recommended by the NEFMC for FY2025, it has remained unimplemented as part of Amendment 25 that is still under NOAA Fisheries review. The FY2026 GOM haddock rules are continuation of the FY2025 rules (although the 17” minimum size was only just implemented federally on March 9<sup>th</sup> as part of Framework 69).

<sup>1</sup> The four cod stocks approved in Amendment 25 still await implementation by NOAA Fisheries. Until those regulations go into effect, the two cod structure of Gulf of Maine cod and Georges Bank cod remains effective in the federal fishery management plan. However, DMF amended its state waters cod regulations last spring, and in anticipation of the adoption of Amendment 25, the definitions at 322 CMR 6.03 now to refer to those waters north and east of Cape Cod as the Western Gulf of Maine Cod Stock Area. Therefore, for the purposes of this memorandum, DMF uses the term Western Gulf of Maine or WGOM cod.

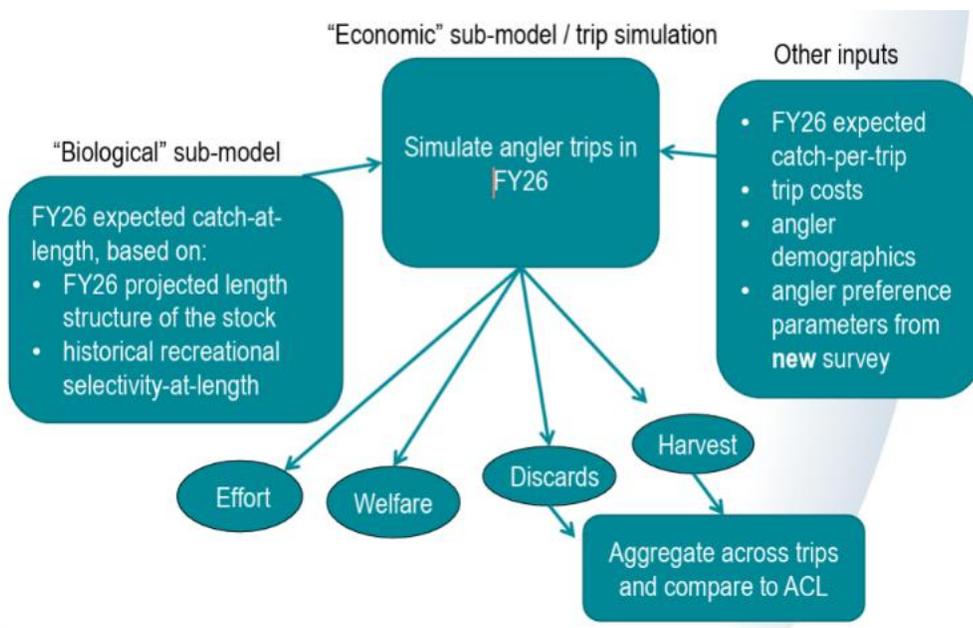
Given the start of the federal fishing year on May 1 and the recent implementation of Framework 69, DMF intends to use its emergency rule making authority to implement complementary regulations for state waters. Using this expedites the rule making process by allowing DMF to dispense with the public comment period prior to implementing the rules. As this is a deviation from the routine regulatory process, I seek the MFAC’s consensus support for this regulatory approach before moving forward. Please note that while May 1 implementation is desired, it is not certain and federal rule making has been subject to significant delays.

## Background and Rationale

Annually, in January, the NEFMC recommends adjustments to federal cod and haddock recreational fishing limits in the Gulf of Maine. To support this effort, NOAA Fisheries has developed an online [decision support tool](#) enabling interested parties to propose suites of measures and evaluate how likely they are to keep catch within the recreational sub-Annual Catch Limits (sub-ACLs) for a given stock. Figure 1 summarizes the bioeconomic model framework. Historically, the model has performed better (predicting closer to MRIP estimated catch) for cod than haddock. For FY2026 the model predicts that the recommended FY2026 rules will keep estimated catch of WGOM at 112 mt (246,198 pounds) and GOM haddock at 401 mt (884,054 pounds). This equates to a predicted 97% utilization of the WGOM cod recreational sub-ACL of 116 mt (255,736) and 35% of the GOM haddock recreational sub-ACL of 1,146 mt (~2.5-million pounds).

## Appendix

Figure 1. Schematic Summarizing Bioeconomic Model Framework



Source: NOAA Fisheries



Maura T. Healey  
*Governor*

Kimberly Driscoll  
*Lt. Governor*

Rebecca L. Tepper  
*Secretary*

Thomas K. O’Shea  
*Commissioner*

Daniel J. McKiernan  
*Director*

**Memorandum**

To: Marine Fisheries Advisory Commission (MFAC)  
 From: Daniel McKiernan, Director *Daniel J. McKiernan*  
 Date: March 5, 2026  
 Subject: **Emergency Rulemaking for 2026–2027 Recreational Black Sea Bass Limits**

**Overview**

I intend to use DMF’s emergency rulemaking authority to liberalize the state’s recreational black sea bass measures for 2026–2027 consistent with decisions of the Atlantic States Marine Fisheries Commission (ASMFC) and as informed by public scoping and MFAC input. These measures reduce the size limit by a half-inch and extend the season through October 14 at a 2-fish limit (Table 1). I seek your support for these measures now to ensure continuity from emergency rulemaking to the subsequent final rulemaking that will be necessary over the summer.

**Table 1. Planned measures for recreational black sea bass in 2026–2027, compared to 2025.**

Year	Open Season	Bag Limit	Minimum Size
2025	May 17–September 1	4 fish	16.5”
2026-2027	May 16–August 31	4 fish	16”
	September 1–October 14	2 fish	

**Background and Rationale**

As previewed during the February 2026 MFAC business meeting, there is a 20% coastwide recreational harvest increase allowed for black sea bass this year, which is to be distributed among the three regions as follows: up to a 27% increase to the Massachusetts–New York region, up to a 16.5% increase to the Delaware–North Carolina region, and the remaining increase to the New Jersey region (estimated to be in the 16–18% range). Due to the timeline of these interstate decisions, emergency rulemaking is necessary to ensure we implement measures by mid-May and take full advantage of this opportunity.

The next step in the process was for the regions to develop option(s) for the ASMFC Management Board’s review. The interstate management plan provides direction for this process, specifying that when a regional liberalization is allowed, the proposed options must result in less intra-regional disparity in state measures (meaning not all states within the region will receive the same percent increase). However, the degree to which intra-regional disparity is addressed each management cycle is not defined and was thus subject to interstate negotiations.

Within the Northern Region, each state conducted public scoping prior to negotiations. This was of great benefit to the process, allowing each state to come to the table with an understanding of the public's priorities for increasing access to the resource. In Massachusetts, we held a virtual meeting in January and distributed an online survey to gather public input. The survey and public comment identified an extended season and size limit reduction as priorities for Massachusetts, as well as the high importance of beginning the season the weekend prior to Memorial Day among much of our for-hire industry. Season and size were likewise the priority in the other Northern Region states.

With this public input in mind, the Northern Region states were able to come to consensus on a single set of measures for submission to the ASMFC that is estimated to increase regional harvest by 26.9% (Table 2). While the magnitude of the allowed liberalization was insufficient to align the region's measures and fully address equity, the resulting measures take a significant step towards addressing the disparity of measures within the region (refer to Table 3 for 2025 measures), and we are appreciative of the collaborative nature in which our region undertook this assignment. It was only through this cooperation that Massachusetts was able to select measures that achieve the largest percent increase within the region (nearly 43% compared to 14–30% in the other states). This set of measures was approved by the ASMFC Management Board on March 5.

Throughout the region, the new measures align the season start date at May 16, apply a uniform half-inch reduction (with one exception), and modify bag limits and season dates to increase equity. The overall focus on opening closed days and reducing the minimum size—not just in Massachusetts but throughout the region—will do the most to reduce the region's release rate, and consequently the expected dead discard calculations that reduce harvest opportunities. Specific to Massachusetts, the considerable opening of Wave 5 (Sept/Oct) will provide much improved data to evaluate future regulatory adjustments for the fall fishery. October 14 is the latest date that Columbus Day can occur and it may also be of interest that the tautog limit increases on October 15. Note that regaining the season through October 14 at the 2-fish limit did not come at the expense of a reduced July/August bag limit as previously discussed with the MFAC at the February 2026 business meeting.

Lastly, I want to be clear that these measures are expected to remain in place *exactly* as is for 2027—meaning the fishery will open on a Sunday next year. Note, however, that in 2027, May 16 is six days prior to the for-hire industry requested opening of the Saturday before Memorial Day weekend.

**Table 2. Anticipated 2026-2027 Northern Region Recreational Black Sea Bass Measures**

State	Mode	Open Season	Bag	Size
Massachusetts	All	May 16–August 31	4 fish	16"
		September 1–October 14	2 fish	
Rhode Island	Private/Shore	May 16–December 31	3 fish	16"
Rhode Island	For-Hire	May 16–August 31	4 fish	16"
		September 1–December 31	6 fish	
Connecticut	Private/Shore	May 16–November 25	4 fish	15.5"
Connecticut	For-hire	May 16–August 31	4 fish	16"
		September 1–December 31	6 fish	
New York	All	May 16–August 31	3 fish	16"
		September 1–December 31	6 fish	

**Table 3. 2025 Northern Region Recreational Black Sea Bass Measures**

State	Mode	Open Season	Bag	Size
Massachusetts	All	May 17–September 1	4 fish	16.5"
Rhode Island	Private/Shore	May 22–August 26	2 fish	16.5"
		August 27–December 31	3 fish	
Rhode Island	For-Hire	June 18–August 31	2 fish	16"
		September 1–December 31	6 fish	
Connecticut	Private/Shore	May 17–June 23 & July 8–November 25	5 fish	16"
		May 17–August 31	5 fish	
Connecticut	For-hire	September 1–December 31	7 fish	16"
		June 23–August 31	3 fish	
New York	All	September 1–December 31	6 fish	16.5"
		June 23–August 31	3 fish	

# Commercial Scup Recommendation



## Recommendation

- Approve liberalizing the commercial June hook and line and pot fishery limits for scup by increasing the trip limit from 400 pounds to 800 pounds and increasing the number of fishing days per week from three (Sun/Tue/Wed) to five (Sun–Thurs).

## Rationale

- Spawning stock biomass is at 323% of its target and fishing mortality is at 55% of its threshold.
- 2026/2027 scup quota will be set above 1.3 million pounds and likely underutilized based on recent performance.
- Will align June rules with May rules to allow continued and consistent access to inshore resource.
- More stable supply could help grow markets.
- Benefits to spawning derived from more conservative June limits may be diminished given current stock status and potential economic benefits.



# Commercial Black Sea Bass Recommendation



## Recommendation

1. Eliminate the April 1 – April 22 closure period to allow trawlers to retain and land an incidental catch of up to 100 pounds consistent with the rules for the remainder of the year.
2. Amend the date whereby the closed commercial fishing days for pot and hook and line gear are automatically eliminated so that it occurs on September 1 rather than September 15.
3. Amend the date whereby the quota-conditional trip limit increases are implemented from September 1 to September 15. The quota-use threshold to trigger this increase and trip limits will remain status quo.

## Rationale

- Spawning stock biomass is at 284% of its target and fishing mortality is at 73% of its threshold.
- Massachusetts quota increasing from 787,216 lb in 2025 to ~1.03 mlb for 2026 and 2027.
- Earlier in-season regulatory adjustments should enable full quota utilization.
- Late season elimination of closed fishing days buffers against deteriorating weather conditions.
- Elimination of April dragger bycatch closure will remediate a regulatory oversight and allow the landing of this fish in Massachusetts ports.
- DMF will evaluate need for the multi-day pilot program and additional in-season adjustments based on fishery performance.



# Commercial Summer Flounder Recommendation



## Period I Recommendation

1. Establish a quota-based trigger for the Period I (Jan 1–Apr 22) and Period II (Apr 23–Dec 31) allocations:
  - a. If the annual quota is  $> 750,000$  lb, the split will be 30%:70%.
  - b. If the annual quota is  $\leq 750,000$  lb, the split will be 15%:85%.
2. Establish the Period I trip limit at 5,000 pounds irrespective of magnitude of quota.

## Rationale

- Coastwide quota is increasing by 45% and state quota by 75% compared to 2024/2025.
- 2026/2027 quota will be at ~1 mlb.
- Unwinds regulatory changes made from 2024 to 2025 to improve access to the increased quotas similar to how it operated in 2022-2024 when landings approached 1 mlb.
- Provides adaptive management of Period-based quota allocations derived from magnitude of quota.
- Trip limit will incentivize targeting of fish during winter offshore period.
- Balances interest in quota utilization with maintaining quota access throughout inshore summertime fishery which benefits more permit holders.



# Commercial Summer Flounder Recommendation



## Period II Recommendation

1. Eliminate Saturday as a closed fishing day during summertime fishery (Apr 22–Aug 31).
2. Increase baseline summertime (Apr 22–Aug 31) trip limit from 500 to 600 lb for nets and 325 to 400 lb for hooks.
3. Increase Sept baseline trip limit from 500 to 600 lb for nets and 325 to 400 lb for hooks.
4. Increase Sept quota-conditional trip limit from 800 to 1,000 lb (occurs if at least 20% of quota remains on Sept 1.)
5. Increase Oct baseline trip limit from 800 to 1,000 lb. Maintain Oct quota-conditional trip limit at 5,000 lb if 10% or more of quota remains on Oct 1.
6. Adopt a Nov – Dec baseline trip limit of 5,000 lb and a quota conditional trip limit of 10,000 lb if at least 20% quota remains on Nov 1.

## Rationale

- Unwinds regulatory changes made from 2024 to 2025 to improve access to the increased quotas similar to how it operated in 2022-2024 when landings approached 1 mlb.
- Maintains summertime trip limits at level consistent with historic preferences of day boat fleet.
- Additional fishing days add flexibility to target species in consideration of fishing safety.
- Liberalizes limits throughout fall to incentivize continued targeting of available quota as fish migrate offshore.



# Commercial Summer Flounder Recommendation



## Recommendation

1. Establish a quota-based trigger for the Period I (Jan 1–Apr 22) and Period II (Apr 23–Dec 31) allocations:
  - a. If the annual quota is  $> 750,000$  lb, the split will be 30%:70%.
  - b. If the annual quota is  $\leq 750,000$  lb, the split will be 15%:85%.
2. Establish the Period I trip limit at 5,000 pounds irrespective of magnitude of quota.
3. Eliminate Saturday as a closed fishing day during summertime fishery (Apr 22–Aug 31).
4. Increase baseline summertime (Apr 22–Aug 31) trip limit from 500 to 600 lb for nets and 325 to 400 lb for hooks.
5. Increase Sept baseline trip limit from 500 to 600 lb for nets and 325 to 400 lb for hooks.
6. Increase Sept quota-conditional trip limit from 800 to 1,000 lb (occurs if at least 20% of quota remains on Sept 1).
7. Increase Oct baseline trip limit from 800 to 1,000 lb. Maintain Oct quota-conditional trip limit at 5,000 lb if 10% or more of quota remains on Oct 1.
8. Adopt a Nov – Dec baseline trip limit of 5,000 lb and a quota conditional trip limit of 10,000 lb if at least 20% quota remains on Nov 1.

March 17, 2026

Massachusetts Division  
of Marine Fisheries



# Sea Scallop Dredge Width Recommendation



## Recommendation

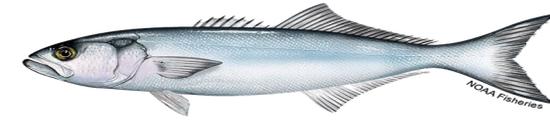
- Increase maximum sea scallop dredge width from 10' to 10.5' (six-inch increase).

## Rationale

- Will bring state rules into phase with federal rules (i.e., 10.5' federal maximum dredge width for LAGC NGOM and IFQ permit holders and the Limited Access Small Dredge Program).
- Uniform rules across jurisdictions enhance enforcement and compliance, particularly among dual permit holders who may fish both zones.



# Recreational Bluefish Recommendation



## Recommendation

- Increase recreational bluefish daily possession limits:
  - From 3 to 5 fish per angler when fishing from shore or a private/rental vessel
  - From 5 to 7 fish per angler when fishing from a for-hire vessel

## Rationale

- Consistent with MAFMC and ASMFC action to conservatively liberalize limits in response to increased RHL while recognizing still under a rebuilding plan.
- Uniform measures across jurisdictions enhance compliance, enforcement, and equity. Federal regulations have already changed and most states expected to adopt.
- Continues existing mode split to not disadvantage MA businesses and anglers.



# CAP Consolidation Permitting Decision

## Permitting Decision

1. Eliminate the CAP sub-endorsements for Squid, Whiting, Sea Herring, and North Shore Mobile Gear.
2. Eliminate the CAP-Scallop Dredge endorsement and provide current holders a general CAP.

## Rationale

- Reduce permitting burden and complexity. CAPs will cover all previously authorized mobile gear fishing activity.
- Comprehensive trip level reporting has replaced need for supplemental reports, the original reason for creating the CAP sub-endorsements.
- Issuance of CAPs to the seven CAP-Scallop Dredge permit holders is not expected to generate new mobile gear fishing effort because of other permitting requirements to participate in trawl fisheries.



# Sea Scallop Shucking Endorsement Decision

## Permitting Decision

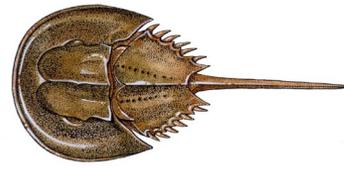
- Eliminate the sea scallop shucking endorsement.

## Rationale

- Shucking endorsement has become superfluous; was developed in 1980s to distinguish those vessels landing shucked product.
- Landing of shucked adductor meats subject to a lower regulatory burden than in-shell product. Shellfish permit is required to land whole in-shell product.
- Requiring shucking endorsement does not result in a relevant regulatory distinction.



# Horseshoe Crab Quota Reallocation Decision



## Public Hearing Proposal

- Reduce bait quota from 140,000 horseshoe crabs annually to 100,000 and reallocate these 40,000 horseshoe crabs to biomedical quota at a 1:2 ratio increasing biomed quota from 200,000 horseshoe crabs annually to 280,000.

## Decision to Withdraw

- Current management program successfully achieving conservation goals for species.
- Quotas were set in 2023 to cap mortality at 2022-levels and ensure adequate supply of bait and biomedical crabs.
- Proposal may correct market misalignment but it would do so at disproportionate costs to industry and at extreme frustration of various stakeholder groups.
- Strong objections from various stakeholders.
- Will continue to monitor fishery performance and fishery independent data to analyze if future amendments to horseshoe crab management program are warranted.
- Interest in seeing rent-a-crab program return to historic practice of bleeding crabs destined for bait market rather than driving demand for bait crabs.



# Commercial Lobster Permitting Decision



## Public Hearing Proposal

- Allow an existing Coastal Lobster Permit (CLP) holder with a federal lobster permit to surrender their Coastal Lobster Permit to DMF and be issued an Offshore Lobster Permit (OLP), converting their trap tag authorization from dual state-federal to federal waters only.

## Decision to Withdraw

- Strong industry support for owner-operator requirement in LCMA 1 fishery.
- Concerns that this may lead to development of multi-vessel inshore fleets.
- May contribute to reduced compliance with lobster conservation and protected species regulations.
- Inappropriate to deviate from current effort control program while ASMFC initiates MSE.



