



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

9:00AM

Thursday, September 18, 2025

DFW Field Headquarters

1 Rabbit Hill Road

Westborough, MA

[Listen In Via Zoom](#)

1. Call to Order and Routine Business (9:00 AM)
 - a. Introductions and Announcements
 - b. Review of September 2025 Business Meeting Agenda
 - c. Review and Approval of August 2025 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. 2025 Quota Managed Fishery Performance Update (9:45AM)
4. Proposals for Future Public Hearing (10:15 AM)
 - a. Emergency Action to Limit Entry to Commercial Striped Bass Fishery in 2026
 - b. Commercial Summer Flounder Limits
 - c. Commercial Black Sea Bass Limits
 - d. Recreational Bluefish Limits
 - e. Allowance for Dual State-Federal Lobster Permit Holder to Retire Coastal for Offshore
 - f. Housekeeping to Eliminate Certain Regulated Fishery Permit Endorsements
5. Discussion Items (11:15 AM)
 - a. Options for Recreational Striped Bass Management Under Draft Addendum III
 - b. Recent Meeting to Discuss North Shore State Waters Sea Scallop Fishing Concerns
 - c. Commercial Fisheries Commission Update
6. Presentation on Biodiversity (12:00 PM)
7. Other Business and Public Comment (12:30 PM)
8. Adjourn (1:00PM)

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

9AM

October 21, 2025

Via Zoom

Marine Fisheries Advisory Commission

Draft Business Meeting Minutes

August 21, 2025

DFW Field Headquarters, 1 Rabbit Hill Rd, Westborough, MA

Marine Fisheries Advisory Commission: Raymond Kane, Chairman; Arthur “Sooky” Sawyer; Bill Amaru; Kalil Boghdan; Chris McGuire; Eric Nelson, Bill Doyle, Eric Nelson, and Ray Jarvis. Absent: Shelley Edmundson.

Division of Marine Fisheries: Dan McKiernan, Director; Story Reed, Deputy Director; Bob Glenn, Deputy Director; Anna Webb, Assistant Deputy Director; Jared Silva; Nichola Meserve; Tracy Pugh; and Derek Perry.

Department of Fish and Game: Tom O’Shea, Commissioner

Massachusetts Environmental Police: Captain Jack Chapin

Members of the Public: Sharl Heller, Brad Winn, Brenda Boleyn, Jamie Bassett

Call To Order And Routine Business

Chairman Ray Kane called the meeting to order. The Chairman recognized that Kalil Boghdan would be stepping down from the MFAC at the end of his term (August 23, 2025) and thanked him for his nine years of service to the MFAC. He then welcomed the two newest MFAC members — Eric Nelson and Ray Jarvis — who filled the seats previously held by Tim Brady and Mike Pierdinock. Eric and Ray thanked Chairman Kane and voiced excitement to be part of the MFAC.

Kalil Boghdan asked for an update concerning his soon-to-be vacant seat. Commissioner Tom O’Shea recognized the need to expediently fill Kalil’s seat and voiced his intent to appoint a new member as soon as possible.

Review Of August 2025 Business Meeting Agenda

Chairman Kane asked for amendments to the August 2025 Business Meeting Agenda. There were no amendments.

Review And Approval Of July 2025 Draft Business Meeting Minutes

Chairman Kane asked for any amendments to the draft July 2025 business meeting minutes. There were no amendments. **The Chair called for a motion. Sooky Sawyer made a motion to accept the minutes as drafted and Bill Amaru seconded. The motion passed unanimously.**

Office Of Law Enforcement: Personnel, Recent Operations & Marine Fishery Incidents

Captain Jack Chapin provided comments for the Massachusetts Environmental Police. John Monaghan was recently appointed Colonel. Chapin provided the MFAC with some background and personal history on Monaghan and noted he recently attended the Martha's Vineyard Fishermen's Preservation Trust's Meet the Fleet and met those MFAC members and DMF personnel in attendance. Chapin hoped the Colonel would join the MFAC at an upcoming meeting.

Chapin provided an update on recent marine fishery violations. He described a case in Westport involving multiple size and possession limit violations for scup, tautog, fluke, and sea bass. The violators were civilly charged with fines in excess of \$40,000. Chapin then discussed shore-based shark fishing following DMF's implementation of regulations earlier this year prohibiting this activity in certain areas around Cape Cod to prevent targeting white sharks. There were some reports of this occurring on the Cape but MEP has not observed it. Additionally, there were reports of sand tiger sharks and white sharks being caught from Nantucket beaches, which captured attention on social media. Lastly, MEP was monitoring recreational blue crab fishing for gear, possession limit, and size limit violations.

