



**MARINE FISHERIES ADVISORY COMMISSION
BUSINESS MEETING AGENDA**

11:00AM

Thursday, May 28, 2026

Katharine Cornell Theater

Tisbury, MA

[Listen In Only Link](#)

1. Call to Order and Routine Business (11:00 AM)
 - a. Introductions and Announcements
 - b. Review of May 2026 Business Meeting Agenda
 - c. Review and Approval of March 2026 Draft Business Meeting Minutes
2. Commission Business (11:15 AM)
 - a. Annual MFAC Elections
 - b. Discussion on Hybrid Meetings
3. Agency Updates (11:30 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
4. Action Items (12:00 PM)
 - a. 2026 Recreational Black Sea Bass Limits
 - b. 2026 Recreational Gulf of Maine Haddock Limits
 - c. Commercial and Recreational Mackerel Limits
5. Discussion Items (12:15 PM)
 - a. Further Staying Whelk Gauge Changes and Knobbed Whelk Petition
 - b. Port Profile Project Update
 - c. Update on Offshore Wind and Fisheries Innovation Fund
6. Other Business and Public Comment (1:00PM)
7. Adjourn (1:15PM)

All times provided are approximate and the meeting agenda is subject to change. The MFAC may amend the agenda at the start of the business meeting.

Next Meeting Date

July 14, 2026

Zoom

Marine Fisheries Advisory Commission
Draft Business Meeting Minutes
March 17, 2026
1 Rabbit Hill Rd, Westborough, MA

Attendees

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

Division of Marine Fisheries: Daniel McKiernan, Director; Story Reed, Deputy Director; Bob Glenn, Deputy Director; Jared Silva; Nichola Meserve; Melanie Griffin; Matt Camisa; Bradlie Morgan. Virtually: Kelly Whitmore; Anna Webb; Steve Wilcox; Kim Lundy; Elise Koob; Derek Perry; Cara Litos.

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

Massachusetts Environmental Police: Lieutenant James Cullen. Virtually: Lieutenant Matt Bass.

Members of the Public: Ray Rowell; Susanna Altenberger; Brian Curry. Virtually: Chuck Foshey; Nora Blair; Bill Fiora; Parker Mauck; Kerry Doon; Deborah Cramer; Chris Kennedy; Kurt Gottschall.

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 this winter fishing.

The Chair then asked for a motion to hold the meeting as a hybrid meeting. Sooky Sawyer made the motion to hold the meeting as a hybrid meeting and Bill Amaru seconded. The motion passed (7-0-1, with the Chair abstaining).

The Chair invited Marine Fisheries Advisory Commission (MFAC) members to introduce themselves.

Review of the March 2026 Business Meeting Agenda

The Chair asked if there were any amendments to the March 2026 business meeting agenda. There were no amendments.

Review and Approval of February 2026 Draft Business Meeting Minutes

Chairman Kane sought amendments to the February 2026 draft business meeting minutes. No amendments were proposed. **The Chair called for a motion to approve the February 2026 business meeting minutes as drafted. Sooky Sawyer made the motion, and Ray Jarvis seconded. The motion passed unanimously (7-0-1, with the Chair abstaining).**

Agency Updates

Office of Law Enforcement

Lieutenant James Cullen provided an update on recent Massachusetts Environmental Police (MEP) operations. MEP has been involved in responding to the sinking of F/V Lily Jean and the F/V Yankee Rose. Ice in harbors has created significant challenges for vessels attempting to leave port, including MEP vessels. Vessel speed restrictions and seasonal trap closures for North Atlantic right whales are in place. MEP is working closely with DMF to address any gear violations during the closure and is monitoring Cape Cody Bay for vessel speed. In New Bedford, Cullen described a few lobster violations. MEP is also preparing for the start of the Northern Gulf of Maine sea scallop fishery on April 1.

Sooky Sawyer asked about any updates on the F/V Lily Jean. Lieutenant Cullen responded that the MEP has found the vessel and there are ongoing discussions regarding the feasibility of raising it and to further investigate what caused the sinking.

Bill Amaru thanked the MEP, Director Dan McKiernan, and Commissioner Tom O'Shea for responding to his request for officials to dive on the F/V Yankee Rose. This revealed that the vessel had gear deployed but was not likely hung up when it capsized. This information helps better understand how the tragedy occurred and can be used to inform safety protocols moving forward.

Department of Fish and Game (DFG) Deputy Commissioner Sefatia Romeo-Theken thanked the partnership of the Division of Marine Fisheries (DMF), US Coast Guard, and the Massachusetts Fishermen's Partnership in their response to the loss of the F/V Lily Jean and F/V Yankee Rose.

Director McKiernan asked Lt. Cullen about sharing vessel tracker data under the Joint Enforcement Agreement (JEA). Cullen explained that certain MEP officers can access federal vessel tracking data. McKiernan explained that DMF hopes the JEA can be amended to allow NOAA Office of Law Enforcement to work through MEP to use confidential state vessel tracker data. Lieutenant Cullen noted that Captain Jack Chapin is drafting the new JEA contract to start in September 2026. This timeline should allow for amendments to be included. Dan will discuss this further with Captain Chapin.

Sawyer asked about lobster vessel tracking data. Story Reed explained that this data is collected by DMF and confidentially stored at the Atlantic Coastal Cooperative Statistics Project. MEP can request this data through DMF through a confidentiality agreement between the agencies. Sawyer and Reed discussed how DMF and MEP may generally use this data for enforcement purposes.

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

Commissioner Tom O'Shea provided updates for DFG. He shared new guidelines that were developed by a Maine based organization — Green and White Hope — in collaboration with other groups to guide coordinated responses to marine incidents. The guidelines may be useful to inform similar practices in Massachusetts, especially following the recent tragedies. The Commissioner hoped to learn more about how partnerships between agencies, organizations, and the fishing community can help minimize safety risks and enhance vessel safety.

Commissioner O'Shea recently attended the Seafood Expo of North America in Boston, where local seafood businesses were highlighted on Mass Ave. Massachusetts Department of Agricultural Resources, DMF, and MEP attended. Tom spoke on the importance of the fishing industry to the Commonwealth's economy and culture. The Commissioner will also join the Secretary of the Executive Office of Energy and Environmental Affairs and Governor Healey to meet with Greenland's Minister of Fisheries.

The Commissioner was recently invited to speak on Massachusetts' biodiversity goals at an upcoming Stellwagen Bank National Marine Sanctuary Advisory Council meeting.

He then applauded DMF for their work on developing Cat Cove Marine Laboratory's Marine Habitat Restoration Center.

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

Director McKiernan described a documentary recently screened by the Cape Cod Fishermen's Alliance called "Hold the Line". This project highlights different members of the commercial fishing industry and proceeds from the screening will be donated to the Lily Jean Fund to support families of those lost at sea.

The North Shore Sea Scallop Pilot Program is on-going and will close on May 1, 2026. 30 boats signed up and 12 vessels are still participating. All participating permit holders agreed to install a vessel tracking device in order to monitor vessels around sensitive areas such as wrecks. DMF will provide a more robust overview of the pilot program at a future meeting.

The Director shared updates on the status of a lawsuit involving the refusal of a lobsterman to install a vessel tracking device. The court ruled in favor of DMF. Rhode Island had lost a similar case last year and was expected to appeal the decision. Dan was hopeful this Massachusetts case would provide the framework for such an action. This would then enable Rhode Island to similarly implement the tracking program outlined in Addendum XXIX.

The Director recently spoke with Mike Pentony, the Regional Administrator for the Greater Atlantic Regional Fisheries Office (GARFO) at the National Oceanographic and Atmospheric Administration (NOAA). Pentony and McKiernan discussed the regulatory discarding of summer flounder in gillnet fisheries for skates, dogfish, and monkfish off southern New England and the potential to adopt an allowance to accommodate some retention. Dan intends to work through the Mid-Atlantic Fishery Management Council (MAFMC) and the Atlantic States Marine Fisheries Commission (ASMFC) to consider an open access incidental catch limit provision in the Fishery Management Plan (FMP).