# Emergency Regulations for Recreational GOM Cod and Haddock

## Proposed Emergency Action

- WGOM Cod: Adopt an open recreational fishing season of Oct 1–31 with a 1-fish bag limit and 23” minimum size, thereby eliminating the Sept open fishing season.
- GOM Haddock: Adopt an open recreational fishing season of Apr 1–Feb 28 with a 15-fish bag limit and 17” minimum size, thereby reducing minimum size from 18” to 17”.

## Background and Rationale

- Matches NEFMC recommendation to NOAA Fisheries to achieve but not exceed annual catch limits based on NOAA Fisheries bio-economic model.
- Implementation may be delayed or adjusted based on federal rule making.
- Interest in creating uniform regulations across state and federal jurisdictions to simplify enforcement and compliance and ensure state management does not undermine federal conservation or angler access.

## Framework 69

- NOAA Fisheries just implemented framework on March 9, 2026 which amends recreational haddock limits for FY25 (through April 30, 2026).
- State minimum size regs (18”) will be out of phase with federal minimum size regs (17”) until emergency action is implemented.



# Emergency Regulations for Recreational Black Sea Bass

## Proposed Emergency Action

- Reduce size limit by half-inch, open six weeks during Sept/Oct at a 2-fish bag limit, and maintain opening the weekend prior to Memorial Day.

Year	Season	Bag Limit	Size Limit
2025	May 17 – September 1	4-fish	16.5”
2026/2027	May 16 – August 31	4-fish	16”
	September 1 – October 14	2-fish	16”

## Background and Rationale

- Northern Region (MA- NY) may liberalize up to 27% for 2026/2027.
- States worked to smooth out intra-regional regulatory disparities enabling a longer season and lower size limit for MA anglers.
- Responds to angler preferences set forth during public scoping for season start date, longer season that extends into fall, and smaller minimum size.



# MFAC Meeting to Break Until 11:55

March 17, 2026

Massachusetts Division  
of Marine Fisheries



Marine Habitat Restoration in Massachusetts: Nature based solutions to enhancing marine biodiversity and promoting healthy fish populations





# The Challenge

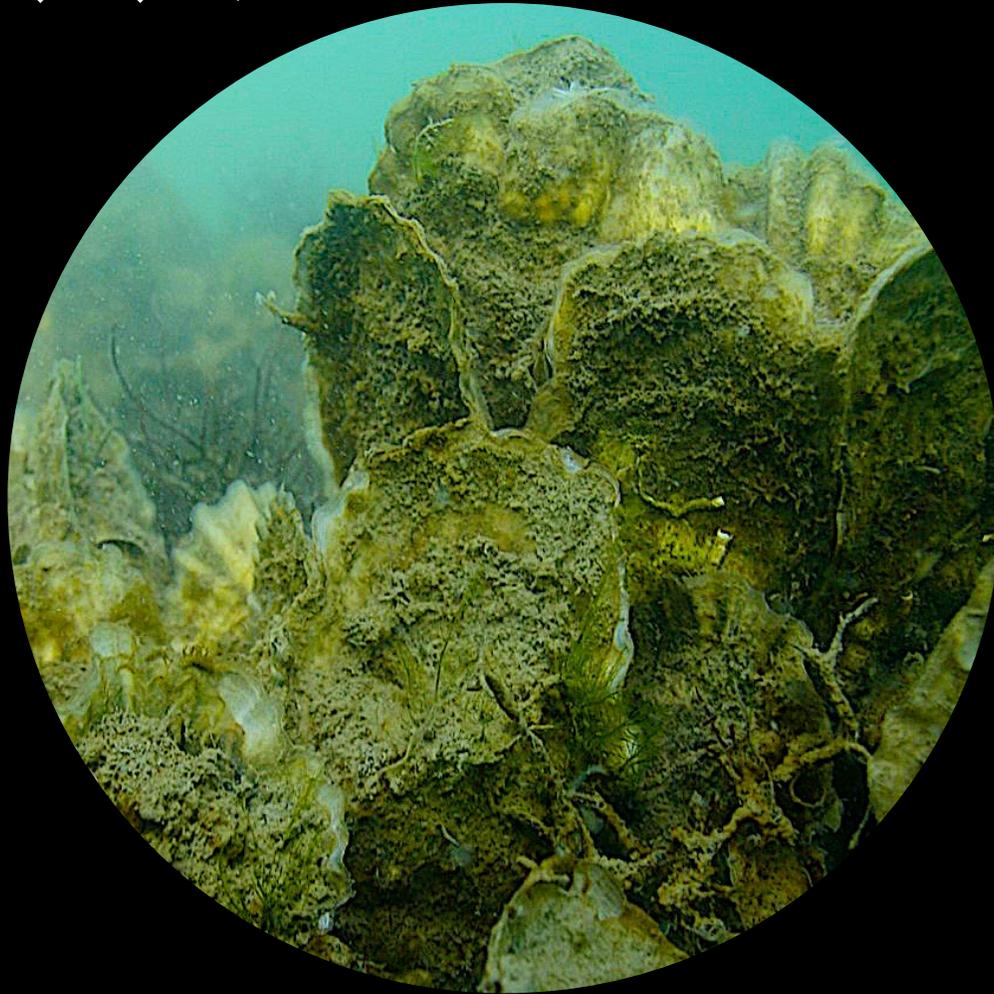


- Massachusetts has among the most urbanized coastlines in the U.S.
- Over the last century significant marine habitat loss has occurred
  - Shoreline development
  - Water quality degradation
  - Climate change
- ~50% decline in eelgrass coverage
- ~80% decline in kelp forest
- ~85-99% loss of oyster reefs



## Goal

To build Massachusetts' capacity for effective and durable marine habitat restoration by developing the infrastructure, partnerships, and expertise needed to scale up restoration of eelgrass meadows, shellfish reefs, and kelp forests across the Commonwealth.



- **Vision:** Create a Massachusetts Marine Habitat Restoration Center at our Cat Cove Marine Lab
  - DMF staff – will provide technical support, applied research, and outreach
  - Facility – produce eelgrass seed and kelp spores to use in restoration, potential to act as an oyster shell recycling site
  - Salt pond - to act as a living laboratory to test field methods and educate restoration practitioners



# Why?

- Enhance biodiversity
- Enhance fish production
  - Eelgrass meadows, kelp forests, and shellfish reefs are all EFH
- Carbon sequestration (“Blue Carbon”)
  - Enhance nature base solutions to combat global warming and ocean acidification
- Nitrogen sequestration
  - Help combat eutrophication in coastal waters
- Enhance shoreline resiliency
  - Eelgrass meadow, kelp forests and shellfish reefs attenuate waves and stabilize shorelines



# How?

## Capital Investments

- DMF received \$1.5 million (\$750k in FY26, \$750k in FY27) in capital improvement funds from the Department

## Partnerships

- Develop and expand partnerships focused on marine habitat restoration
- Example: Massachusetts Bay National Estuary Partnership contributed ~\$80,000 toward the construction of an outdoor eelgrass seed production barn

## Fund Raising

- Pursue grant funding for projects
- Pursue appropriations for continued capital development



# DMF Cat Cove Marine Laboratory

- 5,200 sq. ft lab
- 450 sq. ft. waterfront laboratory/classroom
- 6.2-acre outdoor campus
- 8-acre coastal salt pond

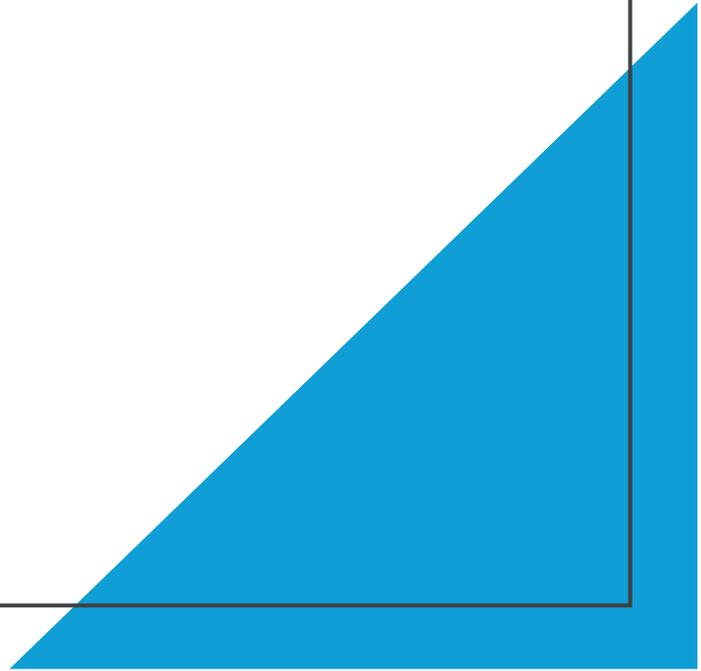


- Planning

- Enhance sea water system
- Design and build infrastructure for shellfish, eelgrass, and kelp seed production
- Fix tidal gate on Smith Pool – enhance security
- Enhanced Outreach – school groups, educators, practitioners
  - Informational kiosks on marine habitat
  - Interpretive Classroom
  - Touch tank
- Smith Pool Living Laboratory
  - Demonstrative projects on shellfish reef and eelgrass restoration

# DMF Team

- Bob Glenn
- Kevin Creighton
- Sarah Ferrara
- Gary Nelson
- Brian Castonguay
- Mark Rousseau
- Forest Schneck
- Sean Terril



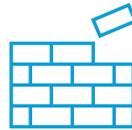
# Next Steps



**Work with DCAM –  
hire master planner  
and house doctor**



**Meet with consultant  
– design, mockups,  
cost**



**Address immediate  
facility infrastructure  
needs**

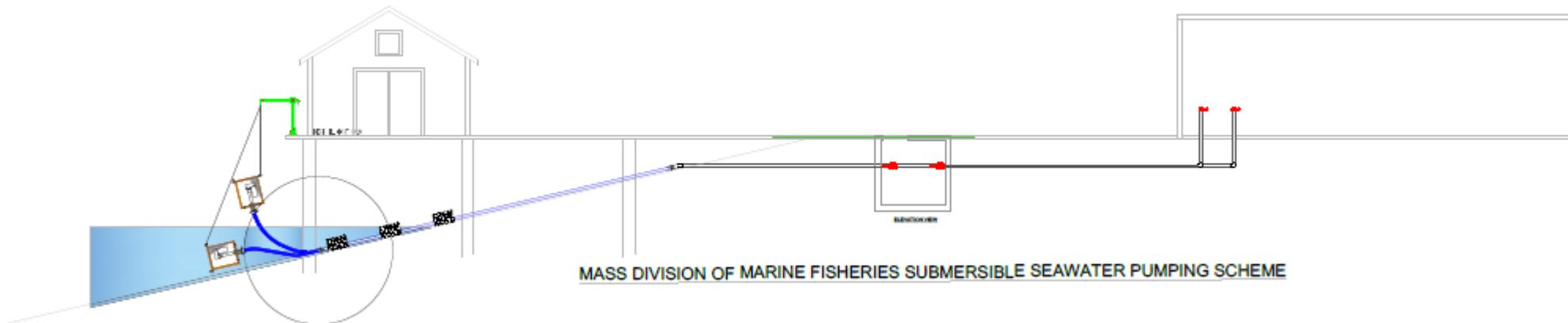
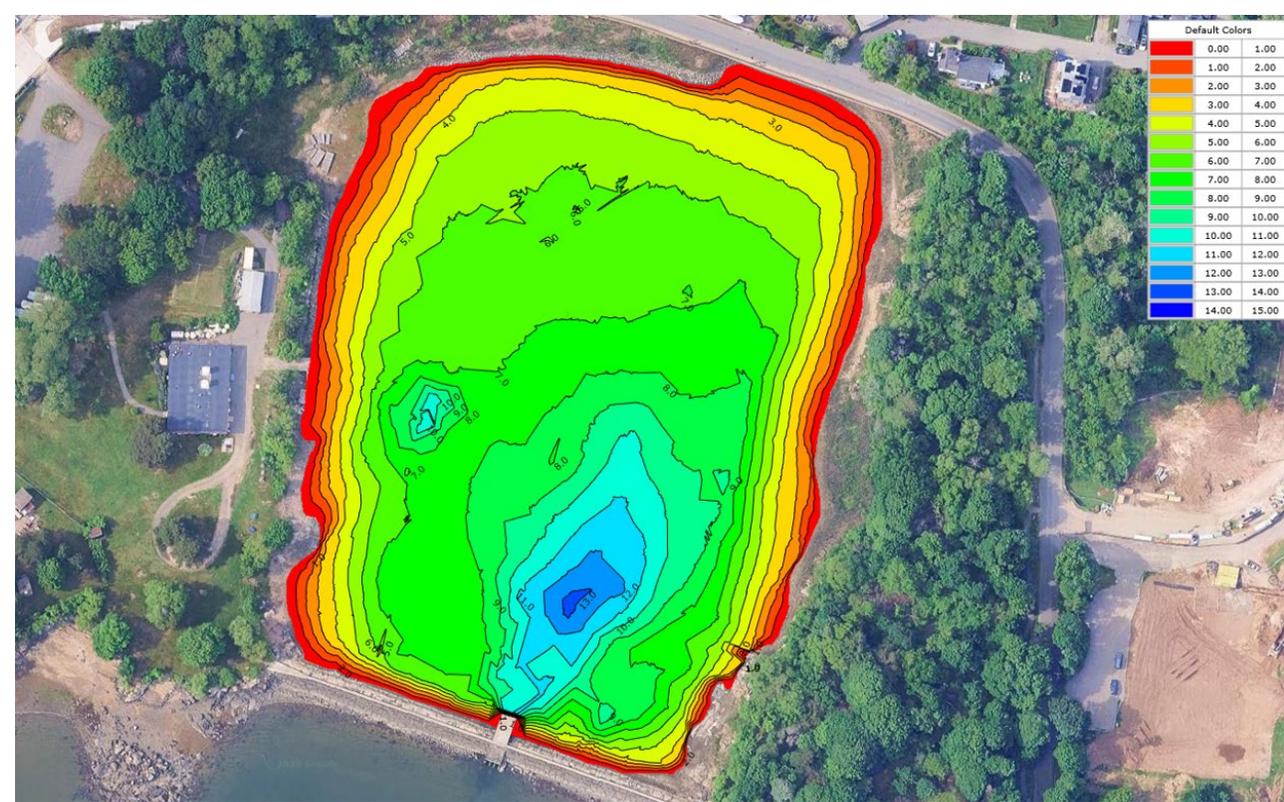


**Replace and Upgrade  
Seawater system**



**Initiate construction  
of outdoor seawater  
pole barn for eel grass  
seed production**

# Sea Water System



# Outdoor Seawater Lab (“Seed Barn”)

- Cost efficient way to seasonally expand eelgrass seed collection capacity
- Assessing potential to utilize IBC containers
  - Inexpensive
  - Easily modified
  - Stackable
- Partnership with Mass Bays National Estuarine Program



# Partnerships

Create new and enhance existing partnerships to promote and facilitate marine habitat restoration efforts in the Commonwealth

## Eel Grass Restoration

U.S. Environmental Protection Agency (EPA)  
Massachusetts Coastal Zone Management (CZM)  
Massachusetts Department of Environmental Protection (DEP)  
Northeastern University  
Boston University  
Massachusetts Bays National Estuary Partnership  
Cape Cod National Seashore,  
Marine Biological Laboratory (MBL)  
New England Aquarium (NEAQ)  
Atlantic Coastal Fish Habitat Partnership (ACFHP)  
Atlantic States Marine Fisheries Commission (ASMFC)

## Kelp Restoration

University of Massachusetts – Boston  
Salem State University

## Oyster Reef Restoration

The Nature Conservancy  
Mass Oyster Project  
Cape Cod Conservation District  
Buzzard's Bay Coalition  
SMAST  
University of Massachusetts Lowell



# Scaling Up Restoration

Oyster reefs

Eel grass

Kelp

---



# Oyster Reef Restoration

- **NRCS-funded partnership with DMF, TNC, and CCCD to restore oyster reefs**
- 85-99% loss of oyster reefs in New England
- Restoration for ecological services
- Farmer-supported through EQIP\*
- **2025 Accomplishments**
  - **MA Oyster RSI Model**
  - **Preliminary project selection**
  - **Started site investigations & restoration planning**



\*EQIP= Environmental Quality Incentives Program



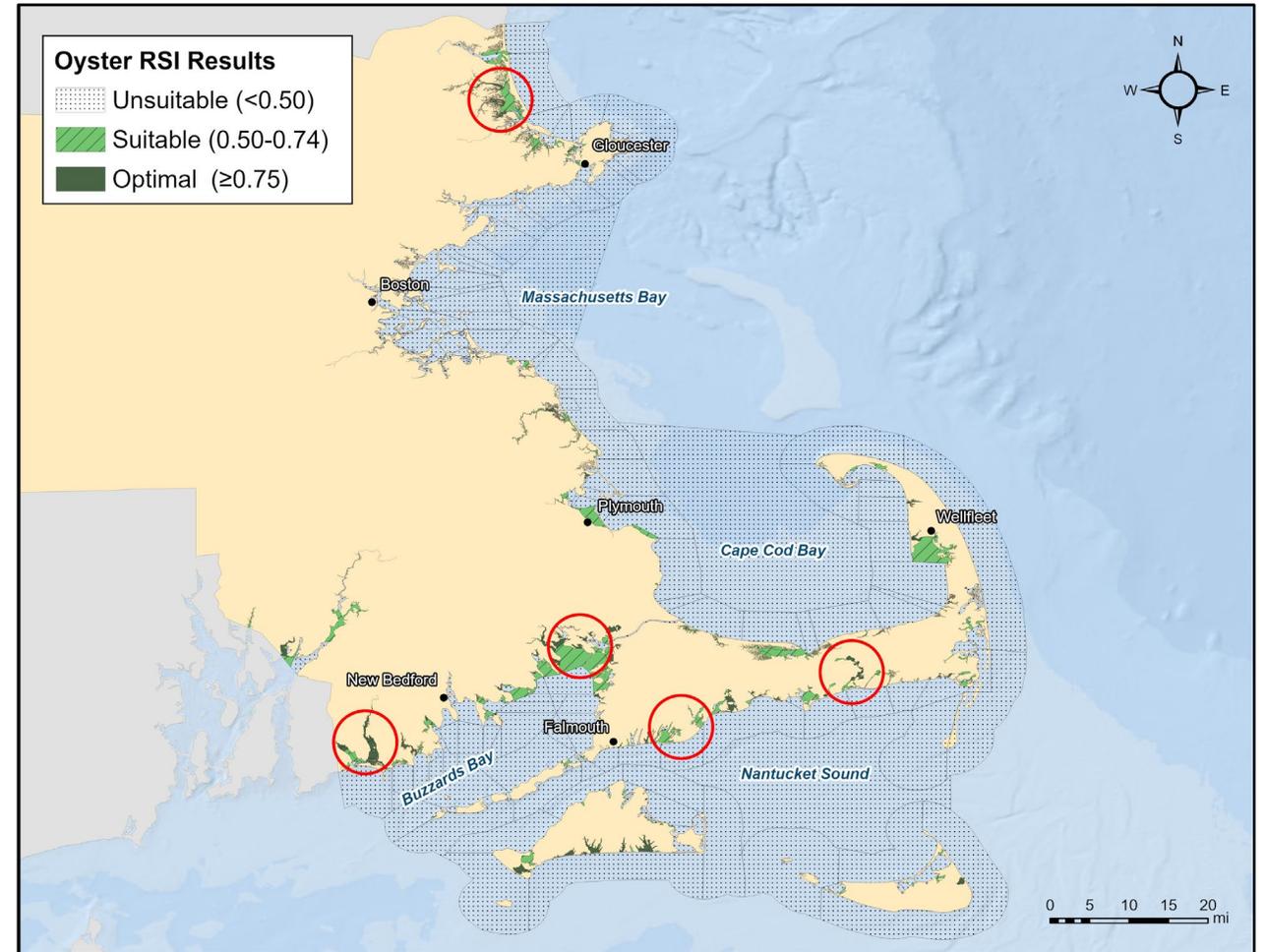
# Oyster Reef Restoration

- **Oyster Restoration Suitability Index (RSI)**

- Multi-factor weighted model:
  - Habitat
  - Logistics and Feasibility
  - Community Resources
- Identify most suitable areas
  - Rank 800+ SCAs