Chapin discussed MEP's role as security support to the Department of Conservation and Recreation's facilities throughout the summer.

On personnel, he added that MEP intends to hire seven additional officers by next summer.

Sooky Sawyer asked about the enforcement of lobster possession limits on trawlers landing in Provincetown. Captain Chapin responded that MEP dedicated resources to this over the past year and made one case this past winter. Sawyer and Chapin discussed the value of deploying more officers in this area. Bill Amaru noted that many trawlers land in Provincetown legally and increased monitoring has motivated the fishery to self-regulate. Chapin agreed, noting that few violations have been observed.

Department Of Fish And Game: Recent Meetings And Events And Department-Wide Activities And Projects

Commissioner Tom O’Shea welcomed Ray Jarvis and Eric Nelson to the MFAC, highlighting the value of their perspectives, particularly as it relates to recreational fisheries.

O’Shea said that he had the chance to meet Colonel Monaghan and expressed his interest in helping to increase MEP’s capacity for coastal enforcement. He encouraged the Colonel to join future MFAC meetings.

The Commissioner then discussed shellfish management. He recognized DMF’s work on managing *Vibrio parahaemolyticus* cases tied to oysters harvested in Duxbury Bay and Pleasant Bay. He applauded DMF’s effort to efficiently develop precautionary closures in these areas to safeguard public health. Additionally, the Town of Ipswich has asked DFG and DMF to attend a meeting to discuss the shellfish area reclassifications in Ipswich related to their sewage treatment plant outfall and minimum dilution standards under the National Shellfish Sanitation Program’s Model Ordinance. The meeting will address questions posed by the Town of Ipswich, highlight what work has been done so far, and what can be done in the future through DMF’s partnership with the FDA.

DFG just finalized the Commonwealth’s Biodiversity Goals Report. Governor Healey was hosting an event to announce the report later today on Cape Cod and Tom expressed his gratitude for the Governor’s support for this initiative, including funding for marine restoration projects. DFG staff would present on the report at a future MFAC meeting. Additionally, the Commissioner had traveled to participate in their 30 x 30 Partnership Summit and discuss Massachusetts’ biodiversity initiative.

Division Of Marine Fisheries: Personnel, Recent Meetings And Events, And Agency Activities And Projects

Director Dan McKiernan began his comments by further discussing the issues related to the reclassification of shellfish growing areas in Ipswich. Since 2015, the Model Ordinance has required buffer zones around sewage treatment plant outfalls where the harvest of shellfish is prohibited to address potential plant failures and contaminants in treated wastewater that are not tested for (e.g., PFAS). To minimize closure impacts, DMF has worked with SMAST to develop models for effluent dilution and has worked to limit the extent of the closures to the lowest possible dilution threshold allowed under nationwide public health standards.

Dan voiced support for inviting the Colonel to join a MFAC meeting in the future and for the MFAC to discuss with the Colonel the potential need for a letter of support for funding and staffing.

Dan welcomed Ray Jarvis and Eric Nelson to the MFAC and was hopeful that Kalil’s soon-to-be-vacant seat will be expediently filled.

McKiernan then outlined several ongoing lawsuits involving state and interstate fishery management. These included federal and state suits in Massachusetts' courts concerning v-notch possession standards for the Outer Cape Cod (OCC) Lobster Conservation Management Area (LCMA), federal suits in Maryland involving the interstate management of striped bass, and state court suits involving lobster vessel tracker in Maine and Massachusetts. Dan remarked on the value of support from the Attorney General's office and DFG's General Counsel, as well as ASFMC's legal team.

Lastly, Dan praised Shelley Edmundson and the Martha Vineyard's Fishermen's Preservation Trust's for their execution of the recent Meet the Fleet event.

2024 Fishery Review And 2025 Quota Managed Fishery Performance

Anna Webb provided the MFAC with a review of landings, values, and trends in 2024 of fishery resources landed in Massachusetts, which includes federal and state managed fisheries.

Bill Amaru and Webb discussed how ex-vessel value of sea scallops considers whole scallops for effective comparison across fisheries.

Kalil Boghdan requested that the full list of species be made available to the MFAC. Webb stated she would provide this to Kalil.

Anna then outlined the 2024 quota summary. Quotas were close to 100% fulfilled for all species, except tautog, which experienced an overage (113.3%) due to an abnormally high final week of the fishery, and scup and spiny dogfish, which remain underutilized.

Overall, total state landings have declined over the past several years. 2024 ex-vessel value dropped below values in 2020, primarily driven by a decline in the performance of the federal sea scallop fishery. Chris McGuire, Bill Amaru, and Director McKiernan discussed the state of the sea scallop fishery, the resource's reduced abundance, and the impact of regulations.