The Massachusetts Shellfish Officers Association (MSOA) is scheduled to hold its annual meeting in New Bedford. At that time, DMF will provide Henry Lind with the 2025 Belding Award. Lind was nominated for this award last year in recognition of his contributions to shellfish fisheries, aquaculture, and MSOA training.

Amaru thanked McKiernan and Pentony for their willingness to address the regulatory discarding of summer flounder. He also applauded Henry Lind's substantial contributions to the shellfish fishing community.

Chairman Kane thanked DMF and the MFAC for their collaborative and effective work to support commercial and recreational fisheries in Massachusetts.

2026 Omnibus Public Hearing

Final Actions on Commercial Scup, Black Sea Bass, Summer Flounder, Sea Scallop Dredge Width, and Recreational Bluefish

Final Actions on Commercial Scup

Jared Silva shared DMF's recommendation to liberalize the limits for the directed scup fishery in June. This includes: (1) increasing the trip limit from 400 pounds to 800 pounds; and (2) increasing the number of open fishing days per week from three (Sunday, Tuesday, Wednesday) to five (Sunday–Thursday). This would bring the June limits into phase with the limits in May and allow for more consistent access to the resource during the late spring and early summer when it is available inshore. This may, in turn, enhance the landing of a chronically underutilized commercial quota. Current differences between the May and June rules were historically designed to further protect scup during spawning. However, spawning stock biomass is at 323% of its target and fishing mortality is at 55% of its threshold and the continued marginal benefits of more restrictive June measures are likely outweighed by potential economic benefits to the industry. Silva noted this proposal was generally supported through public comment.

Amaru thanked DMF for developing this recommendation.

Willy Goldsmith and Ray Jarvis expressed support for the recommendation to target underutilized species.

Nichola Meserve added that the federal Winter I (January 1 – April 30) commercial scup quota was achieved this season largely due to increased harvest in Rhode Island. She attributed this to their marketing campaigns targeting scup and expressed interest in working with Rhode Island to understand their approach to supporting this fishery and increasing demand.

The Chair called for a motion to accept the recommendations. Bill Amaru made the motion, and Ray Jarvis seconded. The motion passed unanimously (7-0-1, with the Chair abstaining).

Final Actions on Commercial Black Sea Bass

Silva then shared DMF's recommendation concerning commercial black sea bass. This action sought to: (1) eliminate the April 1–April 22 closure period for trawlers and instead allow them to retain and land a 100-pound incidental catch limit of black sea bass year-round (quota dependent);(2) amend the date when the closed commercial fishing days for the directed fishery are automatically eliminated so that it occurs on September 1 rather than September 15; and (3) amend the date whereby the quota-

conditional trip limit increases for the directed fishery occur by moving it from September 15 to September 1.

Massachusetts quota is increasing from 787,216 lb. in 2025 to roughly 1.03 million lb. in 2026 and 2027. These actions are designed to enhance access to the increased quota while preserving fishing opportunities into the fall.

If additional action is needed to ensure quota utilization, a previously implemented multi-day program for black sea bass pot permit holders can be reinstated, and in-season adjustments may be considered.

Director McKiernan applauded Silva for his close collaboration with the industry to develop nuanced and precise regulations to ensure optimal use of the available quota.

The Chair called for a motion to accept the recommendations. Bill Doyle made the motion, and Sooky Sawyer seconded. The motion passed unanimously (7-0-1, with the Chair abstaining).

Final Actions on Commercial Summer Flounder

Silva explained that in response to a 45% increase in coastwide quota, and 75% increase to state quota compared to 2024 and 2025, DMF was moving forward recommendations to enhance quota access by reverting back to limits that were in place at times when similar quotas existed and creating adaptive management strategies based on the magnitude of quota availability at certain points in the calendar year.

The recommendations: (1) established annual quota allocations based on the magnitude of the quota so that Period I (January 1–April 22) receives 30% of the annual quota in years when the quota exceeds 750,000 pounds and 15% in years when it does not; (2) increased the Period I trip limit to 5,000 pounds; (3) eliminated Saturday as a closed fishing day during the summertime (April 23–August 31) season; (4) increased the summertime and September baseline trip limit for net fishers from 500 pounds to 600 pounds and for hook fishers from 325 pounds to 400 pounds; (5) increased the September quota conditional trip limit from 800 pounds to 1,000 pounds if at least 20% of the annual quota remains on September 1; (6) increased the October baseline trip limit from 800 pounds to 1,000 pounds and maintained the quota conditional trip limit at 5,000 pounds if at least 10% of the quota remains on October 1; and (7) adopted a baseline November–December trip limit of 5,000 pounds and a quota-conditional trip limit of 10,000 pounds if at least 20% of the quota remains on November 1.

Silva further explained this recommendation considered feedback from industry; addressed concerns from the inshore fleet about maintaining summertime limits that

support dayboats; and sought to ameliorate user-group conflicts with the recreational fishery.

McKiernan added that existing regulations allow DMF and the MFAC to pursue in-season adjustments in response to quota utilization. However, such actions have historically frustrated recreational anglers. This dynamic management approach eliminates the likely need to consider such actions by building predictable seasonal adjustments into the regulation.

Silva noted that DMF will renew the summertime multi-day limit program for 2026 beginning in early May.

Bill Doyle asked about the current spawning stock biomass of fluke. Nichola Meserve responded that it is 83% of the target as of the 2024 assessment.

Eric Nelson voiced some concerns among recreational fishers regarding disparate minimum sizes between the commercial and recreational fishery and how this results in a perception that the commercial fishery is harvesting the fish before the recreational fishery has the ability to retain it. Silva acknowledged this disparity. He noted that it was derived from prior efforts to constrain recreational harvest to the recreational harvest limit while addressing angler preferences to maintain a reasonable bag limit and season. As a result, the minimum size was increased to a level that is perhaps at or above what is acceptable to the recreational fishing public. If DMF can liberalize summer flounder regulations moving forward, DMF will prioritize size limit decreases. However, DMF is not interested in increasing the minimum size for the commercial fishery because it would increase regulatory discards and potentially shift landings to neighboring states with a lower commercial size harming the local industry.

McKiernan, Amaru, and Silva then discussed the commercial minimum size and how it relates to minimum net mesh sizes and net selectivity.

Meserve added that summer flounder limits will not be subject to change until 2028, following the 2027 assessment. Silva and Meserve then discussed why the commercial quota increased substantially in 2026, but the recreational fishery was not afforded a liberalization under the so-called Percent Change Approach.

Nelson suggested conveying this information clearly to recreational anglers.

Jarvis applauded DMF for explaining the shifts in fluke population dynamics to the public. He echoed Nelson's suggestion to share information on the environmental shift and discrepancies between recreational and commercial fisheries with the public.

McKiernan added that 2025 trawl survey showed a strong year for fluke.

Goldsmith thanked DMF for explaining the Percent Change Approach and the discrepancy between recreational and commercial industry to the recreational sector. He flagged some concern with the commercial liberalizations given the fishery is 83% of its target, not 90%; however, he acknowledged that this needed to be addressed coastwide through the ASMFC and MAFMC.

Goldsmith then asked about any efforts to tag fluke in Massachusetts. Dan noted that this would be undertaken by DMF's Recreational Fishery Program. DMF will explore this option.

The Chair called for a motion to accept the recommendations. Bill Doyle made the motion, and Ray Jarvis seconded. The motion passed unanimously (7-0-1, with the Chair abstaining).

Final Actions on Sea Scallop Dredge Width

Silva then shared DMF's recommendation to increase the maximum sea scallop dredge width from 10' to 10.5' consistent with federal rule for Limited Access General Category Northern Gulf of Maine and Individual Fishing Quota permit holders. This will create uniform rules across jurisdictions to enhance enforcement and compliance, particularly among dual state-federal permit holders who may be fishing in both jurisdictions on the same trip.