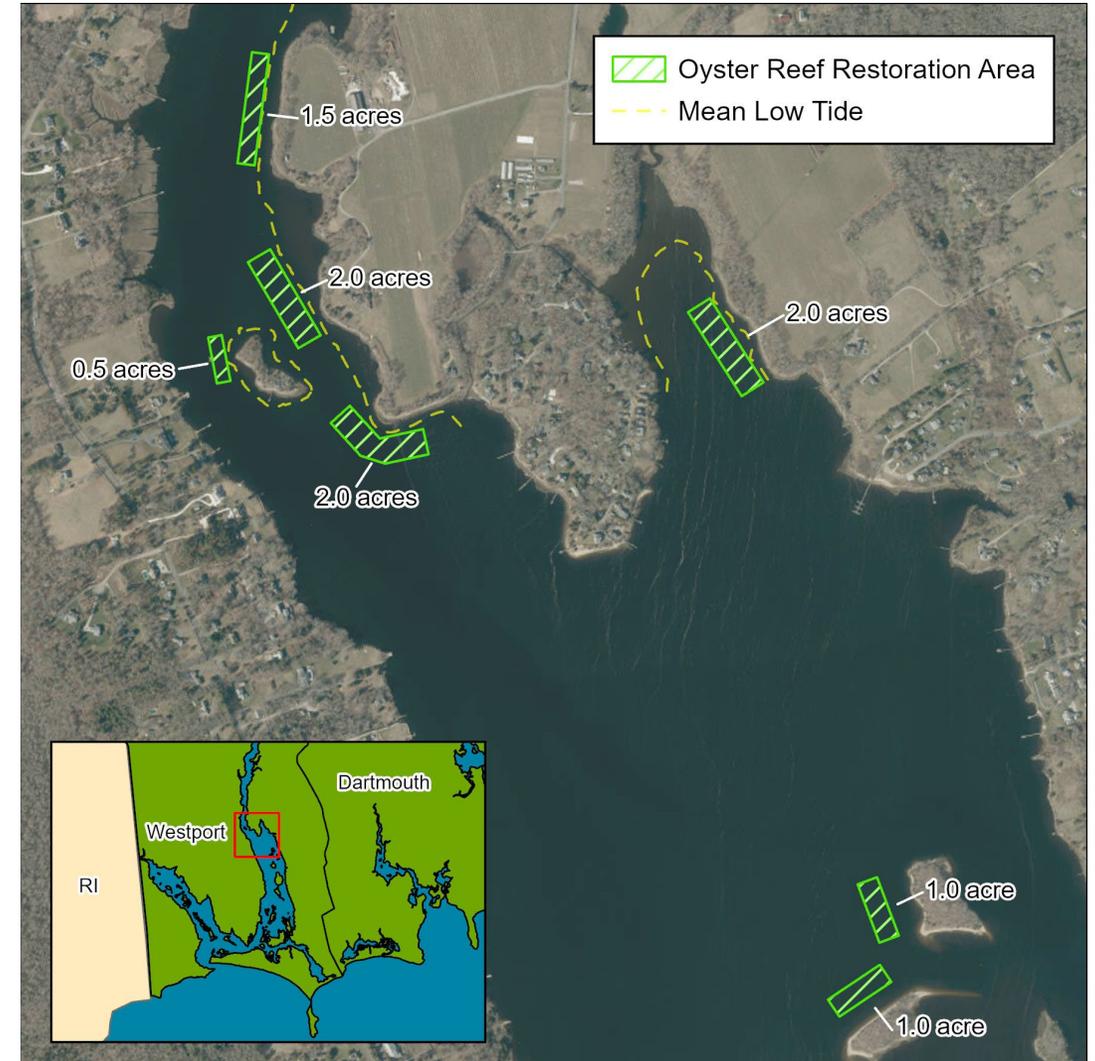
- **Preliminary project areas:**

- Westport River
- Bass River
- Waquoit Bay/Popponesset Bay
- Upper Buzzards Bay
- Plum Island Sound



# Oyster Reef Restoration

- For each project, **restoration site selection** driven by:
  - Input from municipal DNR staff
  - DMF sampling and surveying
    - Bathymetry & sidescan sonar
    - Sediment sampling/ underwater video
    - Water quality sensors & Recruitment studies
- **Westport River Oyster Reef Restoration Project**
  - Permitting 10 acres for restoration
  - 30% reef coverage at 50 oysters/m<sup>2</sup>
    - 3 acres of reefs
    - 5000+ cy of shell cultch
    - 750,000+ single oysters



# Oyster Reef Restoration

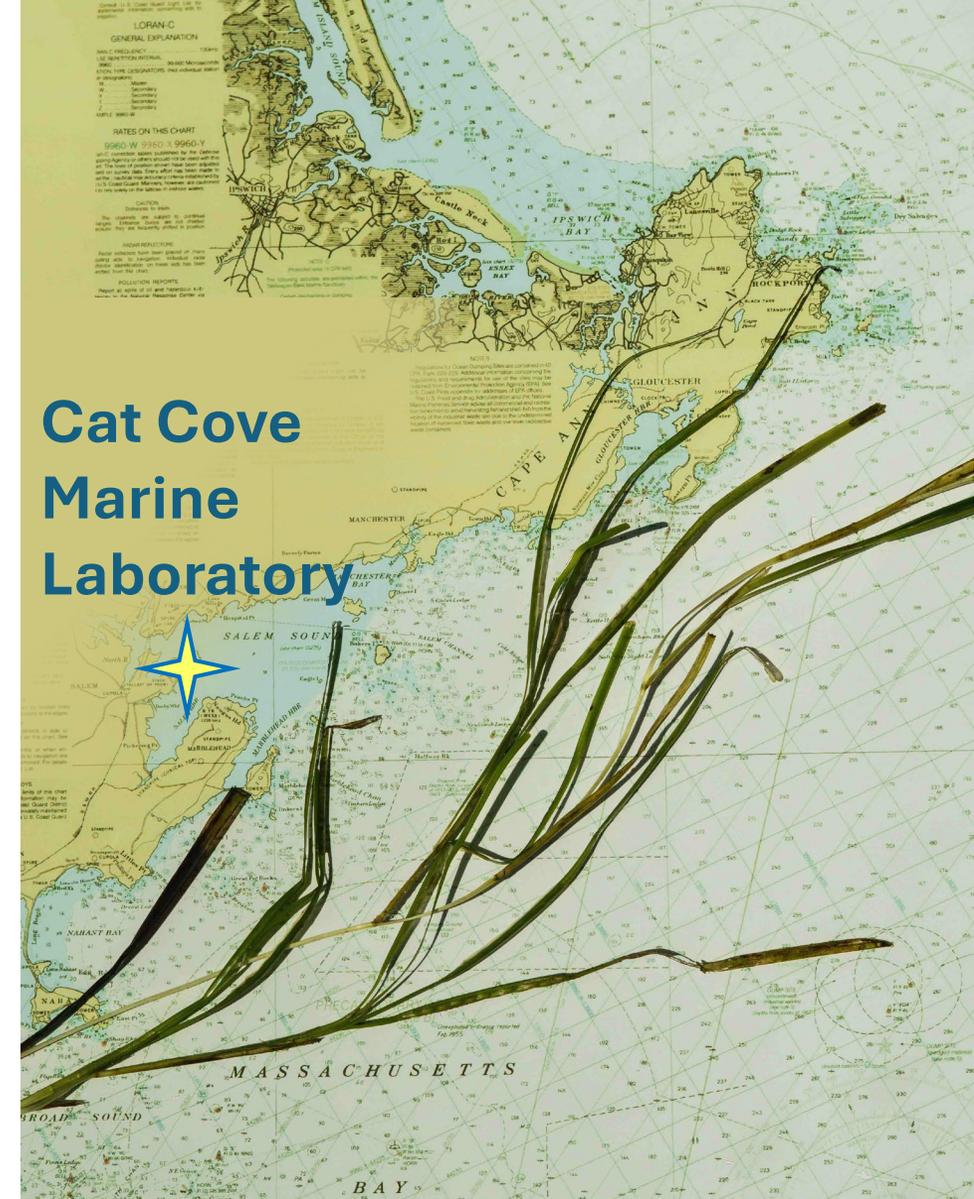
- **Looking forward in 2026**

- Summer field work to help site selection
  - Sonar surveys
  - Recruitment studies
  - Water quality monitoring
- Applying for National Coastal Resilience Fund funding for oyster reef restoration implementation in Westport
- Collaborating with:
  - UMass Lowell on oyster reef research in Plum Island Sound
  - Mass Maritime Academy on wild brood stock husbandry
  - Mass Oyster Project on shell recycling
  - Westport River Watershed Alliance and Friends of Bass River on recruitment studies



# Seagrass Restoration

- **Building towards large-scale collaborative seagrass restoration**
  - Provide seeds for restoration
  - Research restoration methods
  - Build a network of restoration practitioners

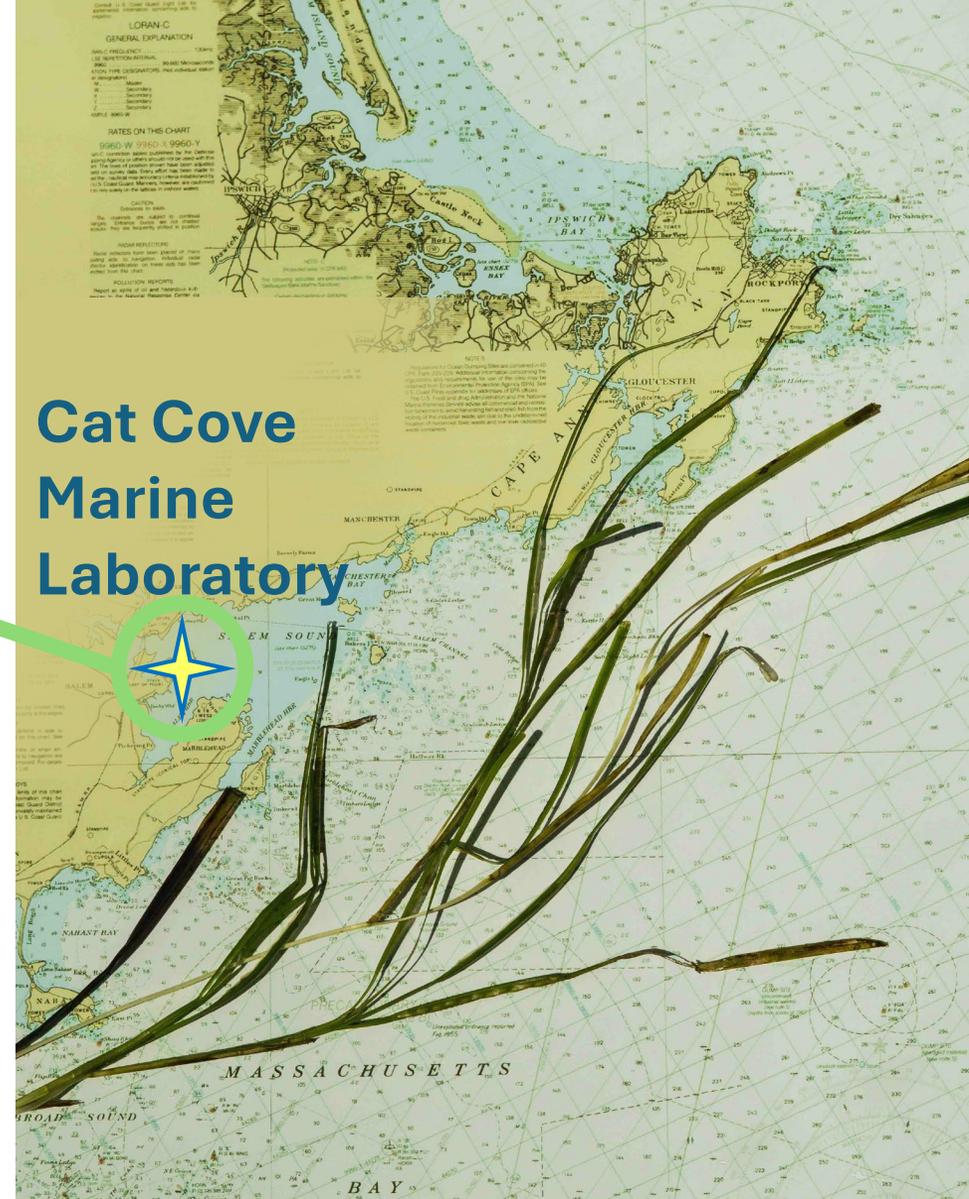


# Seagrass Restoration

- Provide seeds for restoration



**2 million seed  
planned for 2026**

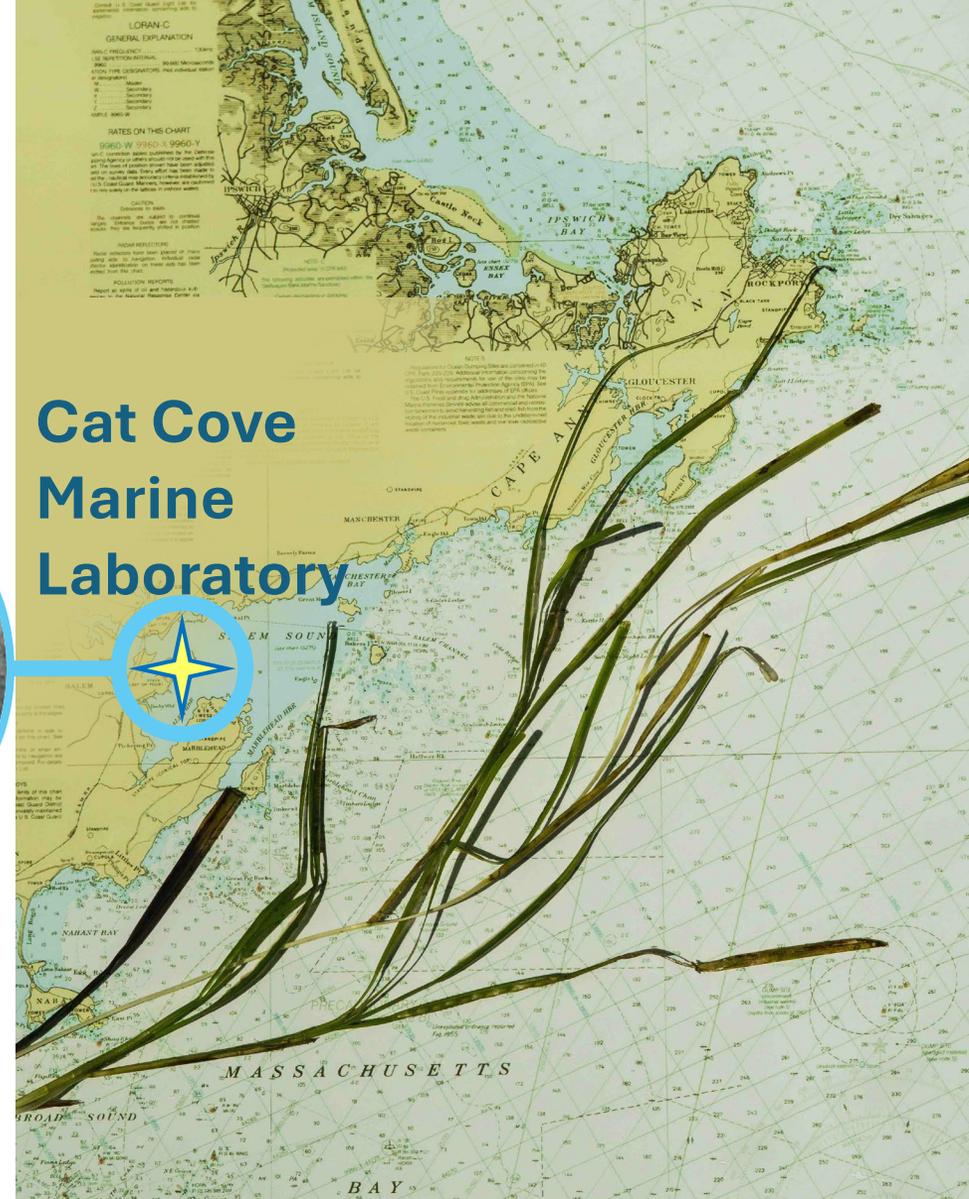


**Cat Cove  
Marine  
Laboratory**



# Seagrass Restoration

- Research restoration methods



Cat Cove  
Marine  
Laboratory



Current Funding Sources:



# Seagrass Restoration

- Build a network of restoration practitioners



Cat Cove  
Marine  
Laboratory



Selection of  
Collaborators



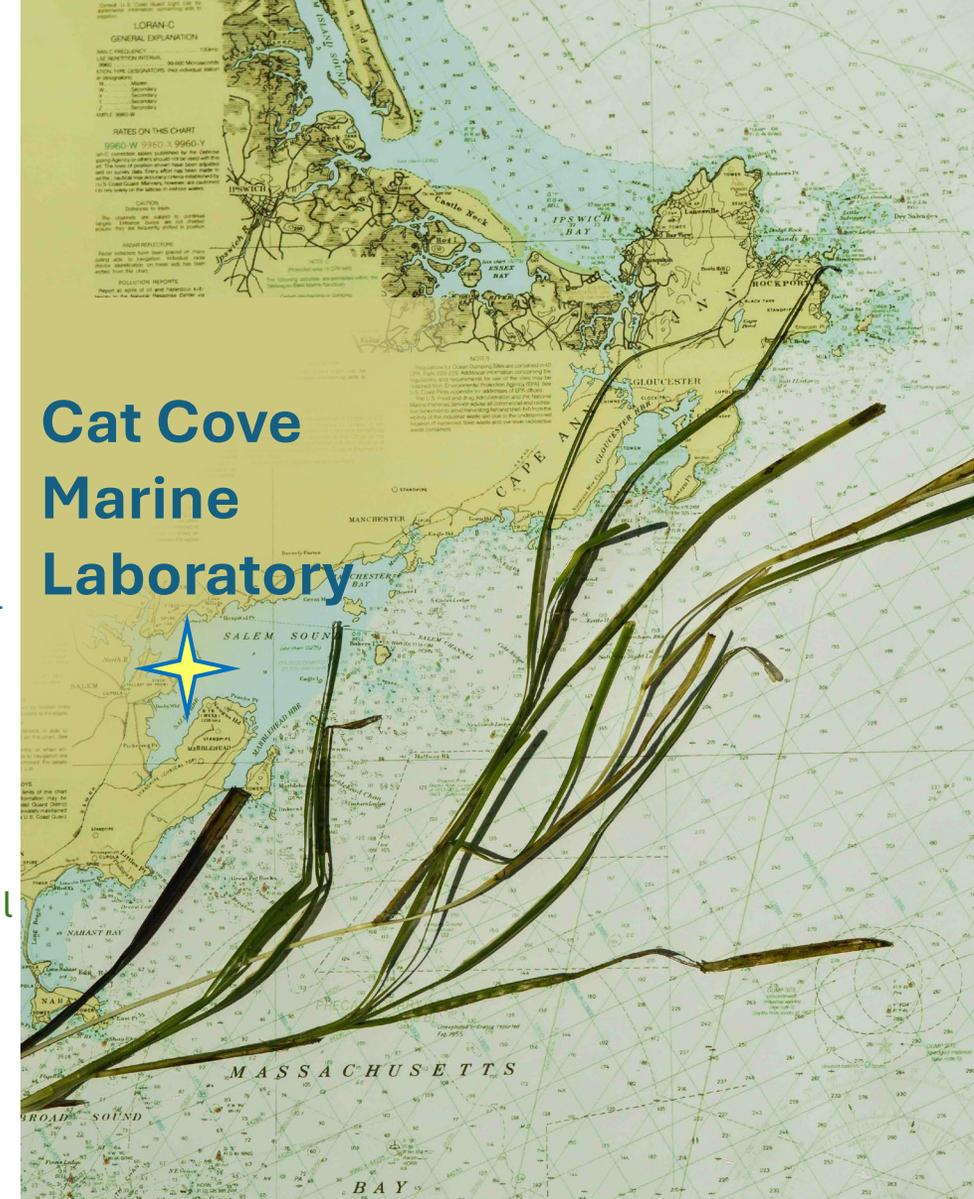
And growing ...