Webb provided an update on overall trends in fishery performance for American lobster and groundfish. Amaru, Webb, Doyle, and Commissioner O'Shea discussed the decline in value of groundfish and the impact of imported fish and environmental factors.

Webb then transitioned to the performance of 2025 quota managed fisheries.

Black Sea Bass

The fishery is following 2024 trends. There was a decrease in quota in 2025, but Massachusetts obtained an interstate transfer prior to the start of the season to buffer against the reduction. Based on recent catch rates, DMF is projecting the fishery will close in early-October. Director McKiernan noted that on September 15, "no fishing days" will be eliminated by regulation and the trip limits will increase for pots and hooks.

On ex-vessel value, Webb explained that 2025 value has been comparable to previous years. Silva and Amaru discussed the influence of fish size variations on ex-vessel value.

Summer flounder

The 2025 is set at about 600,000 pounds, similar to 2024. Based on a late August fishery closure in 2024, DMF amended the management program to make more quota available to the summertime fishery and extend quota availability until at least September. As a result, the Period I (January 1 – April 22) fishery landed only about 40% of its seasonal allocation and 8% of the overall quota leaving the remaining quota (~550,000 pounds) for the Period II (April 23 – December 31) fishery. The summertime season (April 23 – September 30) has underperformed comparative to last year. As a result, the summertime quota-use-based trip limit reduction trip limits (75% of quota taken on or before August 15) was not triggered and DMF anticipates quota will remain available into the fall season (October 1 – December 31). There are two upcoming quota-use-based fishing limit adjustments. If 20% or more of the quota remains available on September 1, then the trip limit will increase to 800 pounds for all gear types and Saturdays will be eliminated as no fishing days (allowing for seven open days per week). Then if 10% or more of the quota remains available on October the trip limit will increase to 5,000 pounds. Ex-vessel value is higher than some previous years.

Bait Horseshoe Crabs

Landings are following similar trends to 2024. There is an upcoming quota-use-based trip limit reduction — should 80% or more of the quota be taken on or before September 15, the trip limit will be reduced from 300 to 200 crabs to preserve a bycatch allowance for mobile gear fishers throughout the fall. Webb, Silva, and McKiernan discussed the regulatorily driven shifts in the fishery from springtime hand harvesting to summertime mobile gear fishing. Silva and McKiernan also discussed that many of the crabs taken against the bait quota are also utilized in the so-called rent-a-crab program whereby biomedical firms borrow crabs from bait dealers for bleeding before being sold to fishers as bait.

Scup

Performance is similar to recent years and the summertime quota (May – September) will likely be underutilized. The ex-vessel value has increased slightly in 2024 and 2025 compared to other recent years.

Bluefish

The bluefish quota is underutilized and will likely not be achieved. If quota remains in October (when the fish typically become less available in Massachusetts waters), DMF will likely look transfer some of its underutilized quota to other states that may want it to support their local fisheries. This occurred in 2024 as well.

Menhaden

Landings are tracking similarly to recent years. The trip limit dropped from 120,000 pounds to 25,000 pounds on June 9 once 50% of the quota was taken. The fishery was no approaching 100% quota utilization. If the quota is taken before September 1, Massachusetts could opt into the Episodic Event Set Aside (EESA) and keep the fishery open at the current 25,000 pound limit but catch would have to occur in state-waters only. However, if the quota is not taken by September 1, but we reach 98% quota use after September 1, then the trip limit is reduced to 6,000 pounds. In this scenario, DMF may seek an interstate quota transfer to maintain the fishery at the 25,000-pound trip limit throughout the remainder of the season and vessels would not be limited to state-waters only. The question of how to proceed is challenging. DMF's preference, consistent with the purpose of the interstate fishery management plan, is to pursue the EESA rather than a quota transfer. However, this may constrain the fleet by limiting where they may fish. Throughout the season much of the catch has occurred in deeper waters and in the federal zone, however, there are recent reports of biomass moving back inshore into state-waters. Regarding ex-vessel value there has been a steady price increase over time.

Striped Bass

The commercial fishery closed on August 8. Present data have landings at 99.8% of the quota. The season produced 15 open days with an average daily catch rate of 45,000 pounds per day. This rate is nearly 10% higher than the rate in 2024. As more than 70% of the quota was fulfilled by August 1, so Thursday was not added as an open day. Ex-vessel value was similar to previous years.

Chairman Kane, Bill Doyle, Kalil Boghdan, and Nichola Meserve discussed the environmental and fishing pressure impacts on the bluefish fishery. Meserve explained that the ASMFC projects the stock to be rebuilt this year. Webb and Silva then commented on the episodic nature of the fishery in Massachusetts. Ray Jarvis and Meserve discussed how the resource has been more available off North Carolina in recent years.