Sawyer and Silva discussed vessels that tow using this size dredge. There were no additional questions.

The Chair called for a motion to accept the recommendations. Sooky Sawyer made the motion, and Bill Amaru seconded. The motion passed unanimously (7-0-1, with the Chair abstaining).

Final Actions on Recreational Bluefish

Nichola Meserve shared DMF's recommendation to increase the recreational bluefish bag limits by two fish for all recreational fishing modes. For private anglers, this will increase the bag limit from 3 to 5 fish and for for-hire anglers it will increase the bag limit from 5 to 7 fish.

This recommendation was consistent with recent actions taken by the MAFMC and ASMFC, adopted by NOAA Fisheries for federal waters, and are expected to be implemented by most states.

Nichola noted that this catch limit liberalization was occurring in response to an improved stock status, but the stock has not yet been rebuilt. This caused some consternation among Massachusetts' recreational anglers who preferred to wait until the stock was declared rebuilt before realizing any limit increases. Nichola explained that these were conservative adjustments that considered the stock status and she did not expect they would cause management instability.

Meserve also acknowledged concern for mode split approaches. However, the split mode approach was adopted coastwide and Massachusetts ultimately chose to not deviate because it would only serve to negatively impact the state's for-hire industry.

Eric Nelson noted that Massachusetts anglers remain concerned about the status of the bluefish resource because these fish have not been abundant in our waters in recent years and there is a perception that local availability is a marker of stock health. Meserve noted that shifts in bluefish distribution and migration may contribute to where the fish are most frequently found. While Massachusetts commercial harvest was lower than usual in 2025, southern states saw greater numbers of bluefish. Further, anglers generally do not target bluefish for purposes of retention, and the increased limits are unlikely to dramatically increase harvest. However, it may benefit the for-hire industry as it helps them advertise and sell targeted bluefish trips. Nelson suggested more outreach and angler education to help anglers understand why these decisions are being made.

Jarvis echoed Nelson, noting concerns from other anglers on increasing limits when bluefish are not often found near the coast. He agreed that additional outreach would be beneficial. Jarvis acknowledged the impact of changes in bluefish distribution and range.

Bill Doyle asked about changes in bluefish distribution. Meserve explained that unlike other species that are trending towards cooler waters to the north and the east (e.g., summer flounder, black sea bass) bluefish distribution and availability appears to be moving southward. She opined that this may be related to other cyclical distribution patterns for the species and noted that Massachusetts' commercial fishery has a history of receiving quota from North Carolina and this has shifted in recent years with Massachusetts transferring quota to North Carolina.

Chairman Kane reiterated these differences in trends and expressed support for the increase, noting the higher bag limit supplement drops in striped bass limits due to future restrictions.

Kane and Goldsmith echoed that public outreach would be helpful, such as through DMF's newsletter.

Goldsmith acknowledged concerns for bluefish populations but expressed support for the proposal. He shared information on an on-going survey he was part of to evaluate

angler values, effort, and preferences to better understand striped bass and bluefish fisheries. The study will be available later this year.

The Chair called for a motion to accept the recommendations. Bill Amaru made the motion, and Ray Jarvis seconded. The motion passed unanimously (7-0-1, with the Chair abstaining).

Permitting Decision on CAP Consolidation

Director McKiernan presented DMF's decision to eliminate all Coastal Access Permit (CAP) sub-endorsements in favor of issuing a singular general CAP to cover all the mobile gear fishing activity previously authorized by the sub-endorsements. He sought support from the MFAC for DMF to move forward with this decision, but noted this item did not require a vote.

On background, nearly all the CAP sub-endorsements were readily available to any CAP permit holder and could be added to their permit at any time. The purpose of the sub-endorsements was to help DMF track participation in different mobile gear fisheries, issue supplemental catch reports, and maintain better contact with participants. Evolutions in the state permitting and catch reporting system have made the CAP sub-endorsements superfluous. Eliminating these endorsements would help streamline the permitting process.

Unlike the other sub-endorsements, the CAP Sea Scallop Dredge endorsement was provided to a limited subset of permit holders who did not hold a Coastal Access Permit but had a history of inshore sea scallop fishing. This endorsement allowed them to only tow a sea scallop dredge and did not authorize trawl fishing. This permitting decision would provide this small number of permit holders with an upgrade to a general CAP. While this change would potentially allow these permit holders to tow trawl nets, many lacked the ancillary permits necessary to participate in trawl fisheries.

Sawyer asked what was meant by ancillary permits. Silva explained these were the species-specific endorsements for target finfish species (e.g., summer flounder, groundfish).

There were no objections raised by the MFAC and DMF indicated it would move forward with this permitting change for 2027.

Permitting Decision on Sea Scallop Shucking Endorsement

Dan then shared DMF's decision to eliminate the sea scallop shucking endorsement. This endorsement was established in the 1980s to indicate those vessels who intended

to land shucked sea scallop product. At present, nearly all product landed is shucked, there is no public health benefit in permitting at-sea shucking, and a shellfish endorsement is needed to land in-shell product and this comes with additional public health oversight. Accordingly, the endorsement has become superfluous and DMF now seeks to eliminate it to simplify the commercial permitting program.

Sooky Sawyer expressed support for this. Sawyer then asked about closed areas to shellstock vs shucked product. Silva explained that shucked product can be harvested from any area open to fishing; however, for public health purposes shellstock may only be retained from shellfish growing areas classified as Approved and in the Open Status. Doyle, Silva, and McKiernan then discussed how DMF's sanitary shellfish handling and tagging rules apply to scallop shellstock.

There were no objections and DMF indicated it would move forward with this permitting change for 2027.

Final Decisions to Withdraw Horseshoe Crab Quota Reallocation

Director McKiernan shared DMF's decision to withdraw the horseshoe crab quota reallocation proposal. DMF had proposed to reallocate 40,000 crabs from the bait quota to the biomedical quota at a 1:2 ratio thereby reducing the bait quota from 140,000 crabs to 100,000 crabs annually while increasing the biomedical quota from 200,000 crabs to 280,000 crabs. This was proposed to better size the bait quota to bait demand, smooth out bait gluts, address misalignments attributable to biomedical demand driving bait harvest through the rent-a-crab program, and reduce horseshoe crab mortality by about 28,000 crabs annually (~16% overall).

The proposal received very little public support. The commercial fishing industry largely objected to the action because it would further consolidate access to the resource and could potentially negatively impact bait availability moving forward. While there was some support among conservation groups for the proposal because it reduced horseshoe crab mortality, most objected to the action because it would increase harvest and many supported greater restrictions on harvest (including a total prohibition).

The Director explained that the foundation of the state's conservation management program was sound. Each of the three surveys used to assess relative abundance were demonstrating positive trends over the past 10-15 years, which aligned with when the state started to more aggressively manage the resource. Further, he expected abundance will continue to improve over the coming decade in response to the state's spawning harvest prohibition adopted in 2024. The proposal sought to tweak the management program to improve fishery and market performance and not adopting it would not threaten the sustainable management of the resource.

Therefore, out of consideration for the public comment received, DMF was not moving forward with a final recommendation and would instead work with the industry through non-regulatory pathways to address fishery performance and market issues. DMF also intended to continue to monitor fishery performance and resource abundance and would keep the MFAC apprised of any changes. McKiernan added that DMF will lead a new acoustic telemetry study to better understand post-bleeding mortality in the biomedical fishery.

McKiernan noted that New York and Connecticut have adopted legislation to ban horseshoe crab harvesting activities and a similar bill is being considered in Massachusetts. However, population indices in New York and Connecticut were declining, whereas they are increasing in Massachusetts in recent years, likely in response to DMF's management program.

Lastly, Dan promoted DMF's Annual Horseshoe Crab Science Meeting. The meeting is scheduled for March 20, and will be held at SMAST East in New Bedford with a virtual option. He encouraged MFAC members to attend.