Massachusetts Division  
of Marine Fisheries



# Seagrass Restoration

- **Irons in the Fire:** Seeking funding opportunities and building collaborations to realize these goals:
  - Mass Bays National Estuarine Partnership (2026-2027)
    - Build seagrass seed barn at Cat Cove
    - Support DMF seed collection dive operations
    - Coordinate community-led seed-based seagrass restoration
  - MIT/WHOI Joint Program (2027)
    - Explore novel seagrass seed propagation methods in Smith Pool at Cat Cove
  - Salem State University (2026-2027)
    - Undergraduate summer internships supporting seed-based seagrass restoration work at Cat Cove
  - Allen Family Foundation (2027-2029)
    - Support DMF seed collection dive operations
    - Bring on full-time Seagrass Restoration Technician and Seasonal Research Assistants employed through UMass Boston to support seed-based seagrass restoration work at Cat Cove
    - Leverage expertise and resources of academic partners to use genetic and microbial techniques to inform seed-based seagrass restoration best practices
    - Coordinate community-led seed-based seagrass restoration



Cat Cove  
Marine  
Laboratory



# Kelp Restoration



- **Establish a baseline**
  - Broad scale declines in kelp forest observed in Gulf of Maine
  - Need to map extent of kelp forest habitat in Massachusetts
  - Partnering with UMASS Boston to use optical remote sensing and AI to map kelp forests in Salem Sound
    - DMF provided \$58,000 in state community biodiversity funds
- **Build capacity for restoration**
  - Partnering with Salem State University and UMASS Boston to build a small-scale demonstration kelp hatchery at Cat Cove
    - DMF provided \$49,000 in state community biodiversity funds
    - Conduct research on kelp recruitment success
    - Evaluate efficacy of “green gravel” and other planting methods
    - Train staff/students in culture and propagation methodology
- **Develop pilot kelp restoration program by 2028**

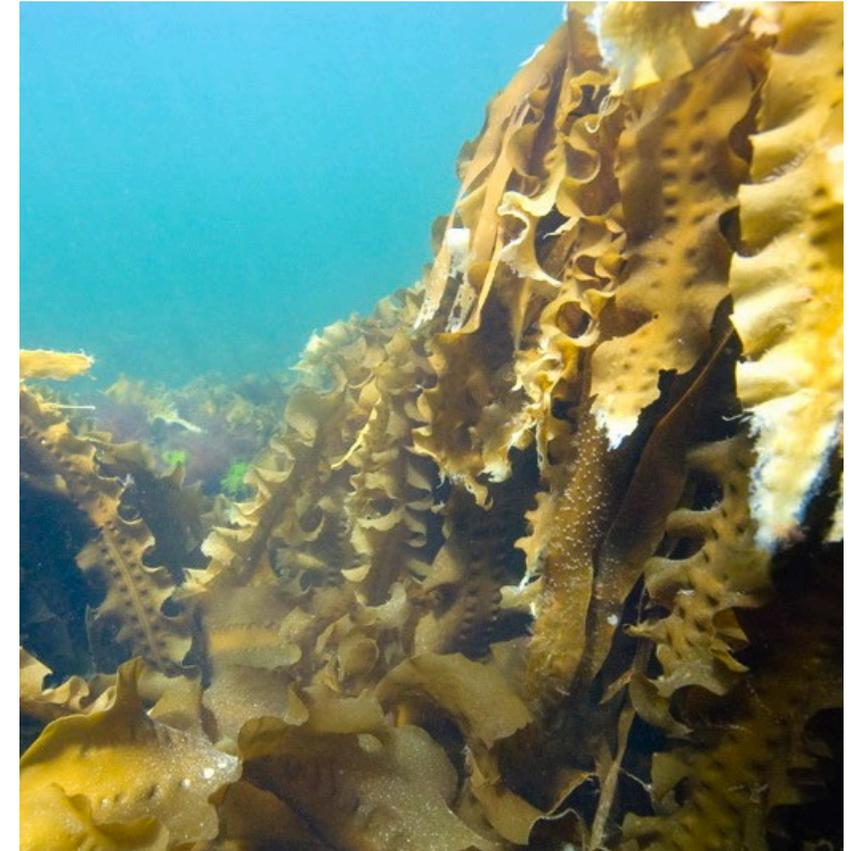
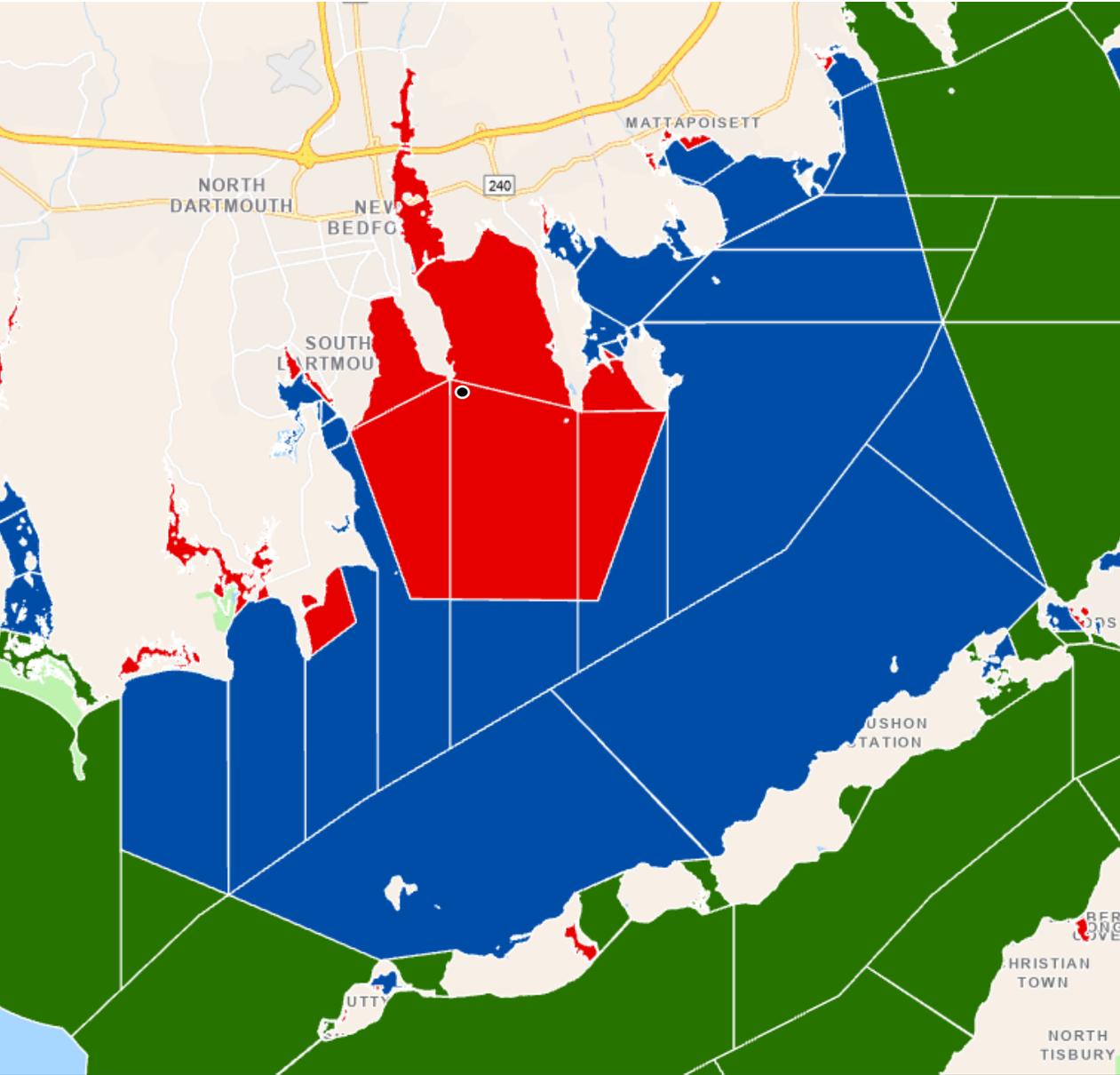


Photo credit: Bryne's Lab UMASS Boston



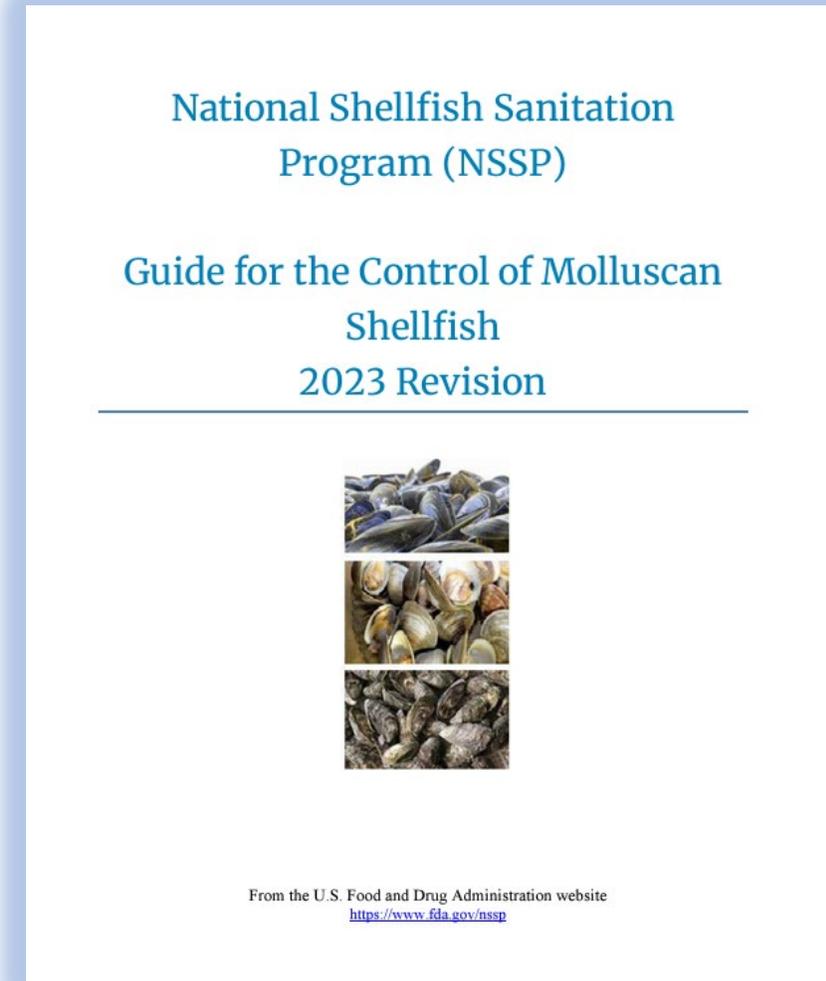
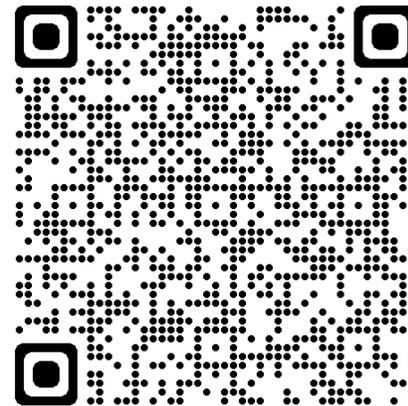
# Wastewater Discharge and Shellfish Sanitation

**Matthew Camisa**  
Regional Shellfish Program Leader  
Shellfish Sanitation and Management Program



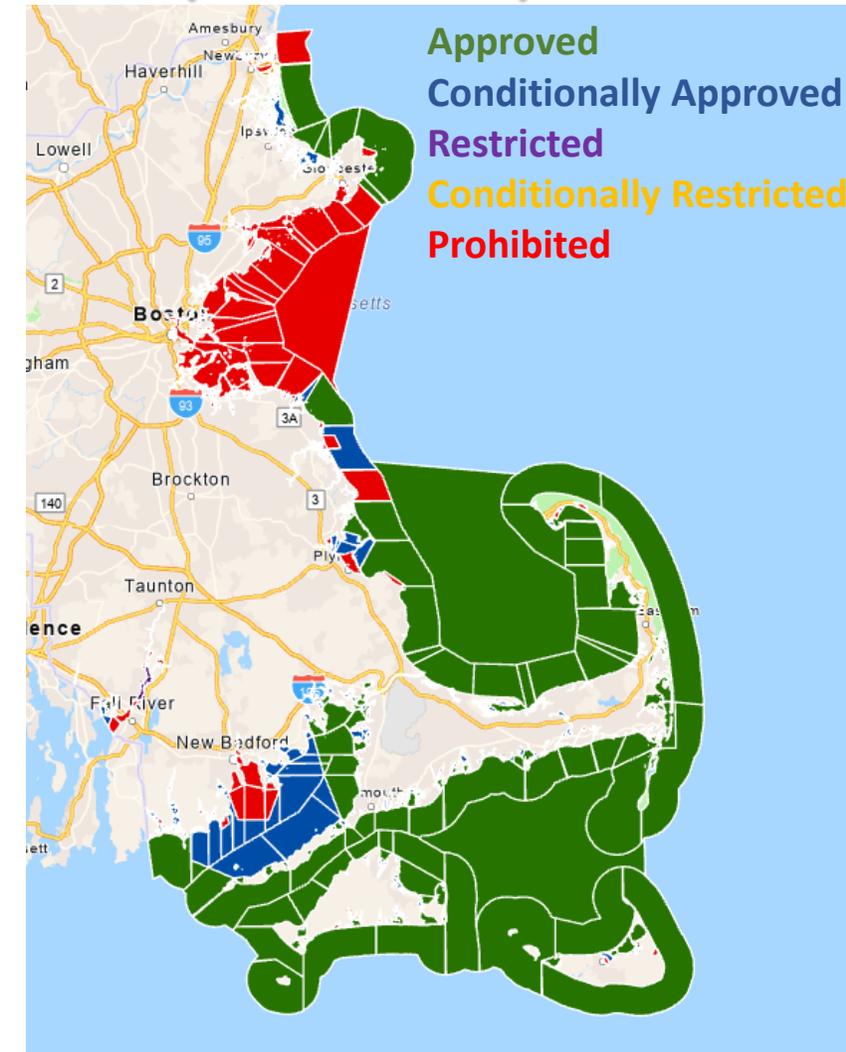
# National Shellfish Sanitation Program (NSSP)

- FDA Cooperative Program w/Federal Agencies-States-Industry
- A Public Health document for the sanitary control of the harvest and handling of bivalve molluscan shellfish in the US
- Ensures shellfish will be safe and sanitary if produced in accordance with NSSP guidelines



# Designated Shellfish Growing Areas (DSGAs)

- 1,500 miles of Coastline
- >1.7 million acres
- 285 DSGAs
- 767 sub areas
- 1,574 active classification stations
- Sampled 5 times per year while in the open status



# 2023 Model Ordinance Mandates

## Ch IV @.03 Growing Area Classification

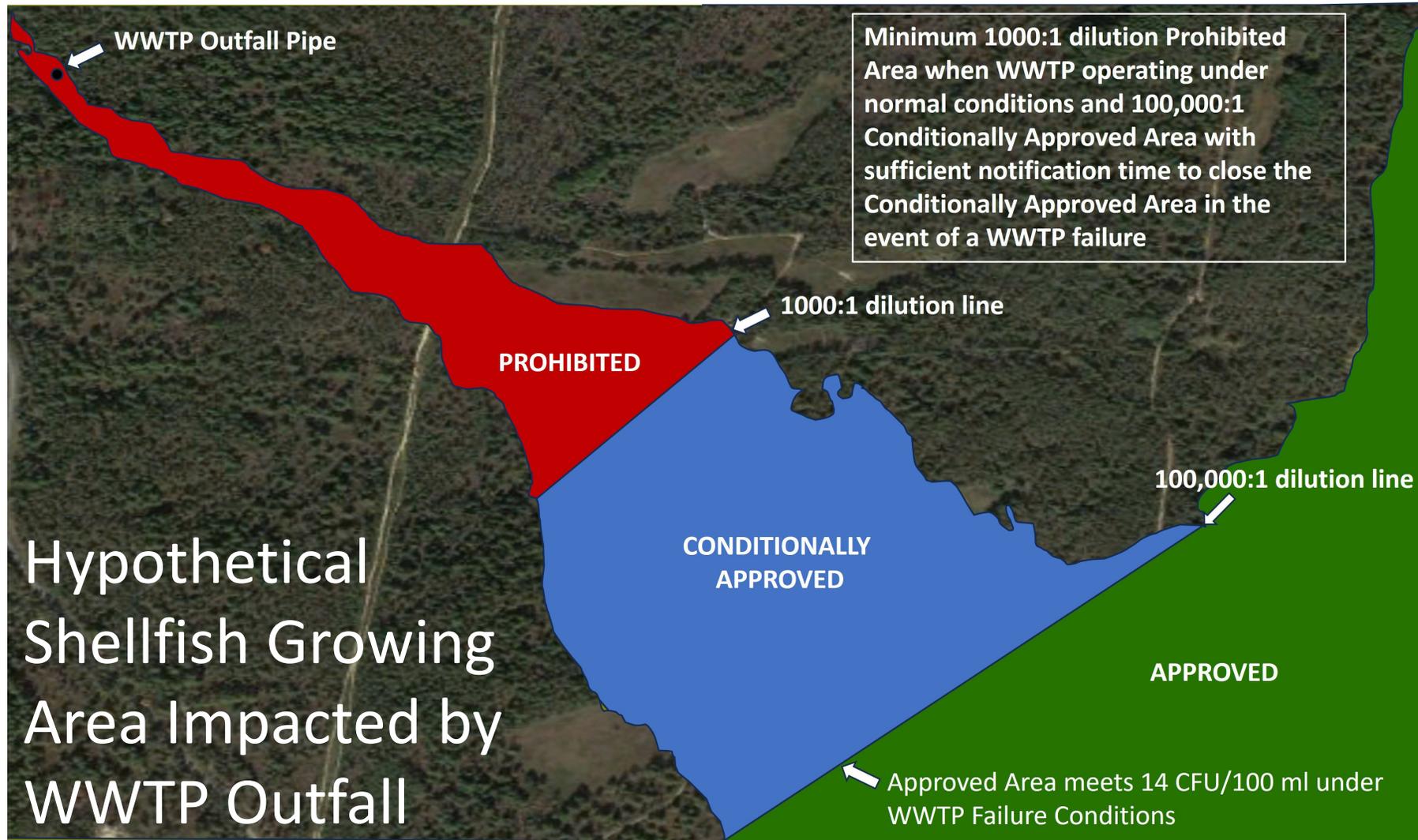
### E. Prohibited Classification.