Doyle and Webb discussed the geographic distribution of striped bass, with more landings reported on the north shore compared to Cape Cod.

Boghdan, Webb, Silva, and McKiernan discussed the federal management of the surf clam fishery and its geographic shifts offshore. Bob Glenn and Webb noted how abundance is not always clearly reflected through landings and ex-vessel values, citing the influence of different market drivers.

Discussion Items

Interstate Fishery Management Update

Nichola Meserve presented the 2026-2027 specifications for bluefish, summer flounder, scup, and black sea bass set by the Mid-Atlantic Fishery Management Council (MAFMC) and ASMFC. DMF anticipates the coastwide commercial quotas and recreational harvest limits (RHL) will be increased for bluefish, summer flounder, and black sea bass (all by 30% or more). For scup, the commercial quota is expected to decrease slightly both years whereas the RHL is expected to increase in 2026 before decreasing in 2027. The increase to the bluefish RHL in conjunction with recent catch trends, resulted in the MAFMC and ASMFC supporting an increase to the coastwide recreational bag limits.

Silva, Chairman Kane, and Meserve discussed the schedule for final determinations on recreational fishing limits for scup, black sea bass, and summer flounder. Meserve noted that the ASMFC will determine coastwide allowances in December before the MFAC meets in March to determine any emergency regulations by May 1. Per the Recreational Measure Setting Process, an increased RHL does not always lead to a relaxation of measures, nor does a reduced RHL necessarily lead to more conservative limits.

Meserve then discussed the Recreational Sector Separation Draft Amendment. This Draft Amendment considers managing recreational modes (i.e., for-hire and private anglers) in different ways. At the ASMFC meeting in August, the options for separate allocations for for-hire mode were removed from consideration. However, the ASMFC is still considering separate limit setting measures for for-hire mode, guidelines and standards for mode splits, and for-hire permitting and reporting requirements.

Chairman Kane asked whether MRIP was undergoing a recalibration. Meserve responded that MRIP will release results from their recalibration in early 2026, which may lead to different estimates from MRIP in previous years and changes in stock assessment and management.

Meserve then discussed the ASMFC's approval of Draft Addendum III to Amendment 7 to the Striped Bass Fishery Management Plan. Public hearings will be held in September before final action is taken by the ASMFC in late October. The draft addendum includes options that standardize the method for total length measurement coastwide; implementation a coastwide point-of-harvest tagging; adjust the timing of the recreational fishing season in the Chesapeake Bay; and support stock rebuilding by 2029 through reducing fishery removals by 12% applied equally to the commercial and recreational sectors.

Director McKiernan, Chairman Kane, and Nichola Meserve discussed how the ASMFC removed an option that would achieve the full reduction in fishery removals through constraining the recreational sector only. Director McKiernan opined that calls to adopt

less constraining fishery removal targets for the commercial sector were short-sighted and would likely heighten calls for gamefish status and jeopardize the long-term viability of the commercial fishery.

For the commercial fishery, a 12% reduction in harvest is accomplished through a commensurate cut to the commercial quota. For the recreational fishery, it would involve changes to seasons and size limits. Meserve then outlined how potential options may impact the ocean fishery and Chesapeake Bay fishery. Seasonal closures would either be implemented as a “no harvesting” closure or “no targeting” closure.

Commissioner O’Shea asked to clarify why there was a higher slot limit for for-hire anglers compared to private vessel and shore-based anglers. Meserve responded that this difference was advocated for by the for-hire fishery to better support their businesses.

McKiernan remarked that recreational no targeting closures would potentially allow for shorter closed periods but are exceptionally difficult to enforce. Captain Chapin agreed.

Chris McGuire asked how MEP would enforce a no targeting closure. Chapin responded that without specific guidance as to what constitutes no targeting, it would be exceptionally challenging to pursue a violation that would meet the burden of proof. Chairman Kane, Director McKiernan, and Nicola Meserve stated that concerns underscored the hesitancy among some states, particularly in the northeast, to pursue no targeting closures. Jarvis and Nelson agreed that targeting closures are not enforceable and should not be supported.

Meserve then outlined how no harvest closures might take shape and noted that implementing closures around the shoulder seasons in Wave 3 (May – June) or Wave 5 (September – October) may be more palatable than a mid-season closure in Wave 4 (July – August) but would require longer closures.