Bill Amaru asked about the data collected by contract employees who assisted in releasing bled horseshoe crabs. Bob Glenn said that this data can be made available and shared at a future meeting. The program may be continued in the future, as well. Glenn and Amaru then discussed the acoustic telemetry study and Glenn opined that the study may reveal that biomedical mortality is less than the current estimate of 15%.

Eric Nelson asked DMF to clarify why the proposal was withdrawn. Director McKiernan explained that the proposal was widely unpopular among industry and conservation stakeholders. As it was not necessary to advance the sustainability of the fishery, but rather was designed to slightly improve management, he did not feel like it was appropriate to push it forward and instead to work with industry through non-regulatory pathways to address market and quota use issues. Silva explained that while recent fishery performance data was used to develop the proposal, the whelk industry has faced significant market uncertainty in recent years which complicates assumptions and projections about bait needs and creates concerns about potential impacts on industry. Nelson asked about the economic impact of restricting harvest on the fishery. Silva and Director McKiernan shared how DMF can examine quota utilization year over year, and this information will inform future management.

Bill Doyle asked about the utilization of bait horseshoe crabs and biomedical crabs from other states. Dan explained that states cannot generally restrict interstate commerce, so crabs caught in one state may be sold in another. However, under the FMP, there are superseding controls on biomedical harvest that require crabs be timely released to their original harvest location post-bleeding to enhance survivability and this may limit the utility of importing crabs from other states for biomedical processing.

Doyle then asked about the use of green crabs as whelk bait. Shelley Edmundson explained that horseshoe crabs are the most effective bait for channeled whelk. However, she has been part of a study that works with whelk fishers to explore and develop alternative baits. Some of these baits include green crabs but they require pairing with molluscan shellfish to enhance attraction, and the product decomposes rapidly and requires alginate binding. The development of a viable alternative bait very much remains a work in progress.

Edmundson then expressed her support for DMF's withdrawal of the quota reallocation proposal.

Chairman Kane asked about the use of horseshoe crabs in mixed bait cups. Edmundson explained that industry has moved towards using a bait mixture that involve other species and only use about $\frac{1}{4}$ to $\frac{1}{2}$ of a horseshoe crab per pot haul.

Kane agreed with Silva's earlier assessment of the market challenges facing the whelk fishery.

Nelson and Doyle reiterated that outreach, engagement, and education is necessary to convey these messages to the public.

Commissioner Tom O'Shea then spoke on the impact of the spring spawning closure as a conservation measure. Trawl and spawning surveys have shown positive population trends as a result of enhanced conservation management over the past twenty years and this should become even more evident in the coming years as we begin to see the benefit of the spring spawning closure. O'Shea echoed McKiernan's earlier message regarding the importance of continuing to monitor and study this resource and evolve and refine management in response to these findings. He noted that supporting horseshoe crab populations aligns with the Department's biodiversity goals, particularly as it relates to the potential ecological relationship between horseshoe crabs and migratory shorebirds.

Withdrawal of Lobster Permitting Proposal

Dan then introduced DMF's intent to withdraw the lobster permitting proposal. The proposal would have allowed an existing Coastal Lobster Permit (CLP) holder with a federal lobster permit to surrender their CLP to DMF and be issued an Offshore Lobster Permit (OLP). This would convert their trap tag authorization from dual state-federal to federal waters only, thereby shifting effort exclusively into federal waters while allowing the use of hired captains as the OLP is not subject to an owner-operator requirement.

There was very little support for this proposal. Specifically, the lobster industry was concerned that it would lead to the development of inshore fleets in the Gulf of Maine that would be detrimental to the fishery.

McKiernan also noted that the ASMFC has initiated a Management Strategy Evaluation (MSE) to consider new conservation and management strategies for the commercial lobster fishery. Changing effort control rules at this time may complicate this evaluation. Further, the MSE may move to recommend more uniform effort control rules across states (e.g., owner-operator through LCMA1) and this proposal could make that ultimately more difficult to achieve.

Sooky Sawyer spoke on behalf of Massachusetts Lobstermen's Association in voicing their support for DMF's withdrawal of this proposal and concurred with the reasons cited by McKiernan.

Jarvis and Nelson also expressed support for withdrawing this proposal, citing the creation of fleets as a potential threat to the lobster industry.

Future Emergency Regulations

2026 Gulf of Maine Cod and Haddock Limits

Melanie Griffin briefed the MFAC on emergency regulations to adjust the recreational Gulf of Maine cod and haddock limits for the start of the upcoming fishing year (May 1, 2026). The emergency action will mirror anticipated federal rules.

For Gulf of Maine haddock, this will decrease the minimum size limit for Gulf of Maine haddock from 18" to 17" while maintaining the April 1–February 28 open season and 15-fish bag limit. This is consistent with the recent implementation of Framework 69 and the New England Fishery Management Council's (NEFMC) recommended action for the current fishing year, and pending final action by NOAA Fisheries, these rules are expected to persist for the upcoming fishing year.

For Gulf of Maine cod, the NEFMC recommended moving the open fishing season from September 1–October 31 to October 1–October 31 while maintaining the 1-fish bag limit and 23" minimum size. This recommendation was currently under review by NOAA Fisheries.

NOAA Fisheries may ultimately implement different final rules for cod and haddock. If this were to occur the state would modify its emergency regulations in response to ensure uniform rules across jurisdictions.

Griffin then outlined the federal management approach and timeline leading up to these actions. Silva added that this action may need to be bifurcated between cod and

haddock depending on when federal rulemaking occurs; however, the emergency regulations are being prioritized now in order to finalize haddock rules and minimize disparity.

Bill Doyle asked about limitations on haddock size. Griffin explained that the large 2013-year class may lead to smaller fish as there is evidence to suggest that the haddock age at size may fluctuate with population density.

Eric Nelson asked about the reasoning behind pushing cod from September – October to only October, as the September fishing is often important to recreational anglers. Griffin explained that the sub-ACL for GOM cod is very small and 2025 Wave 5 (September – October) effort estimates were quite substantial and the model indicated that September would likely have to be eliminated to not exceed the sub-ACL. Griffin noted the NEFMC considered an alternative proposal that would have resulted in split modes allowing a longer for-hire season at the expense of the private angler mode, but this was not supported. This idea may come up again during public comment, along with further increasing the haddock limit to better utilize that sub-ACL.

Willy Goldsmith echoed that the higher than anticipated effort in Wave 5 dramatically changed management approach from status quo to significant restrictions. He asked to clarify the size limit in state vs federal waters. Silva responded that the federal limit is 17” and the limit in state waters is still 18”, causing some potential challenges with enforcement while the rule making process is finalized.

Nelson reiterated the importance of public outreach and education to communicate the rationale behind these decisions.

Griffin added that the Northeast Fishery Science Center is holding a community engagement meeting for the upcoming management track assessments. They are hoping to receive feedback from anglers directly. She encouraged people to participate virtually.

Director McKiernan spoke about the challenges caused by the federal government shutdown and the difficulties it causes to state management. He will soon attend a national directors meeting with NOAA Fisheries, and cod limits will likely be discussed.

2026 Recreational Black Sea Bass Limits

Nichola Meserve shared that DMF is using its emergency regulatory authority to implement the recreational black sea bass limits for 2026 and 2027. The new season will be May 16 – October 14 with a 16” minimum size and a 4 fish bag limit from May 16 – August 31 and a 2 fish bag limit from September 1 – October 14. This replaces the May 16 – September 1 season with a 16.5” minimum size and 4 fish bag limit.

Meserve explained that the ASMFC authorized a 20% harvest liberalization coastwide. This is to be accomplished through a 27% recreational harvest increase for the Northern Region (Massachusetts through New York), a 16.5% in the Southern Region, and a 14-17% increase in New Jersey. While the liberalization was not substantial enough to result in a uniform set of regulations across the Northern region, the states cooperated to smooth out regulatory inequities within the region. This enabled Massachusetts to increase harvest by about 43%.