#### (5) Wastewater Discharges.

- (a) An area classified as prohibited shall be established adjacent to each sewage treatment plant outfall or any other point source outfall of public health significance.
- (b) The determination of the size of the area to be classified as prohibited adjacent to each outfall shall include the following minimum criteria:
  - (i) The volume flow rate, location of discharge, performance of the wastewater treatment plant and the microbiological quality of the effluent. The Authority may utilize MSC wastewater sample data in the determination of the performance of the sewage treatment plant;
  - (ii) The decay rate of the contaminants of public health significance in the wastewater discharged;
  - (iii) The wastewater's dispersion and dilution, and the time of waste transport to the area where shellstock may be harvested; and
  - (iv) The location of the shellfish resources, classification of adjacent waters and identifiable landmarks or boundaries



# NSSP Guidance on Classification Adjacent to WWTP



# 2021 FDA Growing Area Audit

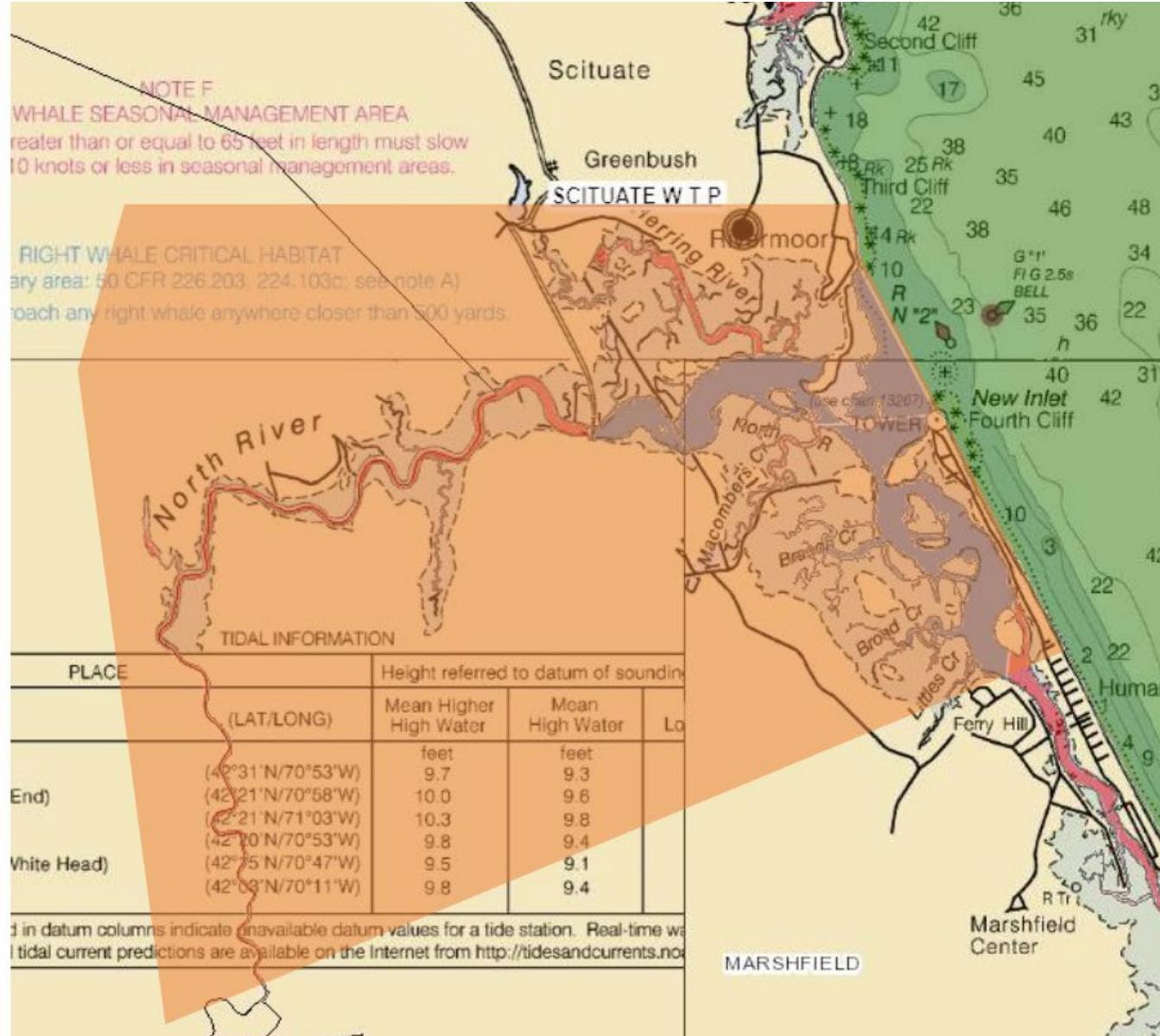
Deficiency for improper classification around WWTP discharge

- DMF contracted with SMAST @Umass Dartmouth for modeling
  - *FVCOM (finite-volume coastal ocean model)*
- Scituate WWTP sampling
  - *Influent, Pre-disinfection, Effluent - Fecal Coliform and Male Specific Coliphage (MSC; viral load indicator)*
- Routine Water Quality Monitoring
  - *Fecal Coliform Classification Station Sampling*
- WWTP Re-evaluation



# Recommended Closed Safety Zone

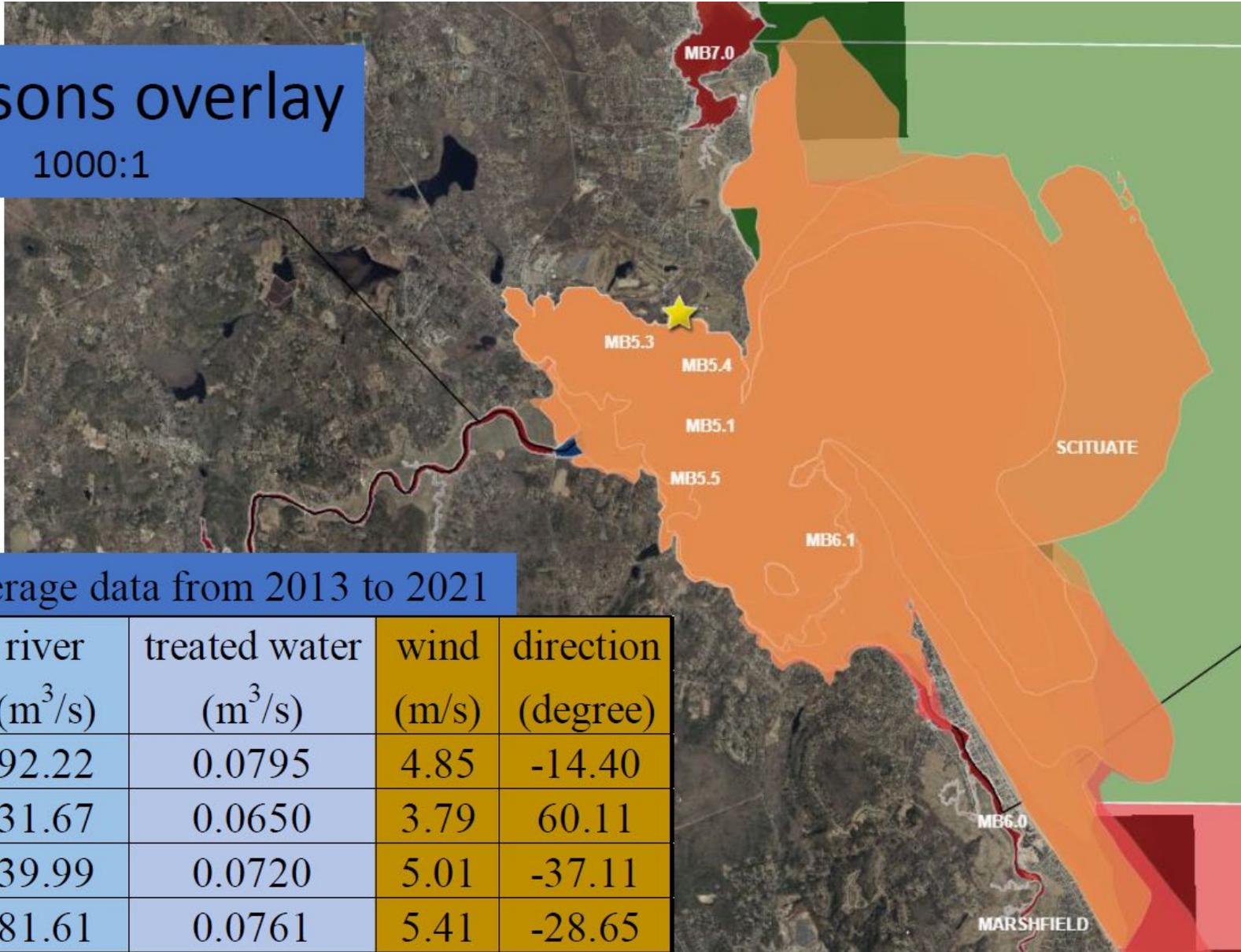
1000/1 Dilution



July 15

# 4 Seasons overlay

1000:1

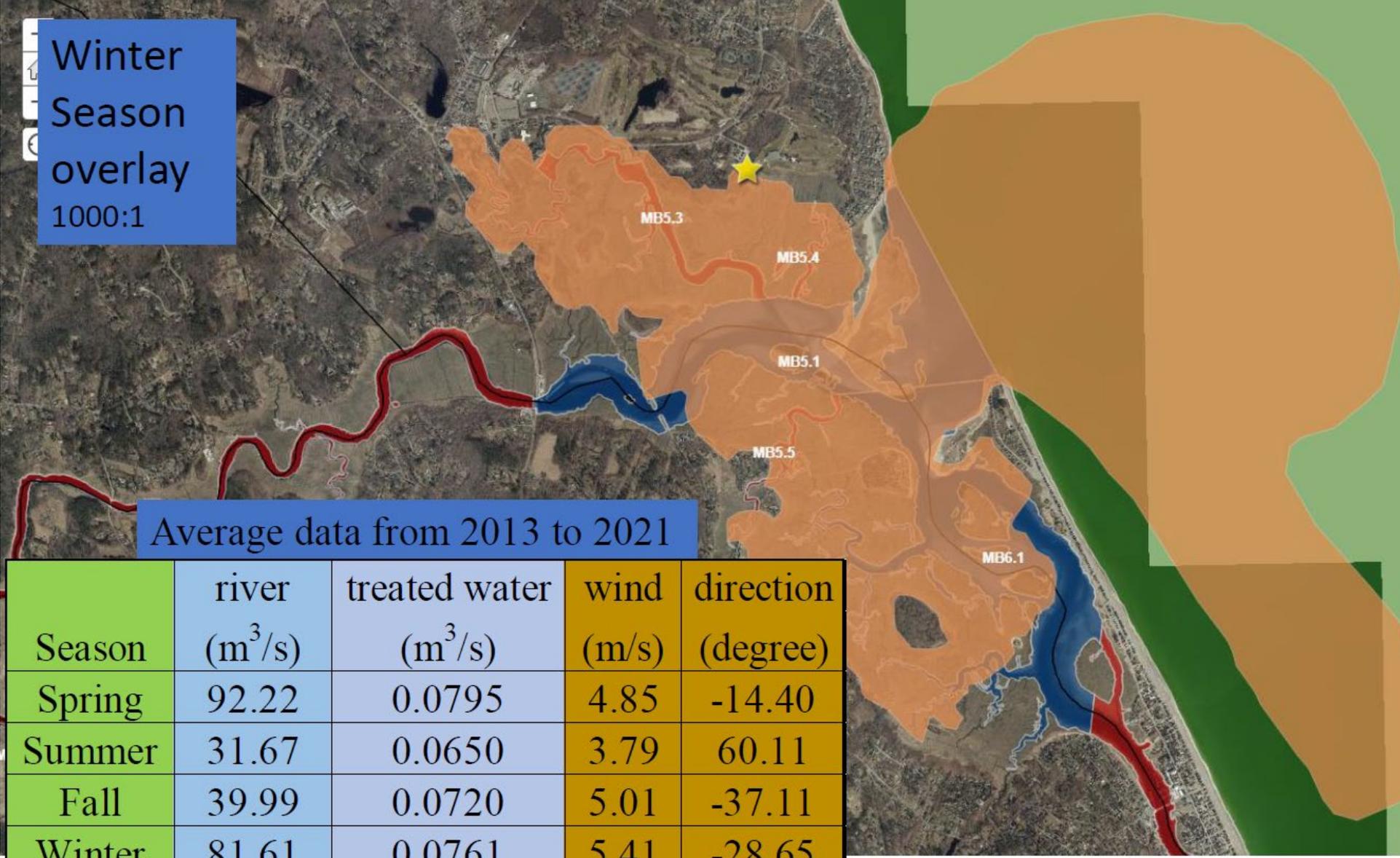


Average data from 2013 to 2021

Season	river (m <sup>3</sup> /s)	treated water (m <sup>3</sup> /s)	wind (m/s)	direction (degree)
Spring	92.22	0.0795	4.85	-14.40
Summer	31.67	0.0650	3.79	60.11
Fall	39.99	0.0720	5.01	-37.11
Winter	81.61	0.0761	5.41	-28.65



Winter  
Season  
overlay  
1000:1



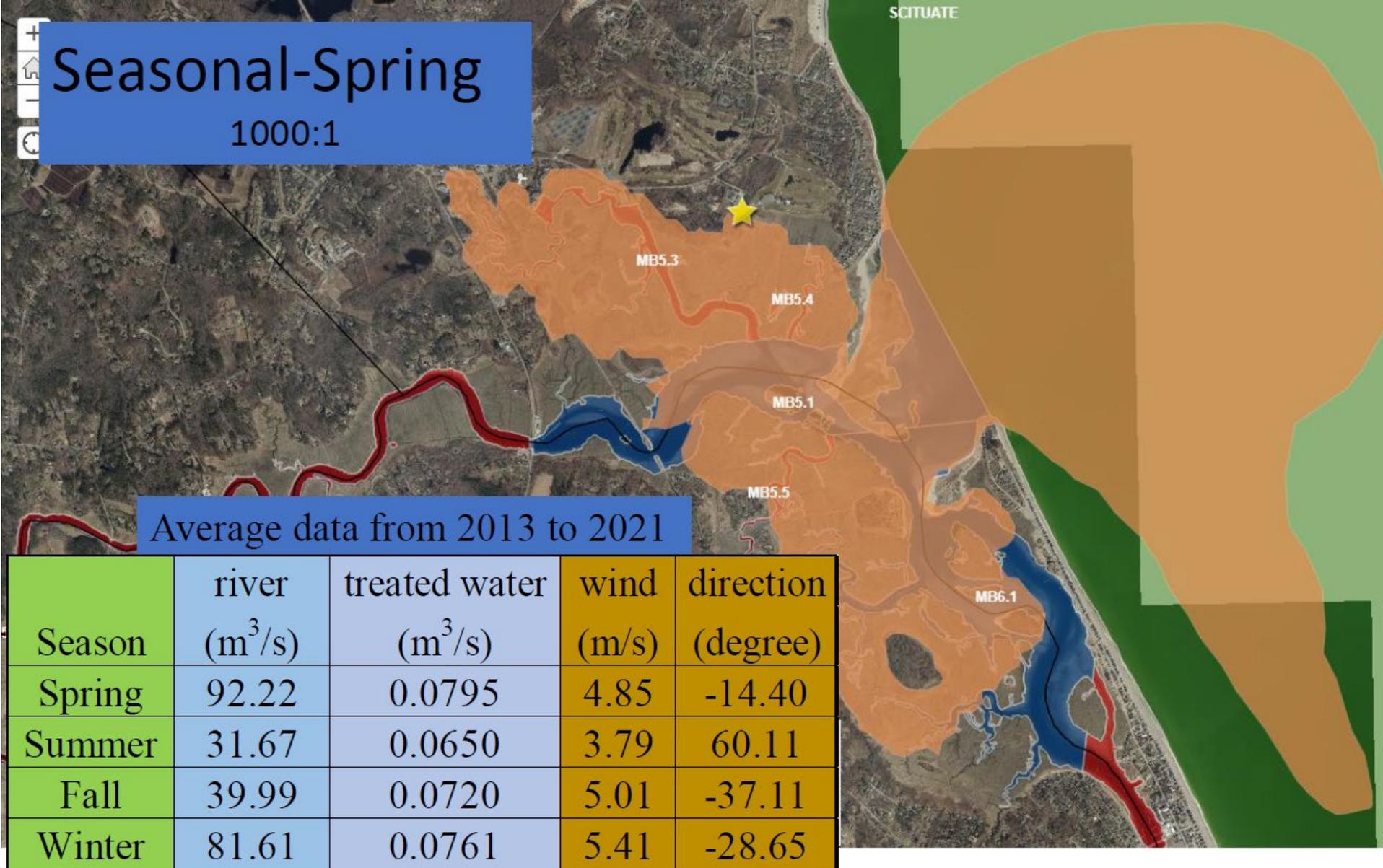
Average data from 2013 to 2021

Season	river (m <sup>3</sup> /s)	treated water (m <sup>3</sup> /s)	wind (m/s)	direction (degree)
Spring	92.22	0.0795	4.85	-14.40
Summer	31.67	0.0650	3.79	60.11
Fall	39.99	0.0720	5.01	-37.11
Winter	81.61	0.0761	5.41	-28.65