Jarvis voiced his concern that shoulder season closures would disproportionately impact South Coast anglers as these closures would likely occur during the seasons when these fish are locally available. Accordingly, much of the conservation benefits realized from these seasons would come on the back of those recreational anglers who already have the shortest season to target these fish given environmental conditions affecting seasonal availability.

Chairman Kane asked what closure option would allow for the greatest access for the southern region. Jarvis noted that these anglers would benefit from open seasons in Wave 3 or Wave 5.

Eric Nelson voiced support for avoiding a recreational fishery closure during any period when the commercial fishery is open.

Boghdan and Meserve discussed the approaches that the southern states may take to developing closures.

There was a general sentiment among the MFAC and DMF that the question of harvest closures seasons will be challenging for Massachusetts given the seasonal availability of these fish throughout the state and the interest in avoiding recreational closures during the peak summertime fishing and tourist season and throughout the state's commercial fishery. Director McKiernan noted that MFAC will meet again before the ASMFC public hearings in September, allowing the MFAC an additional opportunity to discuss the addendum.

Bill Doyle asked about updates regarding yellowtail and winter flounders. Meserve responded that Melanie will provide a federal fisheries update at the September meeting.

Commercial Striped Bass Management Considerations for 2026

Director McKiernan discussed potential management considerations concerning the commercial striped bass fishery beginning in 2026. DMF recently convened a commercial striped bass industry advisory panel and the MFAC's Striped Bass Focus Group to discuss the management of Massachusetts' commercial striped bass fishery in the context of Draft Addendum III and evolving management objectives. Based on these meetings, DMF developed a framework for potential management actions. For 2026, DMF intends to enact a moratorium on permit issuance by limiting renewals only to those individuals who held an endorsement in 2024 or 2025. Then for 2027, DMF may further reduce access based on to-be-developed activity criteria, particularly if a harvester tagging program is adopted. Additionally, DMF will consider making the limited entry endorsement owner-operator and non-transferable between individuals. If the endorsement is established as non-transferable, inactive permits would be retired and made available to new entrants based on a waiting list or lottery process according to exit:entry ratios. To address quota utilization and possibly extend the season into August, DMF will consider a later start date (e.g., June 23 rather than June 16) or reduced daily trip limit (e.g., 10 fish rather than 15 fish). Lastly, DMF will consider requiring that harvesters bring all commercially harvested striped bass, including those being kept for personal use, to a dealer for weigh-in and reporting. DMF will return to the MFAC in the fall with the full public hearing proposal.

Bill Amaru asked if the potential criteria to reduce access would be similar to the approach used to limit access to the tautog permit. Dan explained that this ultimately depends on the goal of reducing access. However, if Massachusetts were to adopt a point-of-harvest tagging program then it would have to likely reduce the number of permit holders from around 5,000 to about 500 and this would require significant activity thresholds. Amaru remarked on the intensity of this potential action and the subsequent loss of access.

Kalil Boghdan asked if there is an optimal number of permit holders to ease the process of harvester tagging. Dan responded that if ASMFC requires harvester tagging of Massachusetts, DMF would aim to have about 500 permit holders.

Sooky Sawyer asked to clarify differences in catch limits by permit type. Silva and McKiernan noted that vessel-based permit holders fishing from the named vessel have a 15-fish limit where all other commercial permits have a two-fish limit. Kane, McKiernan, and Sawyer discussed how these discrepancies in limits across permit types may have to be considered when developing potential activity criteria to reduce access in future years.

Nelson voiced support for reducing the number of commercial striped bass permits.

Amaru voiced concern about making it difficult for people to enter the striped bass fishery with additional restrictions. Chairman Kane noted that a potential solution was discussed at the sub-group meeting to develop a lottery system to allow new permit holders to enter the fishery.

Pine Barren Alliance's Petition to Close Three Bays to Horseshoe Crab Harvest

In April 2025, the Southeastern Massachusetts Pine Barrens Alliance petitioned the MFAC and DMF to close the Three Bays (Plymouth, Kingston, and Duxbury Bays) to horseshoe crab harvest and provided an extensive report in support of their petition. Chairman Kane provided the petitioners an opportunity to briefly speak to the merits of their petition.

Sharl Heller, President of the Southeastern Massachusetts Pine Barren Alliance (SEMPBA), spoke on behalf of the petitioners. Heller noted the petition was driven by three factors: (1) under current management, the Three Bays has not experienced significant improvements to horseshoe crab abundance; (2) based on historical observations provided by the Kingston and Duxbury shellfish constables, horseshoe crab populations are significantly lower than they were historically; and (3) the economic impact of closing the Three Bays to harvest is likely limited given the low number of active fishers.

Chairman Kane welcomed MFAC members to ask questions of the petitioners. Boghdan asked for the value of the horseshoe crab harvester in the Three Bays. Silva noted that this is confidential information.