The emergency action maintains a mid-May start date and a 4 fish bag limit through the spring and summer season while decreasing the minimum size by ½” and expanding the season by six weeks into Wave 5 at a 2 fish bag limit. The season and minimum size season reflect the anglers’ preferences expressed during public scoping this past winter.

Ray Jarvis expressed strong support for these emergency regulations, especially for the South Coast region. Eric Nelson echoed Jarvis’ thoughts and appreciated the response to public comment.

Dan added that emergency regulations are proposed to the MFAC for support with the expectation that final ruling will remain consistent.

Cat Cove Facility Upgrades Presentation

Deputy Director Bob Glenn shared an update on DMF’s Marine Habitat Restoration Facility at DMF’s Cat Cove Marine Laboratory in Salem. Glenn explained the challenges facing coastal habitats, including shoreline development, water quality degradation, and climate change, resulting in significant loss of eelgrass, kelp forests, and oyster reefs.

Thanks to the Massachusetts Biodiversity Executive Order, DMF hopes to build the state’s capacity for effective marine habitat restoration through a Marine Habitat Restoration Center at DMF’s Cat Cove Marine Lab in Salem. The plan for the facility is to create a hub for technical support, applied research, and outreach; produce eelgrass and kelp spores to be used in restoration; potentially act as an oyster shell recycling site; and use the facility’s salt pond as a living laboratory to test field methods and educate restoration practitioners. The goal is to help increase biodiversity, enhance fish production through habitat restoration, bolster carbon and nitrogen sequestration, and enhance shoreline resiliency. Capital investments, partnerships, and fundraising will support and fund the renovation.

Glenn outlined the current project plan. Some goals of the project include enhancing the seawater system, building infrastructure for seed production, enhancing security of the salt pond, enhancing outreach opportunities, and using Smith Pool living laboratory for

demonstrations. DMF has already hired a master planner and house doctor for the project and will meet with a consultant to assist with design. DMF will soon address immediate facility infrastructure needs, replace and upgrade the seawater system, and construct the outdoor seawater pole barn for eelgrass seed production. The seed barn will help support cost-efficient eelgrass seed collection capacity and replace less efficient approaches through individual planting. Glenn emphasized the essential partnerships that make scaling habitat restoration possible.

Glenn then discussed oyster reef restoration, eelgrass restoration, and kelp restoration plans. Oyster reef restoration will utilize farmer-supported oyster planting through Environmental Quality Incentives Program (EQIP). DMF has developed a restoration suitability index to help determine appropriate sites for restoration, including Westport River, Bass River, Waquoit Bay, Upper Buzzards Bay, and Plum Island Sound. These projects rely heavily on collaboration with municipalities. Preliminary research and monitoring will be conducted this year.

On eelgrass restoration, the goal is to collaborate across organizations to provide seeds for restoration, research restoration methods, and build a network of practitioners. Kelp restoration goals include establishing a baseline of habitat in the state in partnership with UMass Boston and developing a small-scale demonstration kelp hatchery at Cat Cove.

Eric Nelson expressed support for this work. He asked about the state's role in salt marsh restoration. Commissioner O'Shea spoke on state programs contributing to salt marsh restoration, including through the Division of Ecological Restoration, the Division of Fish and Wildlife, and DFG. This may also be funded through a blue carbon credit program. Tom applauded DMF's efforts to balance Biodiversity Goals and enhancing fisheries.

Sooky Sawyer asked about the logistics of eelgrass seed harvest. Glenn explained how seeds are separated from shoots, and broadcast seeding has been effective in Chesapeake Bay. Glenn and Sawyer discussed how to scale this effort.

Willy Goldsmith added that work with the Atlantic Coastal Fish Habitat Partnership may function alongside this.

Amaru shared he recently participated in a documentary called Troubled Waters and recommended working with the group that developed this film to learn more about potential partnerships.

Commissioner O'Shea applauded DMF's habitat program for spearheading this effort and balancing both habitat and outreach when considering the impact of the Cat Cove Marine Habitat Restoration Center.

Wastewater Discharge and Shellfish Sanitation

Matt Camisa presented on the challenges related to federal requirements for the classification of shellfish growing areas adjacent to sewage treatment plant outfalls or affected by combined sewage overflow discharges.

There are 285 Designated Shellfish Growing Areas (DSGAs) in Massachusetts, which can be designated as approved, conditionally approved, restricted, conditionally restricted, and prohibited to shellfish harvest. These classifications are created pursuant to the National Shellfish Sanitation Program (NSSP), which is a federal cooperative program that governs the sanitary harvest and handling of shellfish entering interstate commerce.

Camisa provided background on dilution requirements of shellfish areas near wastewater treatment plant (WWTP) outfalls. SMAST UMass Dartmouth has collaborated with DMF to use a model—FVCOM—to understand how effluent moves from a WWTP and inform decision-making around these standards. WWTP Modeling has expanded prohibited and conditionally approved areas, and increased frequency of environmental testing by DMF staff. Camisa outlined examples of how this model has been used to inform decision making in Scituate, New Bedford, Fairhaven, and Ipswich. There is industry scrutiny regarding the application of the FVCOM model to the New Bedford WWTP outfall. However, a recent independent assessment found that the model was being appropriately used but recommended additional ground truthing to build confidence in the results. An EPA dye study of the New Bedford WWTP will be conducted this year, and the results will further inform the FVCOM model.

Additionally, Camisa discussed the various sampling and testing protocols necessary to safeguard public health and minimize the impacts of shellfish closures due to combined sewage overflow (CSO) discharges. Camisa then explained how CSOs lead to shellfish closures. This is particularly an issue in Buzzards Bay due to the high volume CSOs in New Bedford. In response to CSOs, DMF has explored additional research and monitoring tools, such as drifters. DMF is also investing in Male Specific Coliphage (MSC) testing as a tool to test out of a CSO closure before the required 21-day closure ends. This requires increased communication with industry and municipalities, and additional workload on DMF staff.

Bob Glenn applauded DMF's shellfish team for their remarkable efforts. He added that the majority of shellfish areas in Massachusetts are not impacted by issues related to WWTPs and CSOs. However, these closures and testing are essential for Massachusetts to be permitted to ship shellfish to other states. He called for more conversation on remediating CSOs.

Bill Doyle applauded DMF for their work. He spoke on the impact of the Plymouth outfall. Doyle and Camisa discussed potential changes to this in the future.

Amaru asked about potential consequences of the Orleans WWTP outfall discharge. Camisa and Amaru discussed how this may impact shellfish areas in the future. Commissioner O'Shea added that the buffer also helps protect people from contaminants that are not being tested for. Amaru spoke on the impact of red tide closures in Orleans.

Goldsmith and Camisa discussed differences in approaches between commercial and recreational shellfish.

Commissioner O'Shea and Camisa then discussed potential infrastructure updates to minimize the impact of CSOs, such as underground holding tanks.

Other Business and Public Comment

Chairman Kane invited public comment. Ray Rowell (Cape Cod Commercial Fishermen's Alliance) asked for a digital copy of the boat safety and crisis response document discussed by Commissioner O'Shea.

Susanna Altenberger advocated for improved vessel design and hoped to share a presentation with the MFAC in the future.

Brian Curry applauded DMF and the MFAC's work on recreational fisheries and the impact of the fishing derby.