# Seasonal-Spring

1000:1

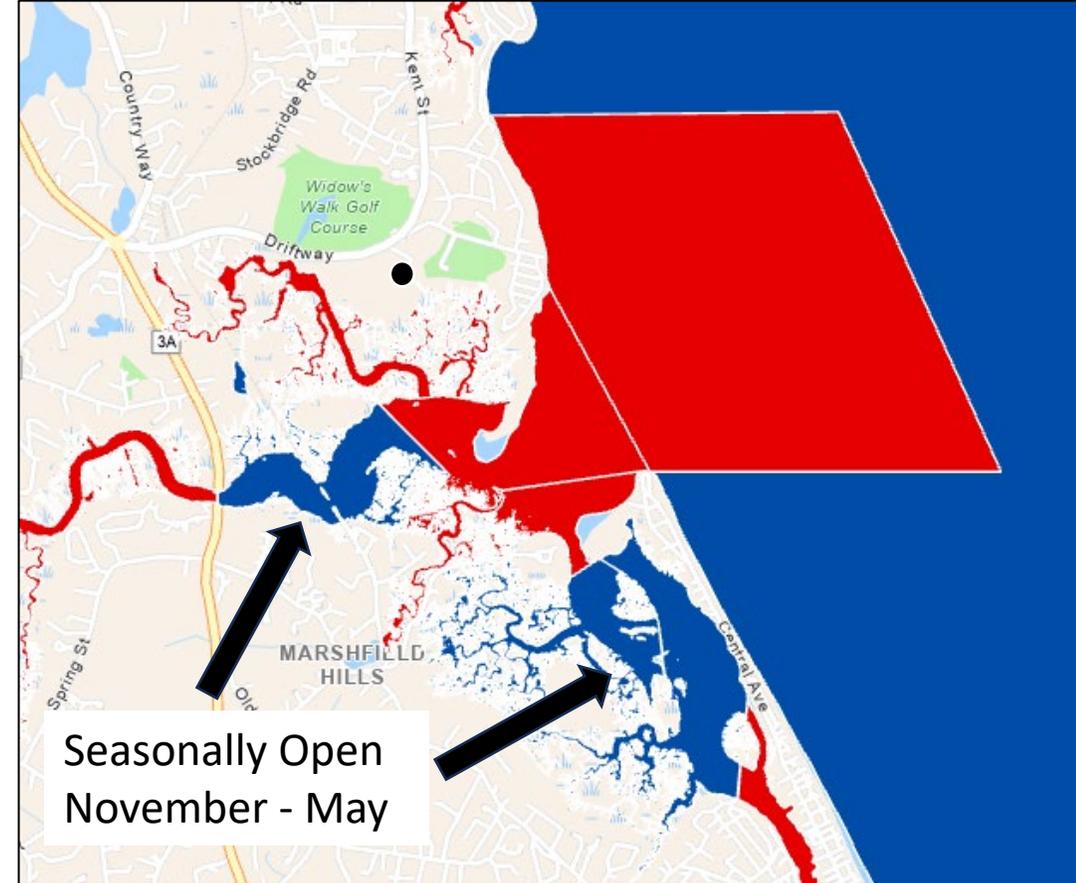


# WWTP Modeling

## 2021 Scituate/Marshfield WWTP Reclassification



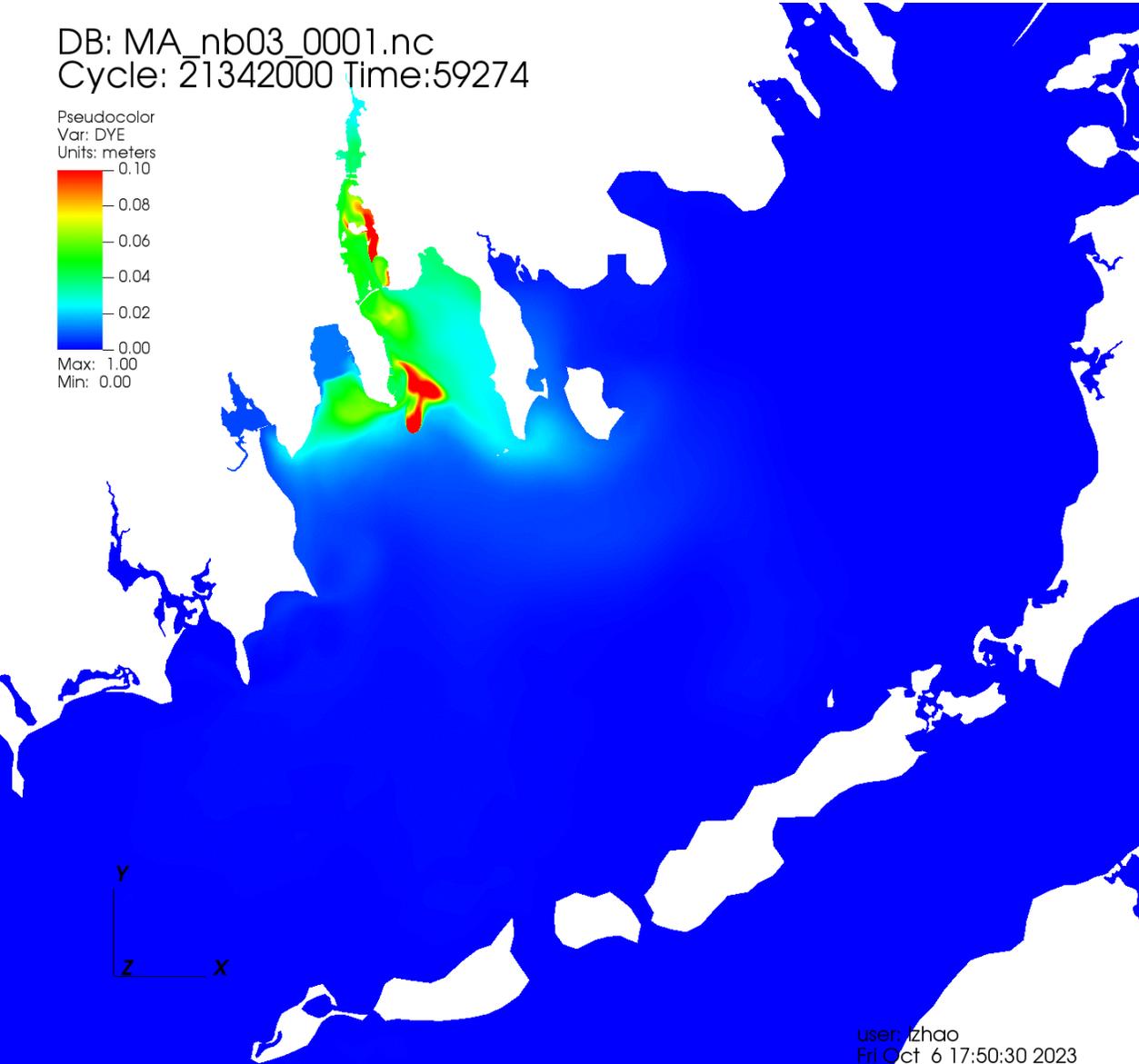
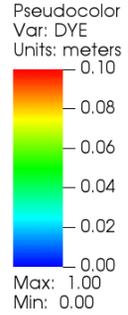
## 2023 Scituate/Marshfield WWTP Reclassification



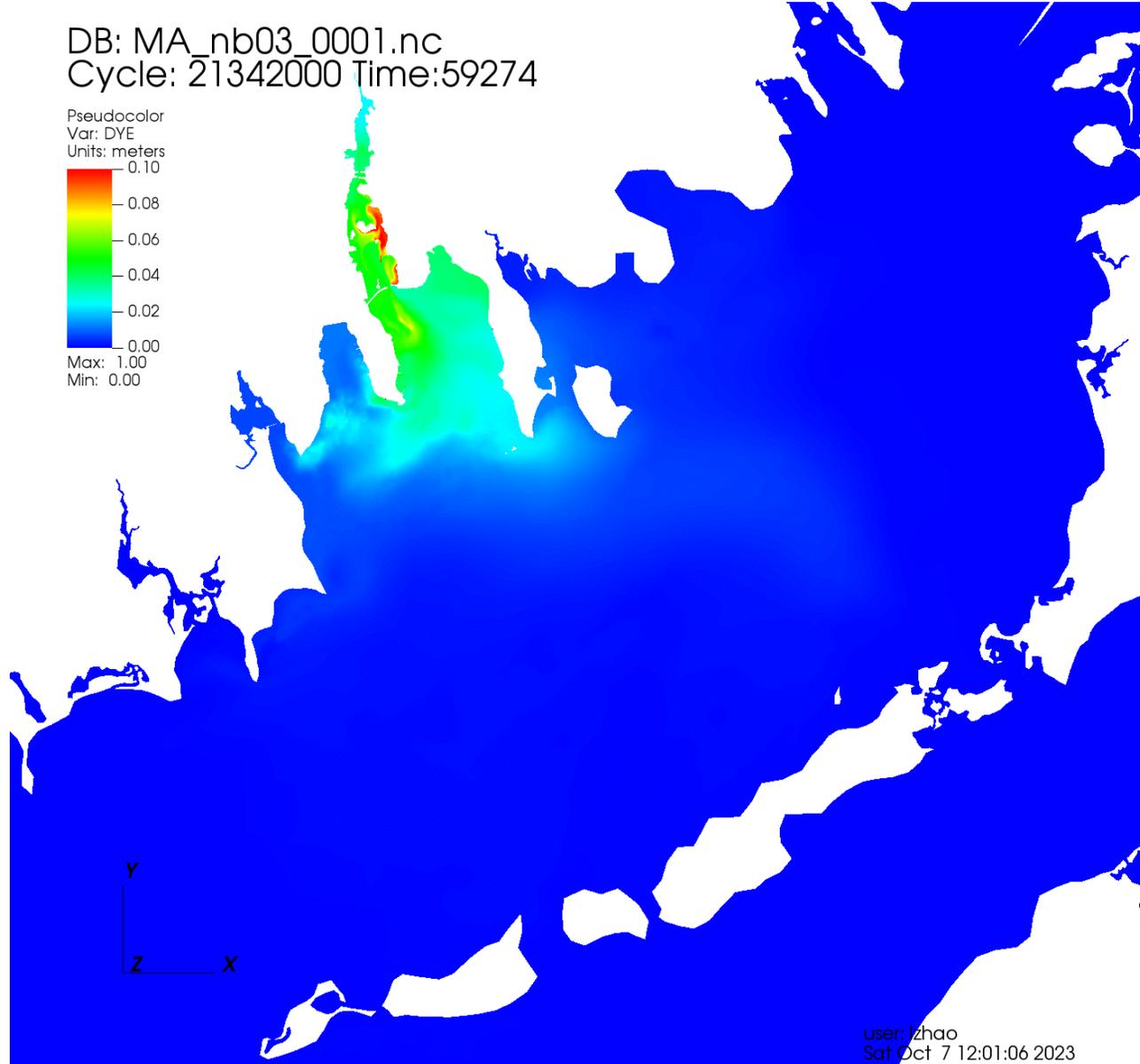
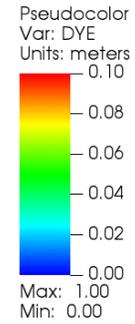
Surface