Doyle and Heller discussed where spawning surveys were occurring. Doyle noted he frequently observes large numbers of horseshoe crabs around his aquaculture grant area in Plymouth and suggested reconsidering the location of spawning surveys.

Amaru voiced appreciation for Heller's efforts to protect this species. However, he was concerned that the low population was not driven by fishing activity, but environmental factors. He suggested SEMPBA consider pursuing measures to improve habitat and water quality, particularly as it relates to the use of fertilizers.

Heller noted that SEMPBA shares concerns about the environmental health of these embayments. In recent years, they have sought to make horseshoe crabs a species of special concern and have the Three Bays be treated as a refuge to help raise awareness around the struggling local horseshoe crab population and help build support to address potentially contributing environmental factors. Brenda Boleyn also spoke for the petitioners. She agreed with Amaru's concerns about the local environment and noted that the crabs in the Three Bays appear to be unhealthy.

Boghdan asked how Heller defines the term refuge. Heller explained that a refuge would be an area where the harvest of horseshoe crabs is prohibited. Boghdan then asked if SEMPBA sought for DMF to take their petition out to public hearing and Heller confirmed this intent.

Derek Perry presented DMF's analysis of the petition. He outlined horseshoe crab population health by examining fisheries data and population status in Massachusetts and within the Three Bays. On fisheries data, Perry showed that in 2024, 96% of horseshoe crab bait landings took place in Nantucket Sound, with about 1% north of Cape Cod. The average annual harvest in the Three Bays (2013 – 2023) ranging from 967 to nearly 7,000 crabs. In 2024, this number greatly reduced due to the April 15 – June 7 spawning closure that was implemented during the season. In 2025, there was no harvest reported from the Three Bays to date. Historically, nearly all of the Three Bays harvest occurred during the current spawning closure.

Perry then outlined fisheries independent surveys, with data from DMF's trawl and seine surveys since 1980's and the spawning beach survey since 2008. He described increases in horseshoe crab numbers in trawl surveys and seine surveys since the lunar closures were put in place in 2010. Perry then showed the relative stability in horseshoe crab numbers in the Three Bays from spawning surveys over the past ten years. State-wide data show 90% of sites surveyed are increasing over a ten-year trend, while Duxbury and Long Beach have decreasing trends over the long-term. ASMFC horseshoe crab stock assessments show improvements in New England and Massachusetts. Further, IUCN supports improved local and coastwide populations. Director McKiernan voiced appreciation for the conservation community's role and interest in these issues and their assistance with spawning beach surveys. He also recognized his staff's dedication to horseshoe crab management and monitoring. Dan acknowledged that the Three Bays likely host a more isolated horseshoe crab populations than other areas of the state (e.g., Billingsgate, Nantucket Sound), and therefore, the population may be more susceptible to exploitation. However, given the spawning closure that is now in place, he was skeptical that any harvest would be occurring within the Three Bays moving forward. Accordingly, he preferred not to commence with rulemaking to bring this petition to public hearing but would accommodate such an action at the urging of the MFAC.

Chairman Kane requested the MFAC provide feedback to the Director.

Kalil Boghdan expressed his support to bring this issue to public hearing. The other members did not express similar support. The primary objection to moving the petition to public hearing was that fishing activity was likely not the factor most affecting the abundance of horseshoe crabs in the Three Bays and that available data suggested the implementation of a spawning closure in 2024 likely eliminated the small amount of harvest that had previously occurred there. Chris McGuire noted that if harvest returns to this area, it may be an issue to reconsider in the future.

Based on this feedback, McKiernan informed the SEMPBA that he would not move this petition forward to rule-making and public hearing.

Transition to Electronic Harvester Reporting for 2027

Director McKiernan explained that DMF is transitioning to 100% electronic reporting by March 1, 2027. This will allow time for outreach to ease the transition.

Anna Webb explained that this will allow the statistics program to move staff away from data entry towards data auditing and allow for QA/QC data to be more readily analyzed. Reporting programs are free to users but do require the use of an electronic device with internet access.

Of the state's nearly 6,000 state permit holders, about half are already reporting electronically. Webb described DMF's support plan to transition the remaining permit holders over to electronic reporting, including exemptions based on age, as well as in-person training, office hours, phone support by DMF staff, ACCSP-supported vendor for 24/7 support, and resources online.

Amaru, McGuire, Jarvis, and Nelson voiced support for this initiative. McGuire suggested emphasizing the ease of transition, so fishermen are less intimidated by the process. He also added that it would be helpful to develop a report on the benefits following the program's implementation to encourage other groups to do similar projects.