Chairman Ray Kane called for a motion to adjourn. **Ray Jarvis made the motion to adjourn, and Sooky Sawyer seconded the motion. The meeting adjourned.**

Meeting Materials

- March 17, 2026 MFAC Business Meeting Agenda
- February 11, 2026 MFAC Draft Business Meeting Minutes
- Memorandum Recommendation on Commercial Scup Limits
- Memorandum Recommendation on Commercial Black Sea Bass Limits
- Memorandum Recommendation on Commercial Summer Flounder Limits
- Memorandum Recommendation on Sea Scallop Dredge Width Modification
- Memorandum Recommendation on Recreational Bluefish Limits
- Memorandum on Coastal Access Permit Consolidation
- Memorandum on Elimination of Sea Scallop Shucking Endorsement
- Memorandum on Withdrawal of Proposal to Reallocate Horseshoe Crab Quota

- Memorandum on Withdrawal of Proposal to Allow Conversion of Coastal Lobster Permit to Offshore Lobster Permit
- Memorandum on Emergency Regulations to Implement Limits for Recreational Western Gulf of Maine Cod and Gulf of Maine Haddock
- DMF Presentation on Commercial Scup, Black Sea Bass, and Summer Flounder Limits and Recreational Bluefish Limits Recommendations; Sea Scallop Dredge Width Modification Recommendations; Coastal Access Permit Consolidation Recommendation; Elimination of Sea Scallop Shucking Endorsement Recommendation
- DMF Presentation on Decisions to Withdraw Proposal to Reallocate Horseshoe Crab Quota and Proposal to Allow Conversion of Coastal Lobster Permit to Offshore Lobster Permit
- Marine Habitat Restoration Center Update Presentation
- Wastewater Discharge and Shellfish Sanitation Presentation

Next Meeting Date

May 28, 2026 Martha's Vineyard



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: May 23, 2026

Subject: **Final Regulations to Set Recreational Limits for Black Sea Bass**

Recommendation

I recommend the MFAC approve a recreational black sea bass season of May 16 through October 14 with a 16” minimum size and a 4-fish bag limit from May 16 to August 31 and a 2-fish bag limit from September 1 to October 14. These limits replace the May 17 through September 1 season with a 16.5” minimum size and 4-fish bag limit in place for 2025. Refer to Table 1. This final recommendation conforms to the emergency regulations implemented for May 1, 2026¹.

Table 1. Recommended Change to Recreational Black Sea Bass Limits from 2025 to 2026/2027

Year	Season	Bag Limit	Size Limit
2025	May 17 – September 15	4 fish	16.5”
2026/2027	May 16 – August 31	4 fish	16”
	September 1 – October 14	2 fish	

Background and Rationale

Under the fishery management plan’s Percent Change Approach to setting recreational management measures, the 2026/2027 recreational harvest limit for black sea bass coupled with projected harvest and favorable stock status enabled a 20% coastwide harvest liberalization, with the Northern Region (Massachusetts – New York) being allowed an increase of up to 27%. The Northern Region worked to address inequities in recreational fishing limits across the region. While the liberalization was not sufficient to accommodate a single set of measures across the region, Massachusetts was able to liberalize its limits by an estimated 43% (compared to 14 – 30% in other states) to begin to address some of the disparity in state limits across the region and better align some measures.

¹ For additional information, review the [March 5, 2026 memorandum](#) to the MFAC.

Specifically, Massachusetts was able to extend its season into Wave 5 (September–October) while also decreasing the minimum size by ½". Extending the season and reducing the size limit were two key recommendations made to DMF during the late-winter 2026 public scoping. Anglers heavily favored both of these actions to increase recreational fishing opportunities, enhance the retention of fish caught, and reduce regulatory discarding.

Public Testimony

DMF held a public comment period from April 22 – May 22 with a virtual public hearing on May 19. One individual provided testimony at the public hearing and one written public comment was received and both supported recreational black sea bass limit adjustments.

Enclosed

Written public comment.




New proposed fishing regulations

From Greg Spier <gregspier@gmail.com>

Date Thu 5/21/2026 8:52 AM

To Marine Fish (FWE) <marine.fish@mass.gov>

 1 attachment (1 MB)

20230723_132717.jpg;

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I would like to support the proposed changes to fishing regulations for Sea Bass, Haddock, and Mackerel bag limit increases.

I regularly catch Sea Bass and they almost seem like they are invasive and am sure they are effecting other species like Summer Fluke by consuming similar bate like squid to eat.

Thanks for supporting these bag limit changes.

Both my wife and I enjoy catching Sea Bass

Greg Spier

1 Hutchins Dr, Foxborough, MA 02035.

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Greg Spier

cell 508.328.7848



Maura T. Healey
Governor

Kimberly Driscoll
Lt. Governor

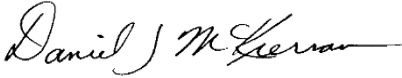
Rebecca L. Tepper
Secretary

Thomas K. O’Shea
Commissioner

Daniel J. McKiernan
Director

Memorandum

To: Marine Fisheries Advisory Commission (MFAC)

From: Daniel J. McKiernan, Director 

Date: May 23, 2026

Subject: **Final Regulations to Set Recreational Limits for Gulf of Maine Haddock**

Recommendation

I recommend the MFAC approve a 1” reduction in the recreational Gulf of Maine (GOM) haddock minimum size thereby reducing it from 18” to 17”. The April 1–February 28 open season and 15-fish bag limit for all modes will remain status quo. Refer to Table 1. This is consistent with the emergency action implemented for May 1, 2026¹ and complements recently amended federal regulations.

Table 1. Recommended Change to Recreational GOM Haddock Limits from 2025 to 2026

Year	Season	Bag Limit	Size Limit
2025	April 1–February 28	15 fish	18”
2026	April 1–February 28	15 fish	17”

Background and Rationale

NOAA Fisheries approved Framework 69 to the Northeast Multispecies Fishery Management Plan (FMP) on March 9, 2026. This set the recreational fishing limits for GOM cod and haddock for Fishing Year 2025 (May 1, 2025–April 30, 2026). These federal measures are expected to remain in place for the Fishing Year 2026 (May 1, 2026 – April 30, 2027). For GOM haddock, the minimum size was reduced by 1” from 18” to 17” while the existing bag limit (15 fish) and open season (April 1 – February 28) were maintained. For GOM cod, the limits remain status quo —September 1 to October 31 open season with a 23” minimum size and 1 fish bag limit. These limits were developed through the use of NOAA’s bio-economic model that seeks to ensure the sub-ACLs for both stocks are annually achieved but not exceeded.

DMF annually adjusts state recreational fishing limits for GOM cod and haddock consistent with federal actions. This ensures uniformity across jurisdictions to help achieve federal conservation and

¹ For additional information, review the [March 5, 2026 memorandum](#) to the MFAC.

management goals and enhance enforcement and compliance. Accordingly, DMF adopted emergency regulations for May 1, 2026 to implement the change to the GOM haddock minimum size while maintaining all other GOM haddock and cod rules. DMF now seeks to codify this change as a final regulation so that it will remain in effect beyond the 90-day emergency regulatory period, which will expire on August 1, 2026.

Public Testimony

DMF held a public comment period from April 22 – May 22 with a virtual public hearing on May 19. No testimony was provided at the public hearing. One written public comment was received in favor of the recreational size limit decrease.

Enclosed

Written public comment.




New proposed fishing regulations

From Greg Spier <gregspier@gmail.com>

Date Thu 5/21/2026 8:52 AM

To Marine Fish (FWE) <marine.fish@mass.gov>

 1 attachment (1 MB)

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Thanks for supporting these bag limit changes.

Both my wife and I enjoy catching Sea Bass

Greg Spier

1 Hutchins Dr, Foxborough, MA 02035.

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Greg Spier

cell 508.328.7848



Maura T. Healey
Governor

Kimberly Driscoll
Lt. Governor

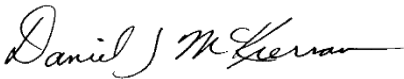
Rebecca L. Tepper
Secretary

Thomas K. O'Shea
Commissioner

Daniel J. McKiernan
Director

Memorandum

To: Marine Fisheries Advisory Commission (MFAC)

From: Daniel J. McKiernan, Director 

Date: May 23, 2026

Subject: **Final Regulations to Set Commercial and Recreational Mackerel Limits**

Recommendation

I recommend the MFAC approve two actions to set harvest limits for mackerel. These actions are consistent with the emergency action implemented for May 1, 2026¹.