Bottom

DB: MA\_nb03\_0001.nc  
Cycle: 21342000 Time:59274

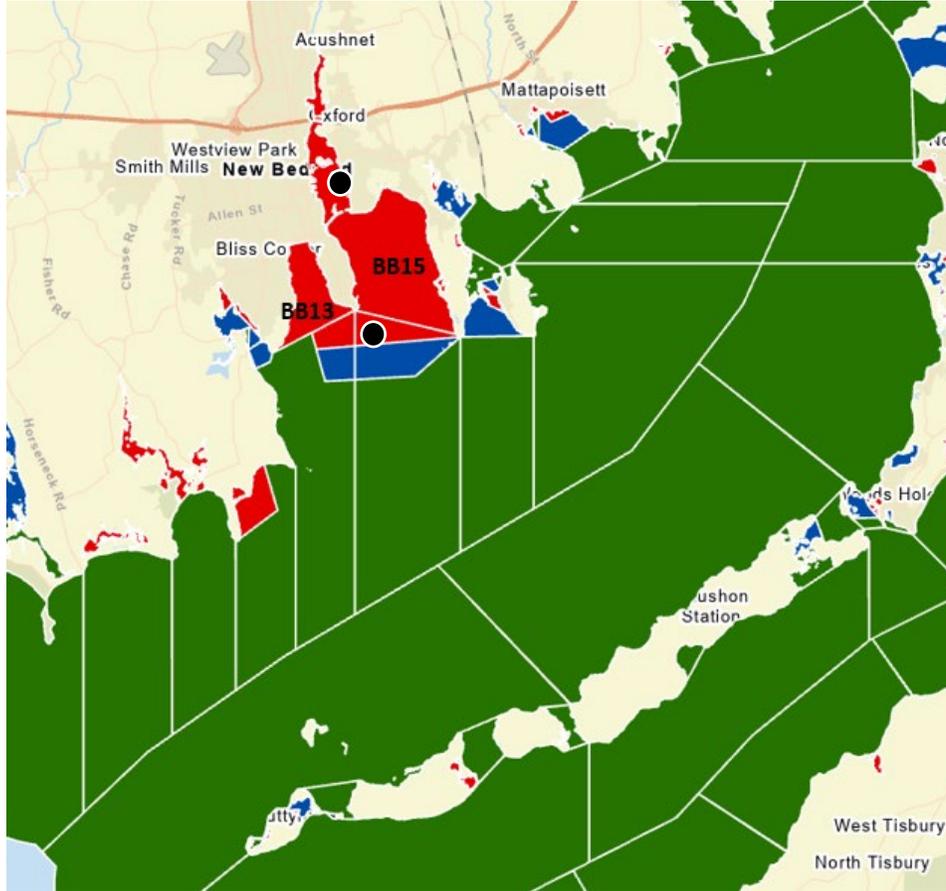


DB: MA\_nb03\_0001.nc  
Cycle: 21342000 Time:59274

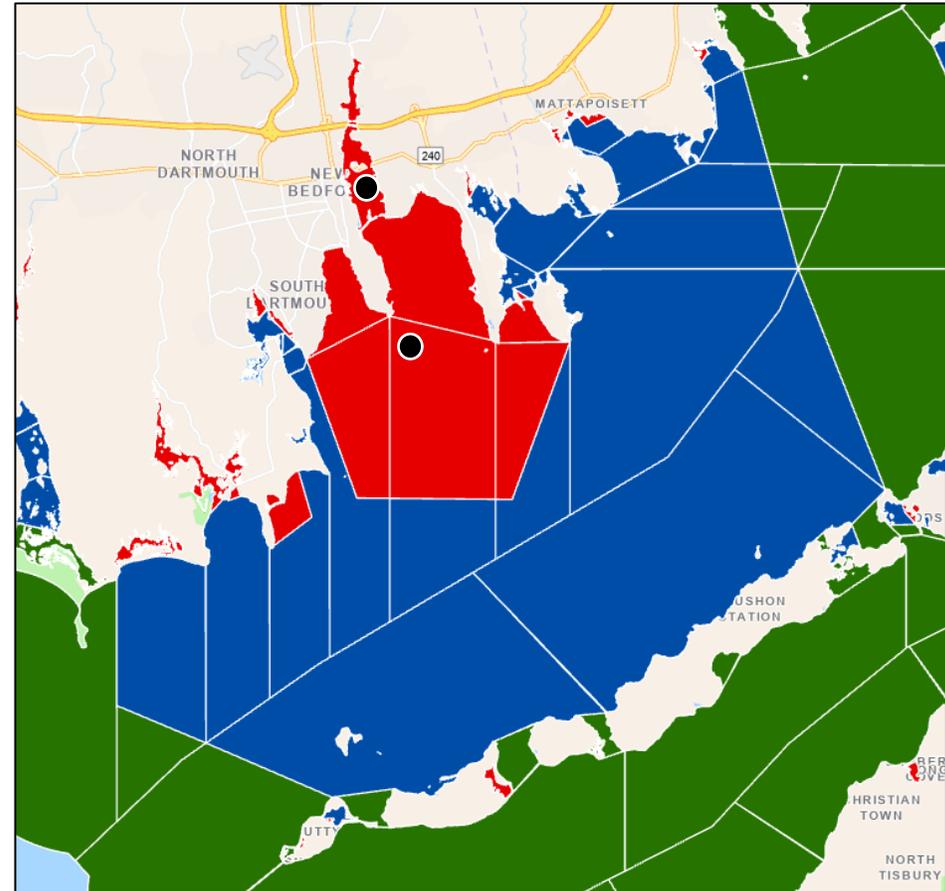


# WWTP Modeling

2023 New Bedford/Fairhaven WWTP classification

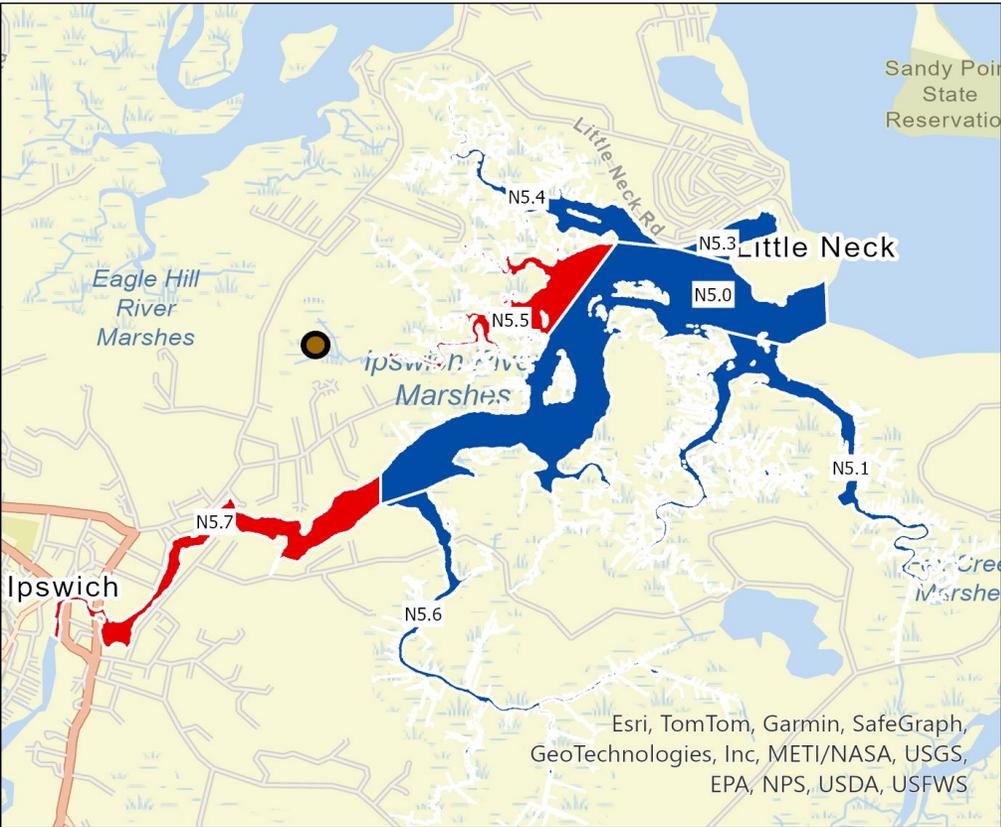


2024 New Bedford/Fairhaven WWTP Reclassification

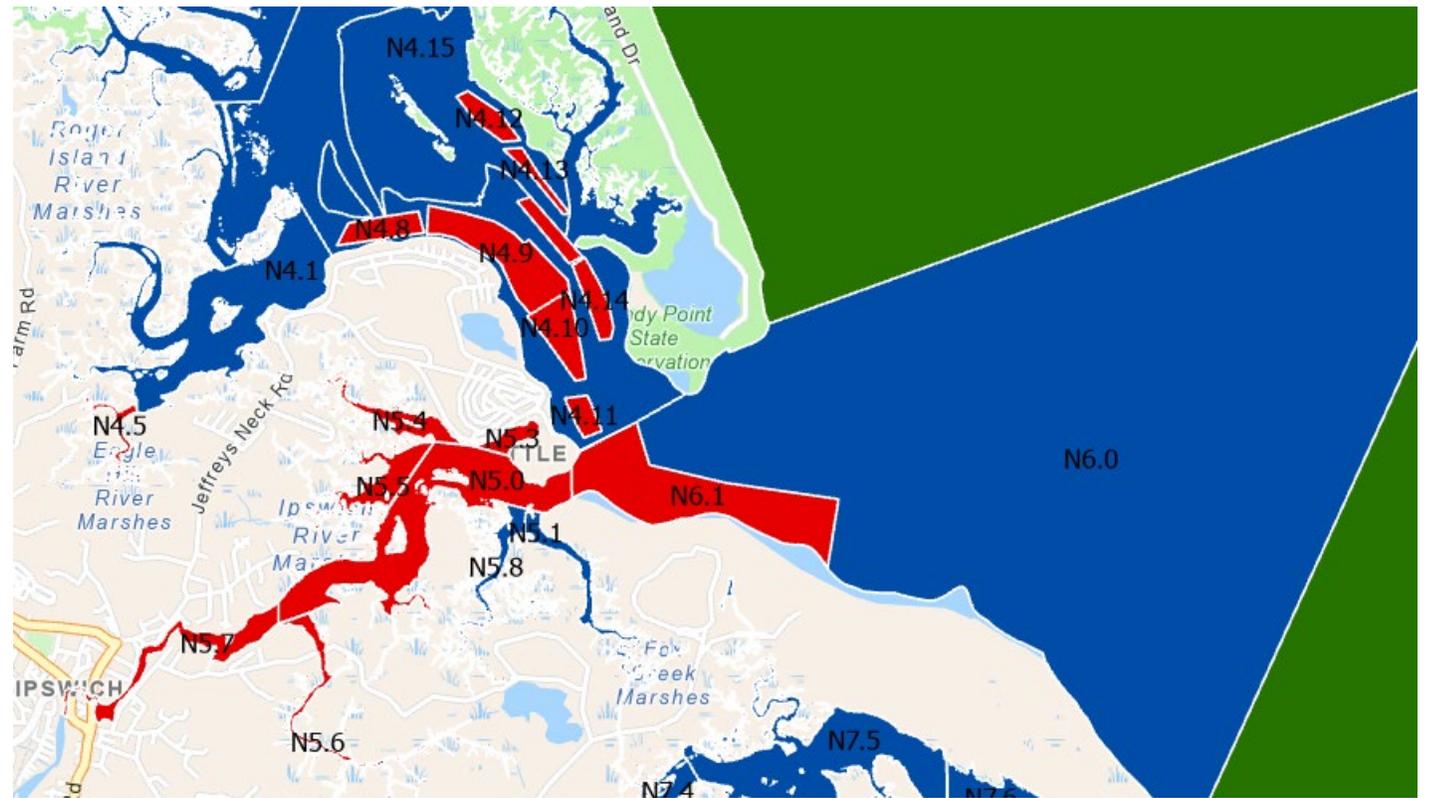


# WWTP Modeling

## 2024 Ipswich WWTP Classification

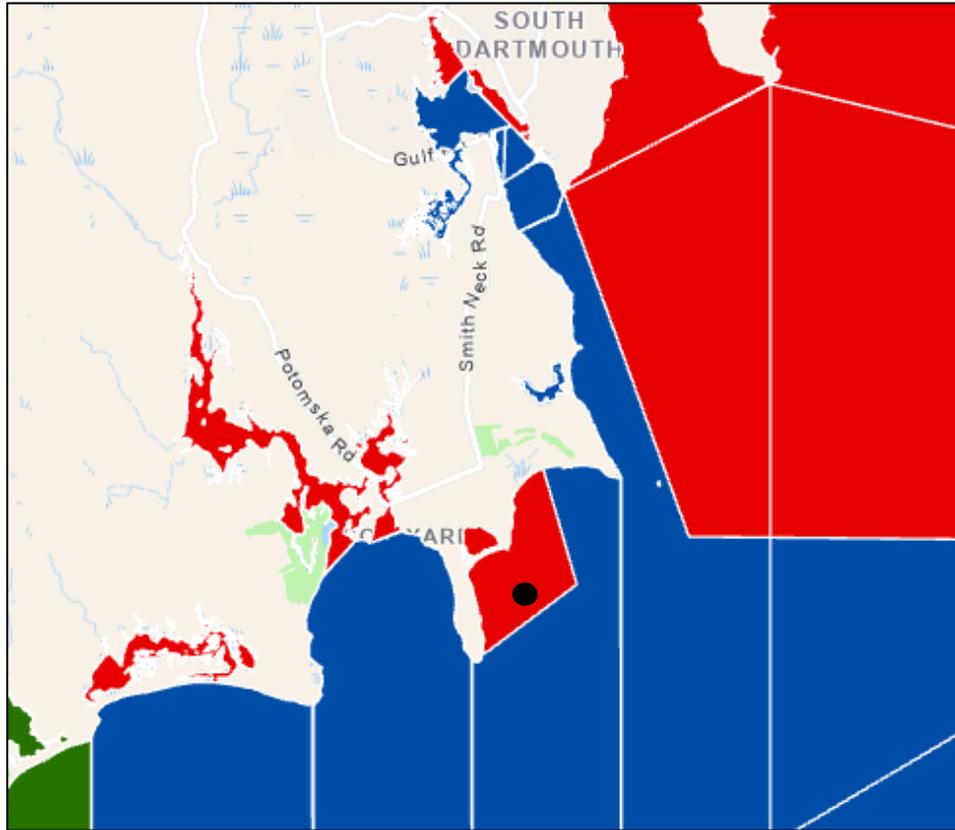


## 2025 Ipswich WWTP Reclassification

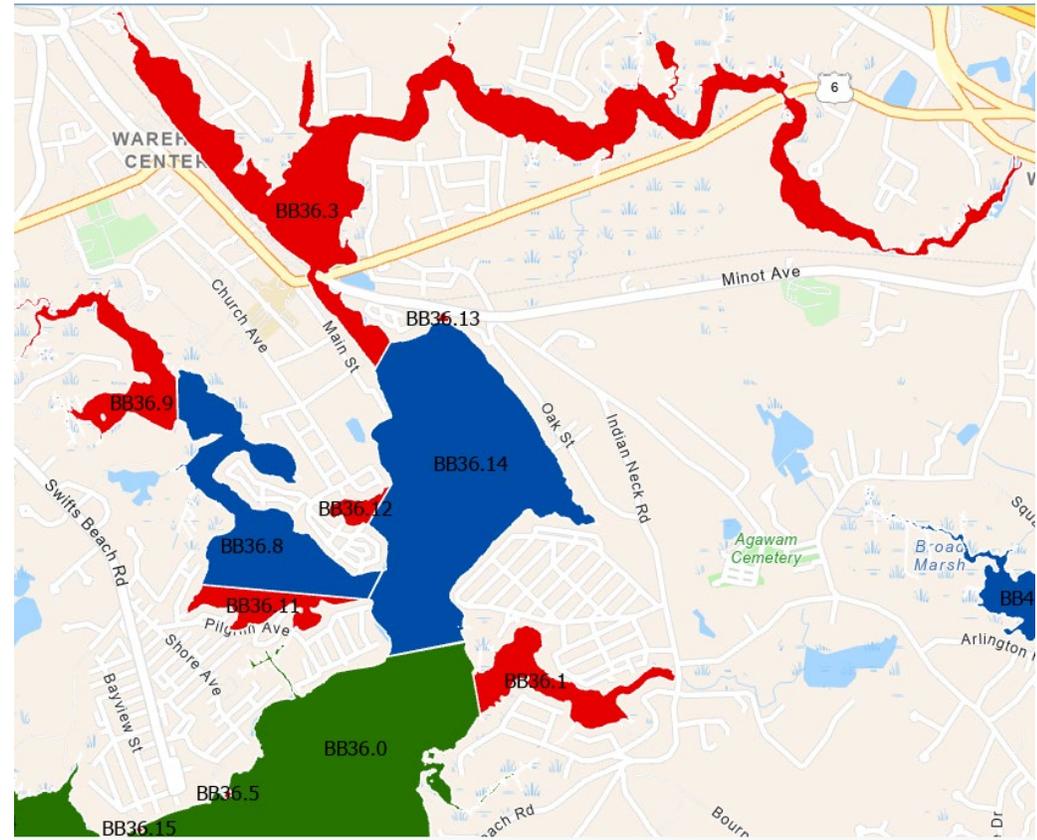


# Future Modeling

## 2026 Dartmouth WWTP Classification

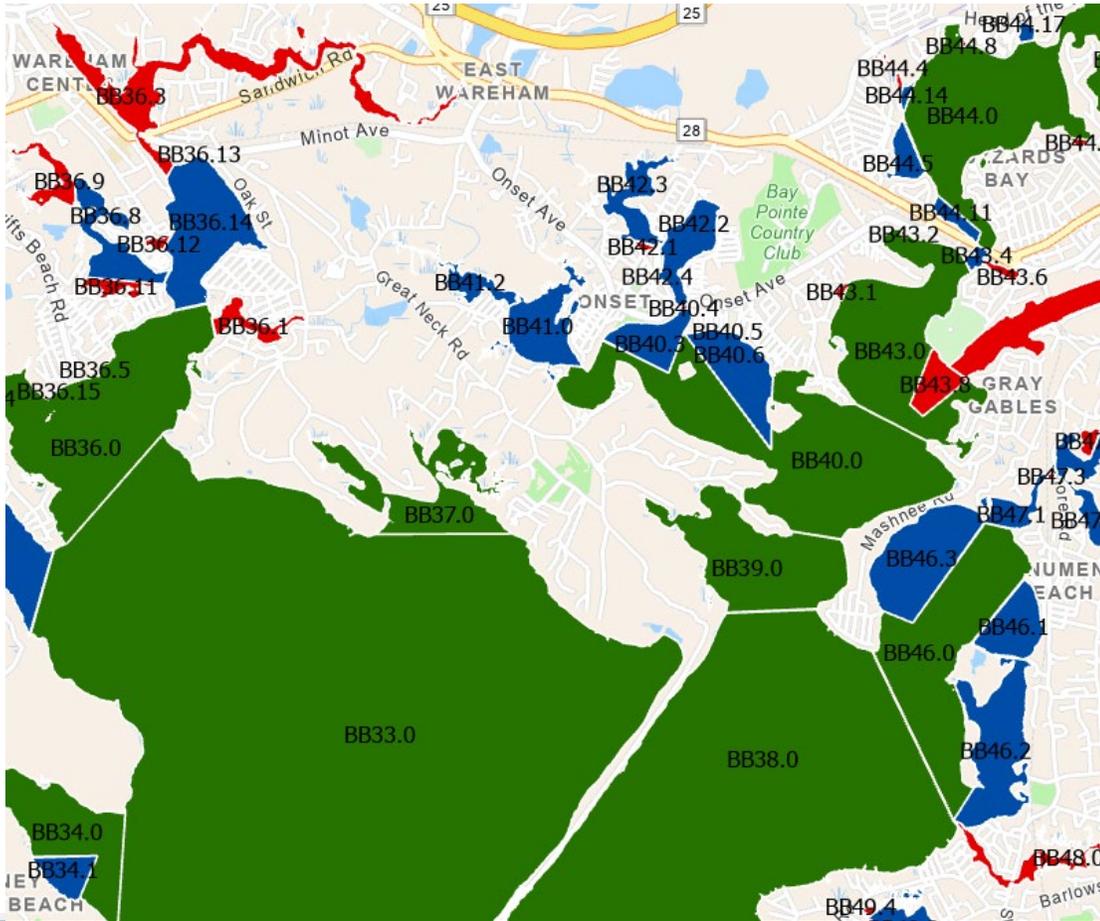


## 2026 Wareham WWTP Classification

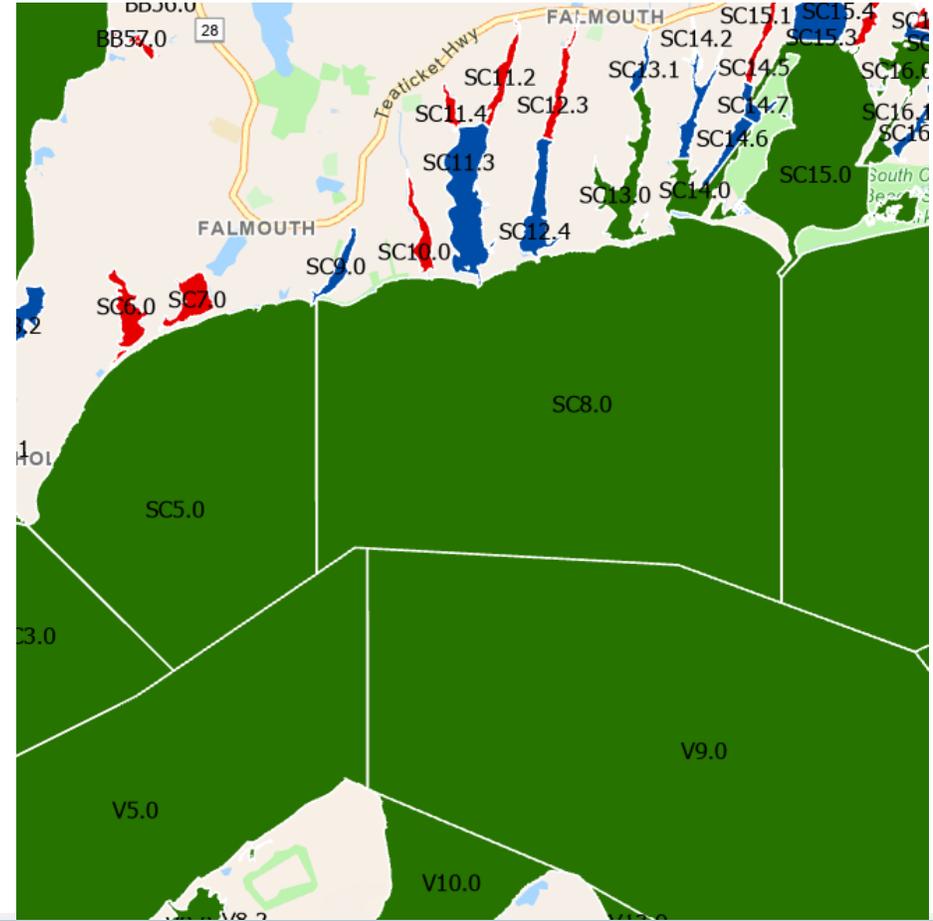


# Future Modeling

## Proposed Wareham Outfall

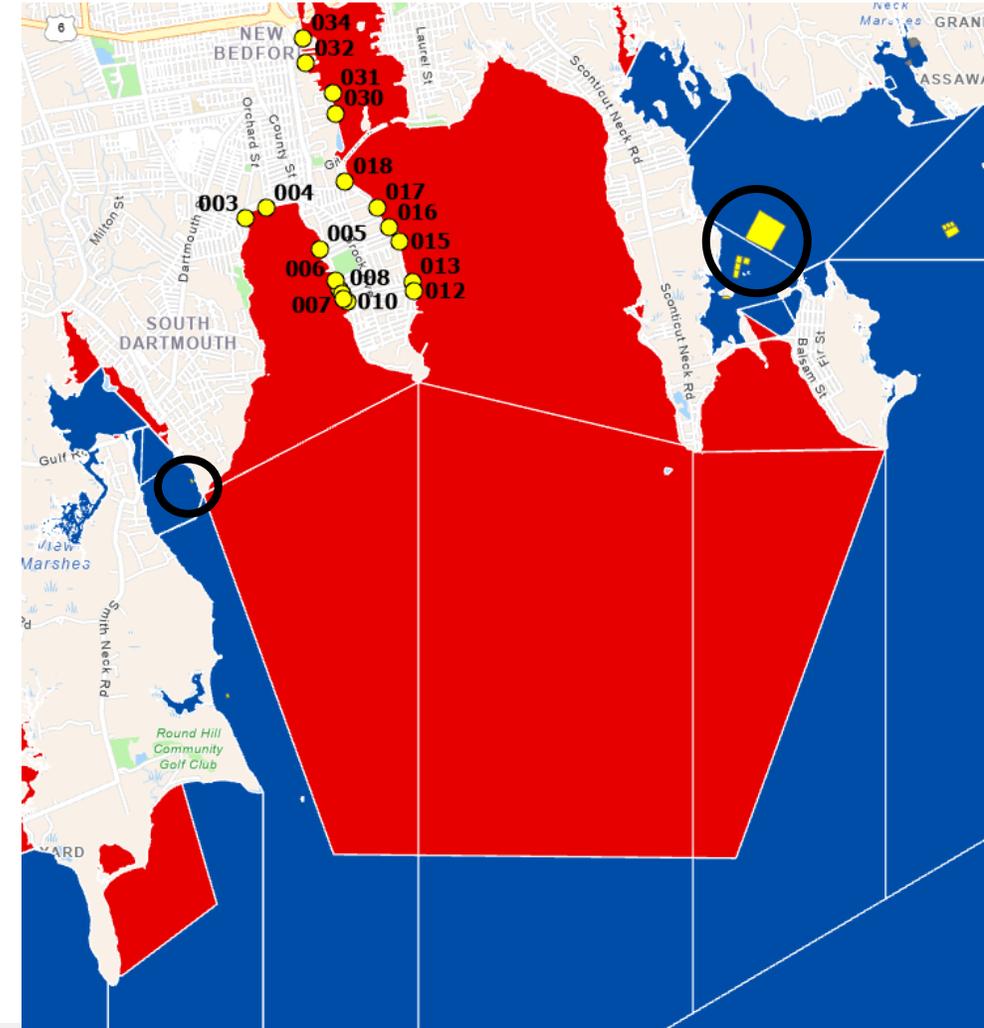


## Proposed Falmouth Outfall

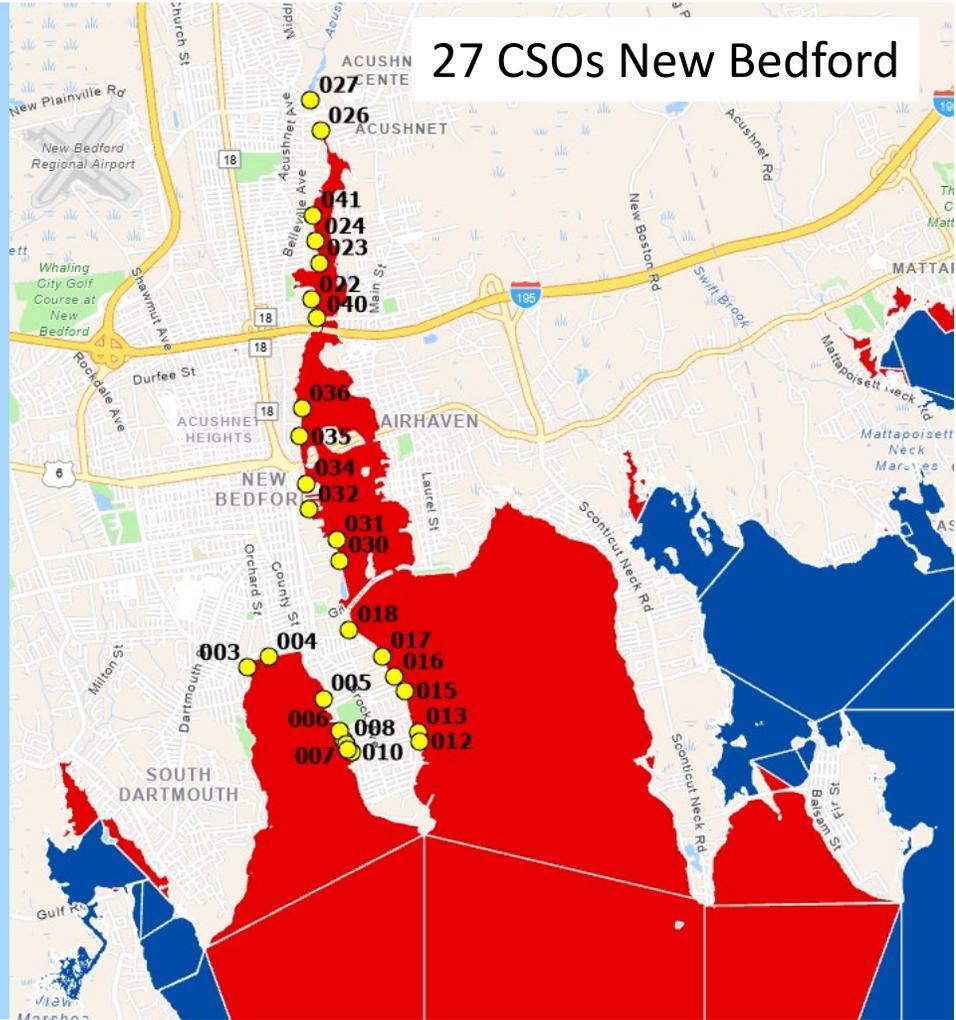
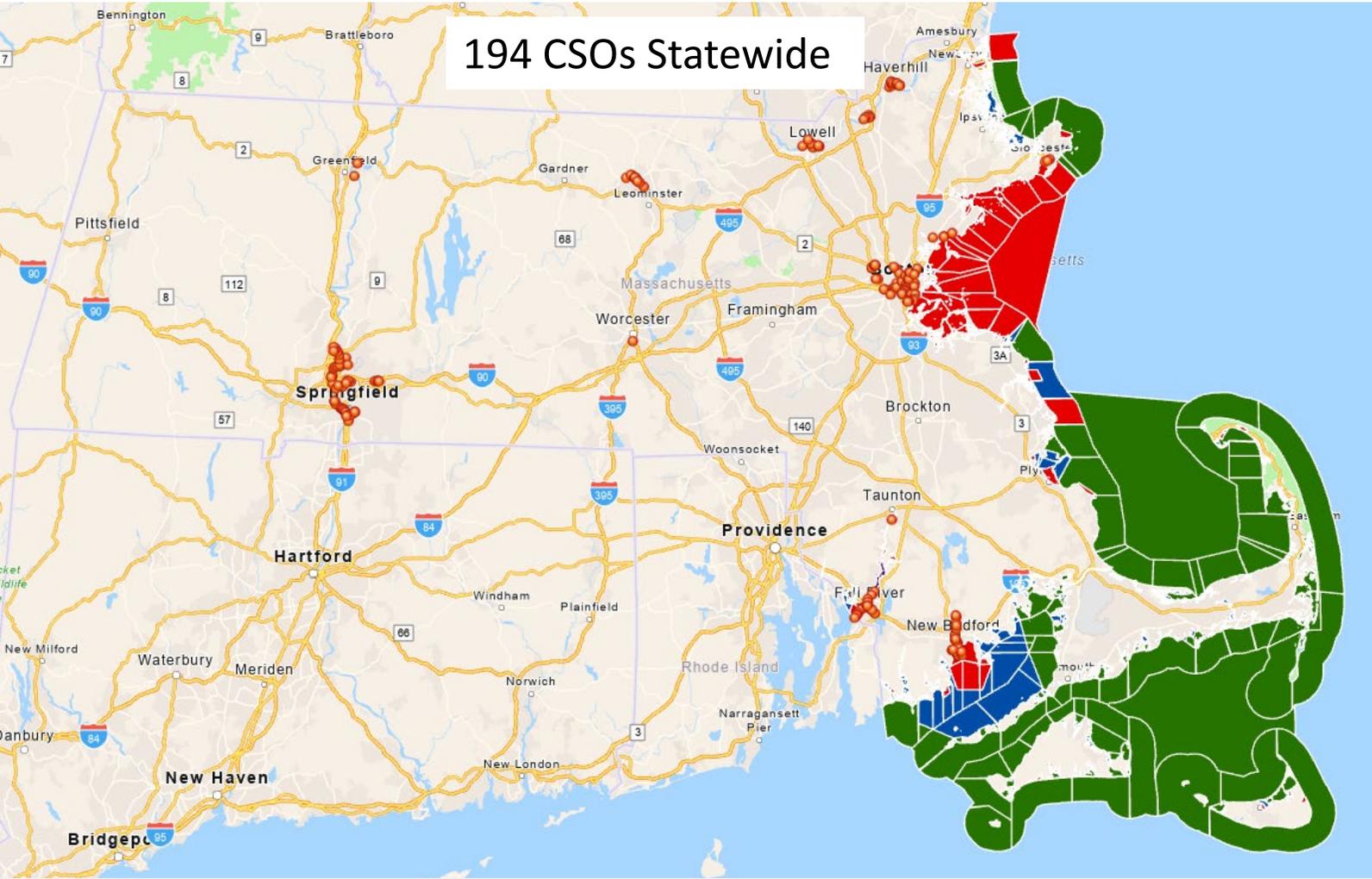


# Effects of WWTP Modeling

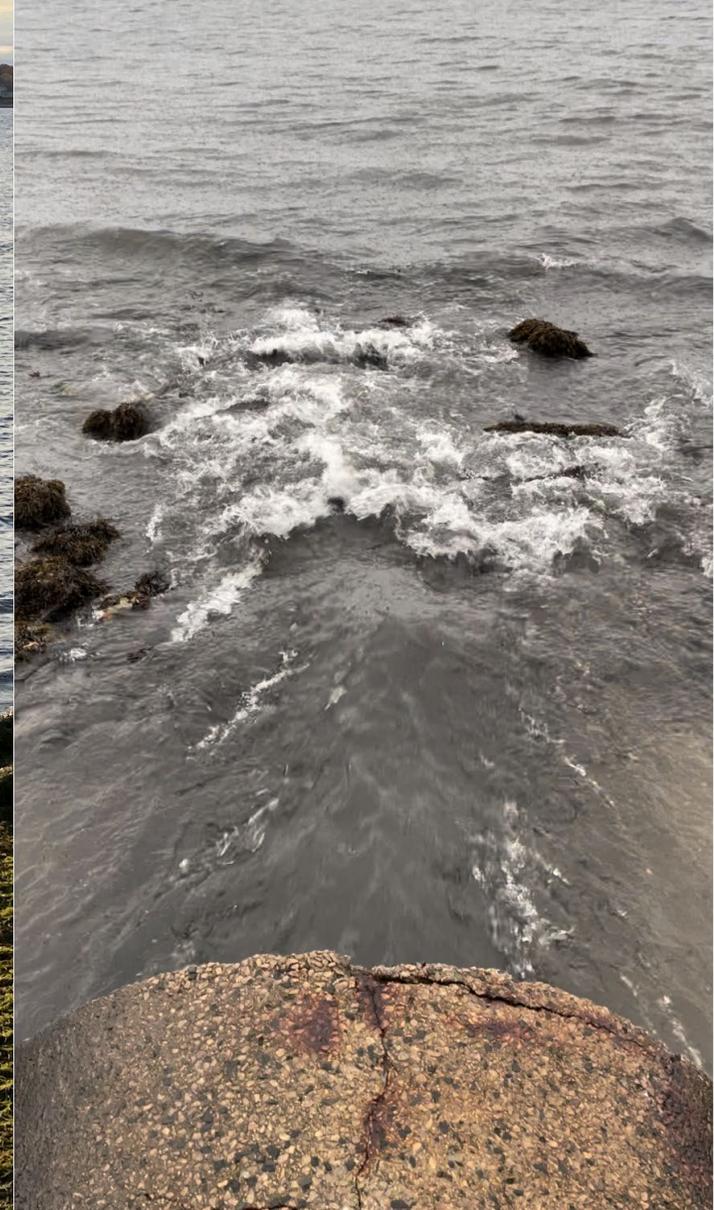
- Expanded Prohibited Areas
- Expanded Conditionally Approved Areas
- Monthly Sampling Requirement
- Restricts EU sales from CA Areas
- Reduced harvest opportunities
- No closures for Aquaculture Industry



# Combined Sewer Overflows

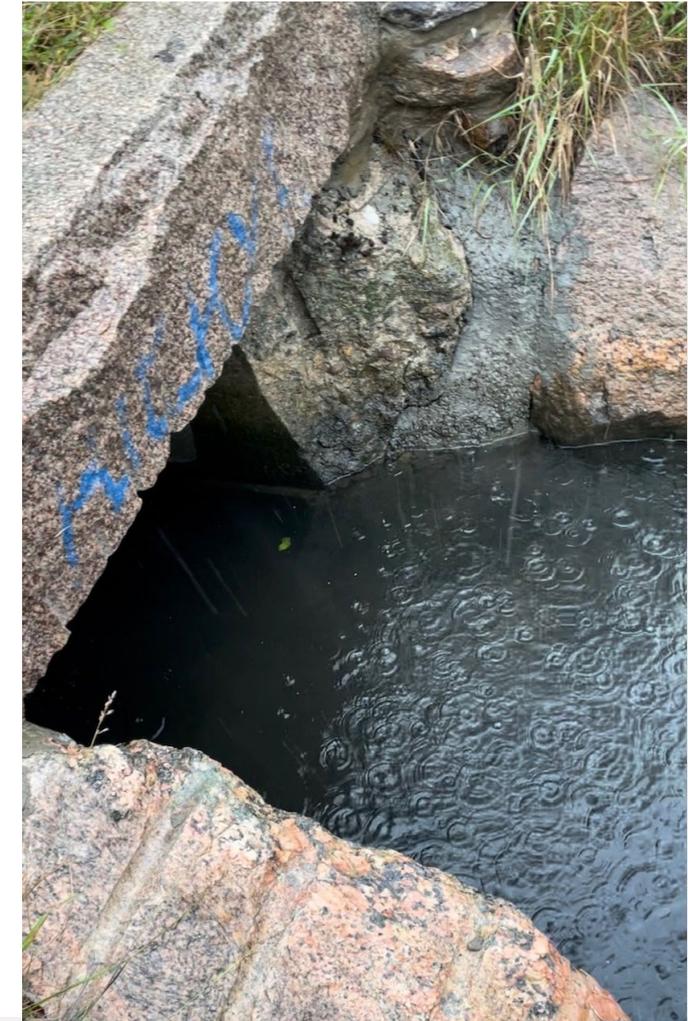


**CITY OF  
NEW BEDFORD  
WET WEATHER  
SEWER  
DISCHARGE  
OUTFALL 010**



# 2025 New Bedford CSO Activations

Rain events with CSO activations	71
Total number of CSO activations	384