Other Business And Public Comment

Chairman Kane had to depart the meeting. Vice-Chair, Bill Doyle took over the duties of the Chair. Doyle welcomed public comment.

Jamie Bassett from Chatham discussed two points relevant to the biomedical horseshoe crab fishery. First, he requested DMF develop an application process and requirements for the biomedical horseshoe crab dealer permit that recognizes the high level of expertise necessary to participate in this industry. Second, he asked DMF to review its conch fishery effort data to better understand demand for horseshoe crabs as bait and consider potentially developing greater regulatory flexibility to reallocate horseshoe quota from the bait fishery to the biomedical fishery.

Director McKiernan thanked Bassett for his comment and previous correspondence provided to DMF and the MFAC on these subjects. DMF intended to investigate this issue this fall and will report back to the MFAC at a future meeting.

Kalil Boghdan asked about the price of horseshoe crabs. Bassett noted that the price ranges from \$2.50 to \$4, but he dropped his price to \$0.25 to encourage greater demand from the whelk fishery.

Sooky Sawyer then asked about the upcoming lobster stock assessment. Tracy Pugh responded that peer review will occur in early September. If the assessment passes peer review, it will be brought to the ASMFC in October, and the results can be shared with MFAC in November.

Chris McGuire acknowledged the importance of biodiversity in DMF and DFG's work in light of the upcoming Biodiversity Initiative event held by the Governor.

Bill Amaru thanked DMF for their work to protect fisheries in the state.

Kalil thanked the MFAC for the past nine years and asked them to continue to work hard for commercial and recreational fishermen. Director McKiernan thanked Kalil for his nine years of service and his effort to participate in this Commission.

Adjournment

Kalil Boghdan made a motion to adjourn the meeting and Sooky Sawyer seconded the motion. The motion passed by unanimous consent. The meeting was adjourned.

Meeting Documents

- August 21, 2025 MFAC Business Meeting Agenda
- July 1, 2025 MFAC Draft Business Meeting Minutes
- May 29, 2025 MFAC Final Business Meeting Minutes
- ASMFC Summer Meeting Summary
- Southeastern Massachusetts Pine Barrens Alliance's Proposal to Close Three Bays to Horseshoe Crab Fisheries
- Memorandum on 2027 Electronic Harvester Reporting Transition Plan
- DMF Response to Proposal to Restrict Access to Biomedical Dealer Permit to Horseshoe Crabs
- Request to DMF on Transfer Horseshoe crab Bait Quota to Biomedical Quota



The Commonwealth of Massachusetts

Division of Marine Fisheries

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MAURA T. HEALEY
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Secretary

THOMAS O'SHEA
Commissioner

DANIEL J. MCKIERNAN
Director

MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: September 12, 2025

SUBJECT: Emergency Regulations to Restrict Access to Commercial Striped Bass Fishery in 2026

Emergency Action

The Division of Marine Fisheries (DMF) is pursuing emergency regulations to restrict access to the commercial striped bass fishery for 2026. This action will limit issuance of regulated fishery striped bass endorsements (“endorsements”) to only those commercial permits with the endorsement in 2024 or 2025. Additionally, DMF will establish this endorsement as “owner-operator” to mandate the individual named on the commercial fishing permit be present when commercial striped bass fishing conducted under the authority of the endorsement is occurring (including possession and sale). For the time being, the limited entry endorsements issued in 2026 will be non-transferable between individuals. Lastly, the control date will be updated from June 14, 2022 to December 31, 2025.

Background

The Atlantic States Marine Fisheries Commission (ASMFC) assessed the striped bass resource as overfished in 2019 and consequently set a 2029 target for rebuilding. Based on the most recent stock assessment and updated projections, we are not on target to rebuild by this deadline. This has prompted the ASMFC to initiate Draft Addendum III to Amendment 7 to the Interstate Fishery Management Plan (FMP) that will impact both the recreational and commercial fisheries. Among the commercial measures being considered, the addendum proposes a 12% cut to the commercial striped bass quota and the adoption of a point-of-harvest tagging requirement.

In anticipation of these changes to the FMP, as well as ongoing MFAC interest to reconsider the state’s commercial striped bass permitting approach, DMF convened an Industry Advisory Panel and the MFAC’s Striped Bass Focus Group to incorporate industry and MFAC feedback into the development of commercial striped bass management strategies moving forward. At both of these meetings, there was substantial support for the emergency actions proposed herein with consensus that these actions are necessary to support and maintain commercial fishing opportunities for existing participants and enhance enforcement, compliance, and accountability.