The first recommendation is to increase the per angler recreational bag limit from 20 fish to 25 fish for anglers fishing from a private vessel or shore and 50 fish for anglers fishing from a permitted for-hire vessel during a for-hire trip. The fishery will remain open year-round with no minimum size. Refer to Table 1.

The second recommendation is to increase the commercial trip limit. Whereas the trip limit was set at 5,000 pounds and reduced to 2,500 pounds once 80% of the annual quota is taken, the trip limit now starts at 20,000 pounds and will decrease to 5,000 pounds once 2.4 million pounds (1,100 mt) of the quota remains and 2,500 pounds when 485,017 pounds (220 mt) of the quota remains. The fishery will remain open year-round (quota dependent) with no minimum size. Refer to Table 2.

Background and Rationale

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

A new [2025 stock assessment](#) shows improved rebuilding with the Atlantic mackerel stock at 56% of its biomass target. This prompted the MAFMC to approve a [revised rebuilding plan](#) in December of

¹ For additional information, review the [March 5, 2026 memorandum](#) to the MFAC.

2025. Based on the improved stock trends and consequent higher allowable catches (Table 3), National Oceanic and Atmospheric Administration (NOAA) Fisheries adopted higher Atlantic mackerel commercial catch limits (Table 4) and increased the federal recreational possession limit to 25 fish for anglers aboard private boats and 50 fish for for-hire patrons² (previously 20 fish for all). Note that federally permitted vessels fishing in federal waters will be allowed to retain and land higher amounts when federal regulations allow. These state commercial trip limit proposals are designed to match the limits that apply to the small-scale vessels participating in the open access fishery.

DMF responded by enacting emergency regulations for May 1, 2026 to match federal recreational fishing limits and maintain uniform commercial fishing limits with the federal open access fishery. This ensures uniformity across jurisdictions to enhance enforcement and compliance and ensure that there are consistent fishing opportunities to achieve federal conservation and management goals. DMF now seeks to codify these changes as final regulations so that it will remain in effect beyond the 90-day emergency regulatory period, which will expire on August 1, 2026.

Public Testimony

DMF held a public comment period from April 22 – May 22 with a virtual public hearing on May 19. No testimony was provided at the public hearing. One written public comment was received in favor of the recreational bag limit increase.

Appendix of Tables

Table 1. Recommended Change to Recreational Mackerel Limit 2025 to 2026

Year	Season	Bag Limit	Size Limit
2025 (All Modes)	Year Round	20 fish	N/A
2026 (Private)	Year Round	25 fish	N/A
2026 (For-Hire)	Year Round	50 fish	N/A

Table 2. Recommended Change to Commercial Mackerel Limit 2025 to 2026

Year	Season	Trip Limit	Size Limit
2025	January 1 – Quota	5,000 lb 2,500 lb at 80% quota use	N/A
2026	January 1 – Quota	20,000 lb 5,000 lb at 1,110 mt quota 2,500 lb at 220 mt quota	N/A

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

	FY2025	FY2026	FY2027
Commercial Quota	868 mt	11,237 mt	13,210 mt

² Although opposed continuously by New England states (ME, NH, and MA), the higher for-hire possession limit responds to industry comments that customers are discouraged from booking trips at lower possession limits.

	(1.9 million pounds)	(24.8 million pounds)	(29.1 million pounds)
Expected Recreational Catch	2,100 mt	2,500 mt	2,500 mt

Table 4. Federal Commercial Limits by Permit Category and Domestic Annual Harvest (DAH) Phase

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


Enclosed

Written public comment.



New proposed fishing regulations

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Greg Spier
1 Hutchins Dr, Foxborough, MA 02035.

--

Greg Spier
cell 508.328.7848

November 8, 2025

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

ATTN: Regarding Knobbed Whelk Management in Massachusetts Waters

Dear Director McKiernan,

Thank you for the opportunity to provide written comments on the management of Knobbed Whelk.

Knobbed whelk have a long history of being a targeted species by Trawlers in Mass state waters. Prior to the ban on night fishing trawlers targeted Knobbed whelk and catches of 5000 lbs or more in a night were common. Any survey of Knobbed whelk abundance should include a nighttime trawl survey by knowledgeable fisherman. Knobbed whelk are a bycatch of the smooth whelk pot fishery and pots will not reflect the abundance of the species

We are writing to express concerns about the current management of Knobbed whelk in Massachusetts waters. We believe that knobbed whelk should not be managed the same as channeled whelk, because of significant biological and ecological differences between the species. Channeled whelks are more common in sandy bottoms, while knobbed whelks are often found in more varied habitats including areas of shellfish beds. Because of where they live, knobbed whelks have more direct impact on commercial and recreational shellfish resources. Knobbed whelks are known to be aggressive shellfish predators and heavily prey on quahogs, oysters and other shellfish (Davis 1981; Walker 1988; Kraeuter 2001; Castro et al. 2017). We ask that you consider managing the species separately and ask MA DMF to have separate biological assessments for each species so MA DMF can set size limits, seasons, and trip limits based on science for that species, rather than a one-size-fits-all approach. This would help protect the resource while also giving fishermen fairer and more workable regulations.

We understand via a Marine Fisheries Advisory bulletin on April 12, 2024, that the scheduled whelk gauge increases have been temporarily paused. As stated in the bulletin, DMF "postponed implementation of the next scheduled increase to the whelk minimum gauge width for three years, from 2024 to 2027. This means that the 3 $\frac{1}{8}$ " minimum gauge width, in place since 2021, will remain in effect and the pending increase to 3 $\frac{1}{4}$ " will not occur until April 15, 2027. This applies to both knobbed and channeled whelks...This delay is meant to accommodate additional evaluation of the management approach for whelks." As a result of this temporary pause, we ask MA DMF to consider instead returning the gauge size back to 2 $\frac{3}{4}$ " inch round gauge for knobbed whelk. In the late 1980s, when MA DMF established a 2 $\frac{3}{4}$ " minimum shell width for knobbed and channeled whelk, it was not based on a biological reason,

but rather the smallest animals the seafood processor was willing to handle. While there have been concerns recently by MA DMF that a smaller gauge size would not support a healthy viable market, we have the full support from Reds Best, that a 2 3/4" gauge increase would be acceptable. As a result, returning the minimum gauge size would allow for sustainable harvest while mitigating impacts on other valuable shellfish stocks.

Currently the possession limit for mobile gear fishermen under the authority of the Coastal Access Permit is 1,000 pounds of channeled whelk and knobbed whelk combined during a single fishing trip or 24-hour day. Currently, the mobile fleet can operate under those trip limits, and the mobile gear targeting knobbed whelks eliminates the need for bait like the pot/trap fishery, reducing mortality on non-target species and easing pressure on forage fish and other bait sources.

Thank you for your attention to this matter and for your ongoing work to manage the Commonwealth's marine resources responsibly. We look forward to your response and working collaboratively on this issue.

Sincerely,

References:

Castro, K. and M. Ximenez. 2017. Synthesis of Scientific and Local Ecological Knowledge of Channeled and Knobbed Whelk in Rhode Island. Rhode Island Sea Grant, NOAA NA14OAR4170082. Final Report.

Davis, J.P. 1981. Observations of prey preference and predatory behavior in *Busycon carica* and *B. canaliculata*. *Biol. Bull.* 161:338-339.

Kraeuter, J.N., Castagna, M. & R. Bisker. 1989. Growth rate estimates for *Busycon carica* in Virginia. *J. Shellfish Res* 8(1): 219-225.

Walker, R.L. 1988. Observations on intertidal whelk (*Busycon* and *Busycotypus*) populations in Wassaw Sound, Georgia. *J. Shellfish Research* 7(3): 473-478.