Largest individual CSO discharge	19.54 million gallons
Total volume of CSO discharges	400.35 million gallons
Total days closed by CSOs in BB	200+



# DMF Wastewater Discharge Response

- ✓ Purchased 25 drifters to ground truth model results
- ✓ Proteus tryptophan-like fluorescence sensor assessed



✓ Model application peer reviewed

Appropriate use  
Recommendation

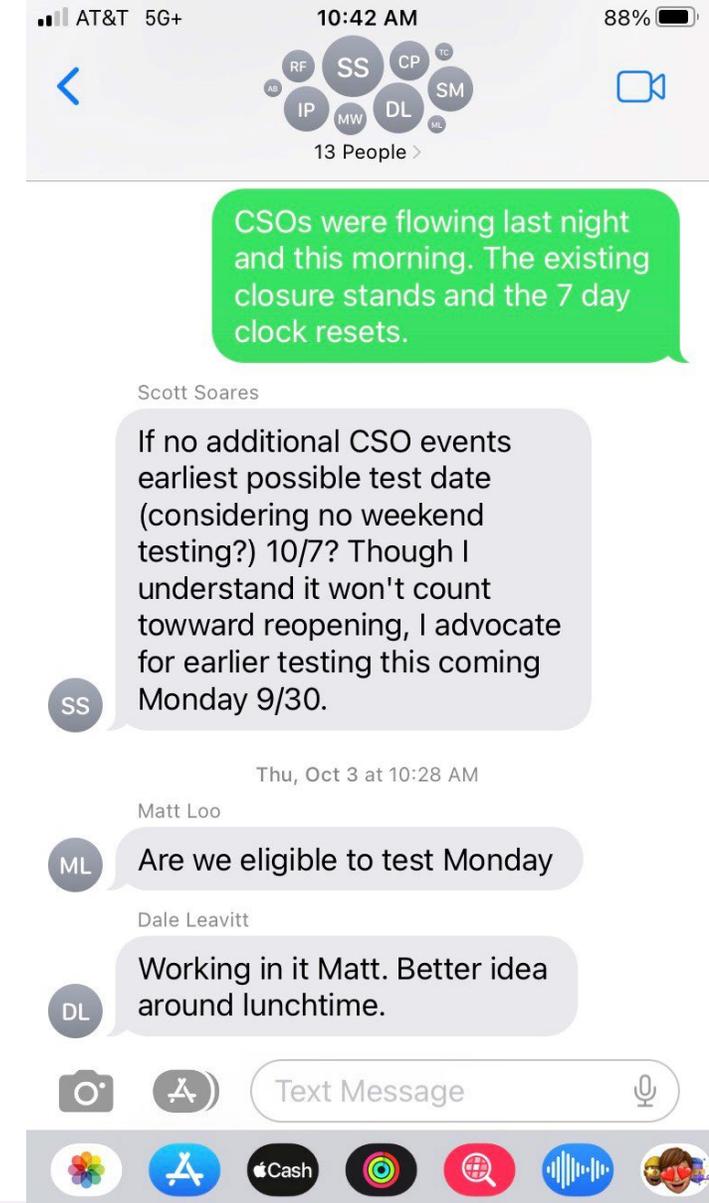
✓ New Bedford Dye Study

September 2026

EPA, FDA, DMF, WHSG



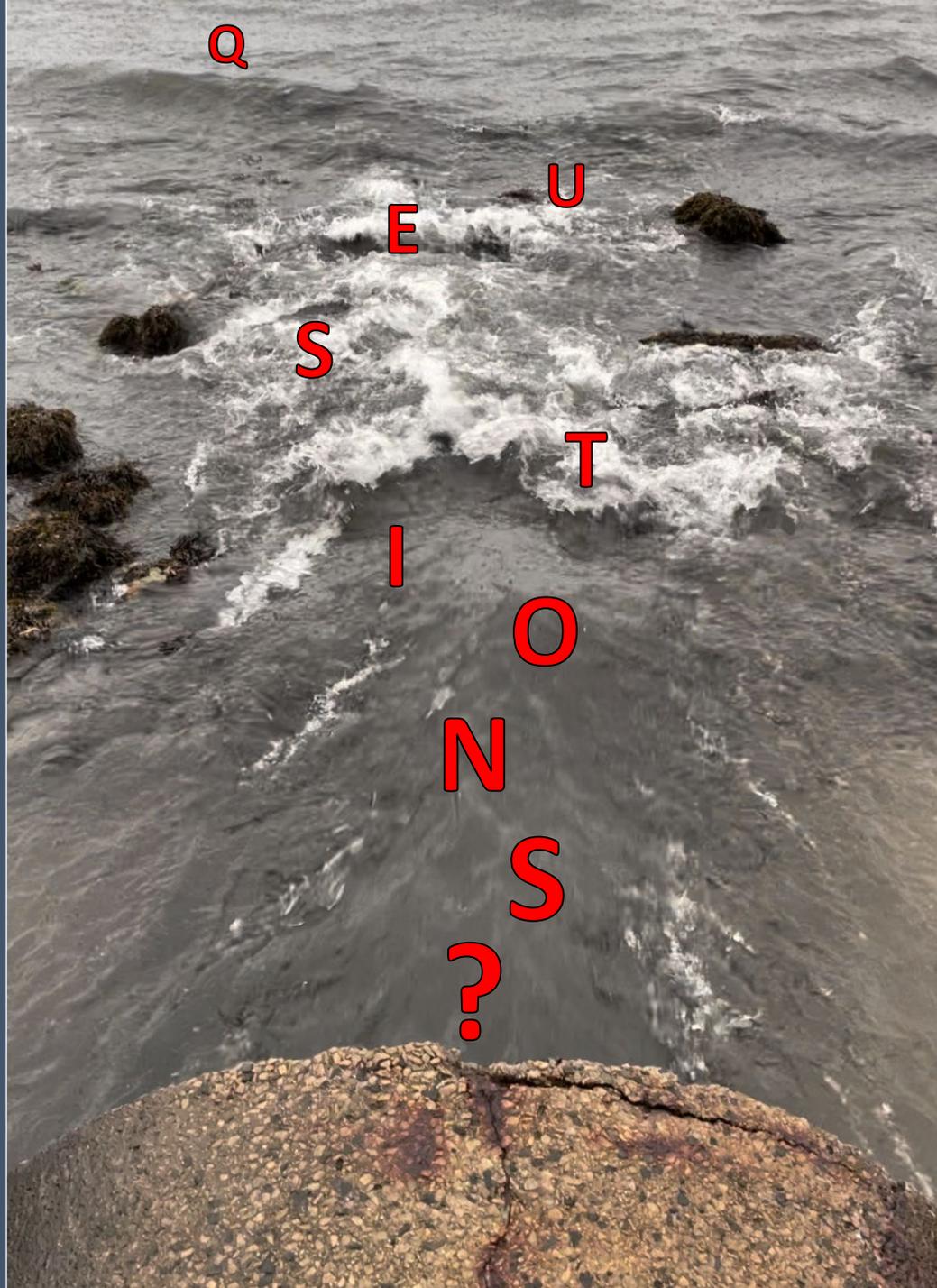
- ✓ Heavily investing in Male Specific Coliphage (MSC) testing
  1. Shellfish MSC samples
  2. Water MSC samples
- ✓ MSC sampling can reduce 21 day closure to as low as 9 days
- ✓ Increased communications with industry and municipalities
- ✓ Closures are mandatory after CSO discharges but may be able to avoid closing certain areas with new data
- ✓ Working with legislature for increased funding
- ✓ CSO sampling during discharge events to refine estimates of fecal concentrations.



# Impacts on Workload

- Greatly enhanced burden on DMF Time and Effort
  - Area Biologists
    - ✓ Water and meat sample collections increased >140% in Buzzards Bay
    - ✓ Nights/Weekends/Weather
  - Lab Staff
    - ✓ Water and shellfish meat processing load increased
    - ✓ Lab resources – plates/media/filters/reagents
- Trade-offs
  - Limited lab capacity
  - 10 out of 285 growing areas





Q

U

E

S

T

I

O

N

S

?

[Matt.camisa@mass.gov](mailto:Matt.camisa@mass.gov)

Cell# 351-217-0158