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Sincerely,

Domenic Santoro

References:

Castro, K. and M. Ximenez. 2017. Synthesis of Scientific and Local Ecological Knowledge of Channeled and Knobbed Whelk in Rhode Island. Rhode Island Sea Grant, NOAA NA14OAR4170082. Final Report.

Davis, J.P. 1981. Observations of prey preference and predatory behavior in Busycon carica and B. canaliculata. Biol. Bull. 161:338-339.

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Maura T. Healey
Governor

Kimberly Driscoll
Lt. Governor

Rebecca L. Tepper
Secretary

Thomas K. O’Shea
Commissioner

Daniel J. McKiernan
Director

December 12, 2025

Domenic Santoro
 36 Windward Passage
 North Chatham, MA 02650

RE: Request Regarding Knobbed Whelk Management in Massachusetts Waters

Domenic,

I am in receipt of your November 8, 2025 correspondence regarding knobbed whelk management in Massachusetts. In this request you ask that DMF “consider managing this species separately [from channeled whelk] and ask MA DMF to have separate biological assessments for each species so MA DMF can set size limits, seasons, and trip limits based on science for that species, rather than a one-size-fits-all approach.” You further elaborated on this request at the November 17 inshore Nantucket Sound trawl fleet meeting and specifically sought seek DMF to decouple the minimum size management of knobbed whelk from channeled whelk and return the knobbed whelk minimum size to the historic 2 3/4” standard. This letter serves to inform you that I intend to consider this request as part of a broader effort to address whelk management in 2026 for 2027.

Knobbed and channeled whelk (“whelks”) are the two principal marine snail species that are commercially harvested in Massachusetts. The management of whelks is unique as they are not subject to interstate or federal fishery management plans and are instead primarily managed at the state level. Accordingly, there are no coastwide or regional management standards or stock assessments for these species and the assessment and management of these species is principally the responsibility of DMF and its Marine Fisheries Advisory Commission. Note that pursuant to G.L. c. 130, §52 municipalities have the authority to regulate the harvest of whelks in local waters but have generally opted not to thereby defaulting to state management.

By way of background, the harvest of these animals has been historically subject to uniform minimum size regulation. A 2 3/4” minimum size standard was initially adopted in 1992 to codify the smallest sized whelks that processors wanted to handle. However, over time the minimum size regulation evolved towards being a biological-based metric to encourage conservation through enhancing spawning stock biomass. At present, both species are governed by a 3 1/8” minimum gauge width using the “any orientation” method of measurement (corresponding to a shell-width of approximately 3 5/16”).

Around 2010, industry began to raise concerns about dramatically increasing conch pot effort depleting the channeled whelk resource. Upon a review of the scientific literature, DMF determined that serial depletion is common in marine snail fisheries with high rates of exploitation given these are slow to mature animals. In response, DMF investigated the minimum size standard as a possible regulation that could be enhanced to promote conservation.

This investigation resulted in two size-at-maturity studies (2010-2011 and 2015), which found that 50% of female channeled whelks reach maturity at a shell width of about 3 7/8" and no female channeled whelk were sexually mature until they have a shell width larger than 3 7/16" (Table 1). This raised concerns that at the minimum size standard of 2 3/4" growth overfishing was likely occurring and spawning potential was likely severely compromised. These concerns were confirmed by: (1) sea sampling data that demonstrated fewer large channeled whelks were observed in commercial catches compared to previous years, and the catch had become truncated around a minimum size standard that did not protect any spawning stock biomass; and (2) a 2018 DMF stock assessment that found the resource was overfished with overfishing occurring.

These factors prompted DMF and the Marine Fisheries Advisory Commission (MFAC) to pursue a series of regulatory actions affecting both knobbed and channeled whelks that would establish a standardized method of measurement and slowly increase the gauge width to 3 5/8" where it corresponded to an animal with shell-width of 3 7/8" — the size at which DMF determined 50% of females would be sexually mature (Table 1). As of 2024, DMF paused the schedule to increase the minimum size standard for both whelk species at a 3 1/8" minimum gauge width until January 1, 2027 (a period of three-years). This was done at the request of industry to provide time to potentially analyze and accommodate alternative management strategies given economic and policy concerns about continuing to increase the minimum size standard.

While the focus of DMF's size-at-maturity studies and the impetus of this rule-making exercise was to address concerns about the channeled whelk resource, DMF extended the rule to include knobbed whelk. This was done for two reasons. First, during the course of our size-at-maturity studies, DMF also sampled knobbed whelk and found they exhibit similar growth rates and size-at-maturity to channeled whelk. This finding established a biological basis for a uniform size standard. Second, based on stakeholder input — including feedback from the Massachusetts Environmental Police — a uniform standard was supported to benefit enforcement and compliance.

With the regulatory pause to the scheduled minimum size standard increases set to end on January 1, 2027, DMF intends to dedicate agency resources to addressing knobbed and channeled whelk management in 2026. This will allow DMF and the MFAC to investigate and take comment on potential alternative whelk management approaches for 2027. Accordingly, this is a natural opportunity for your request to be considered.

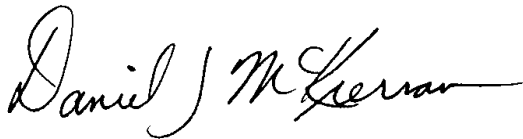
I recognize that you were likely hoping to have DMF consider this change for 2026. However, I anticipate that fast tracking this action will likely jumpstart conversations about whelk management more broadly and result in duplicative and redundant efforts that will tie up limited agency resources this winter as we face pending challenges in managing a variety of other fisheries. Further, scientists at the University of Massachusetts' School for Marine Science and Technology have just recently published a study titled "Consequences of differing definitions of maturity for management regulations of a gastropod fishery" and the contents of this study need to be thoroughly analyzed and

assessed by DMF in the context of our whelk minimum size management program. Accordingly, addressing this request for potential management action in 2027 ensures that DMF can respond in a manner that is timely, efficient, and thorough.

That said, your request raises some interesting points. I recognize that there are critical differences in how the fisheries for knobbed whelk and channeled whelk are prosecuted. Knobbed whelks are primarily harvested as incidental catch in mobile gear fisheries, whereas channeled whelks are caught in a directed pot fishery. As such, these resources are harvested at differing scales, with annual knobbed whelk landings only constituting about 10% the weight of the state’s annual channeled whelk landings (Table 2). Unlike the conch pot fishery, effort in the mobile gear fisheries that catch whelks never significantly increased compared to historic norms, rather it has declined over the past 15-years in response to a myriad of economic, regulatory, and environmental issues. Additionally, since 2014, trawlers have been subject to a trip limit on whelks that constrained harvest and the proliferation of a targeted trawl fishery. In combination, these factors may be controlling exploitation to a degree where reconsidering the minimum size management strategy may be warranted. However, your observations of having to throw back such a large proportion of your catch due to it not meeting the minimum size standard is consistent with what we would expect in a fishery that is being growth overfished.

DMF staff will keep you up-to-date on the status of your request as it moves forward and may reach out with additional comments and questions.

Regards,



Daniel J. McKiernan, Director
Massachusetts Division of Marine Fisheries

CC: Marine Fisheries Advisory Commission; Jared Auerbach, Red’s Best, LLC

Gauge Size	2 7/8"	3"	3 1/8"	3 1/4"	3 3/8"	3 1/2"	3 5/8"
Approximate Shell Width	3 1/10"	3 3/16"	3 5/16"	3 7/16"	3 5/8"	3 3/4"	3 7/8"
Percent size at maturity	0%	0%	0%	0%	5%	20%	50%

Table 1. Approximate shell width and percent size-at-maturity at each scheduled gauge size

SPECIES	2010-2024	2015-2024	2020-2024
CHANNELED WHELK	1,632,055	1,118,163	855,444
KNOBBED WHELK	236,900	140,314	65,641

Table 2. Landings in live pounds of channeled whelk and knobbed whelk over past 5, 10, and 15 year stanzas.