Rationale

I anticipate the ASMFC will approve a commercial quota reduction for implementation in 2026 through Addendum III. Assuming the full 12% is applied, the state's 2026 quota will be set at approximately 600,000 pounds, down from 683,773 pounds in 2024 and 2025. In combination with prior cuts, this represents a ~50% reduction from the peak quota of 1.15 million pounds established in 2003 that remained in effect through 2013; a ~30% reduction from the 869,000 pound quota that occurred from 2014 – 2019; and a ~20% reduction from the 735,230-pound quota set for 2020 when the current rebuilding process began. Further, the ongoing rebuilding effort will likely be hindered by recent reduced juvenile recruitment (attributed to environmental factors). The possibility exists that the resource has entered a phase of persistent lower productivity and fishing mortality may need to be maintained at these low (or lower) levels to conserve spawning stock biomass in the future. These realities warrant a reconsideration of our open access approach to managing this fishery to preserve remaining commercial fishing opportunities for existing participants.

While I am uncertain if the ASMFC will approve a point-of-harvest tagging requirement in Addendum III, there was support for Massachusetts to adopt such a program at both the Industry Advisory Panel meeting and MFAC Striped Bass Focus Group. It was argued that this would bolster enforcement, compliance, and accountability, and perhaps enhance management flexibility in the future. Given the addendum and the broad interest in a point-of-harvest tagging program, it is critical to develop a framework in our permitting program to execute its implementation as soon as 2027. At present, DMF issues about 5,000 endorsements annually and approximately 1,200 are active participants each year. Prior experience with point-of-harvest tagging in the tautog fishery informs me that DMF likely needs to reduce the permit holder population down to approximately 500 to effectively administer such a program. Further, even if a point-of-harvest tagging program is not moved forward, trends within the permitting and landings data support reducing the permit holder population and the ease with which endorsements are obtained. Discussion among the Industry Advisory Panel affirmed that there is some level of permit misuse (e.g., obtaining to evade recreational limits, under-reporting of personal use harvest, fishing multiple permits), and DMF staff highlighted the ineffectiveness of permit sanctions for an open entry fishery. It is also notable that Massachusetts is the only Atlantic state with an active commercial striped bass fishery and an open access permitting program. Accordingly, it is sensible to restrict the issuance of endorsements to new permit holders in 2026 and update the control date to include the most recent fishing seasons should DMF need to develop potential activity criteria to further reduce access as soon as 2027.

The proposed owner-operator requirement will principally affect Commercial Boat Permit (“Boat Permit”) holders with a striped bass endorsement. This is the most common permit combination used in the commercial striped bass fishery (>90% of active endorsements). At present, this permit combination authorizes commercial striped bass fishing by the person *and vessel* named on the Boat Permit. However, the intended change will require the individual named on the Boat Permit be present when commercial striped bass fishing activity is occurring on the vessel named on the Boat Permit¹. Making this permit combination owner-operator will

¹ This proposed change will not affect the existing ability of the person named on the Boat Permit to participate in the commercial striped bass fishery at the 2-fish limit from a platform other than the vessel named on the permit (e.g., shore).

bring it in line with the other permit combinations used in the commercial striped bass fishery, as Rod and Reel and Individual Permits are issued to a named individual only and the Coastal Lobster Permit is owner-operator irrespective of appurtenant endorsements.

There are several benefits to adopting an owner-operator provision for the commercial striped bass fishery. First, as we limit access, it will prevent permit leasing and the activation of latent permits through the use of third-party operators (particularly among those anticipating further permitting restrictions and seeking to establish a history of landings in this fishery). Second, it enhances accountability, enforcement, and compliance, as the permit holder is in control of the active commercial fishing operation and has a vested interest in adhering to conservation and management regulations to prevent a potential administrative action on the permit. While not necessarily a direct benefit, it would also memorialize the manner in which the fishery is generally conducted. Unlike more industrial fisheries (e.g., mobile gear) where hired captains are frequently used, it is commonplace for small boat rod-and-reel and shore-based commercial fishing to be conducted predominantly by the named permit holder. Like other owner-operator fisheries (e.g., coastal lobster, fish pot, menhaden), exemptions will be granted on a case-by-case basis to address death, documented disability, military service, and other good cause circumstances.

For 2026, the endorsement will be non-transferable among individuals. However, DMF will accommodate permit upgrades whereby an existing permit holder moves from a base commercial permit (e.g. Rod and Reel or Individual Permit to a Boat Permit). In the immediate term, non-transferability among individuals will prevent the endorsement from becoming an asset resulting in the for-profit transfer of endorsements that may or may not exist in future years and the potential activation of new participants eager to establish history in this fishery in anticipation of further permitting restrictions. During 2026, DMF will develop a program to manage attrition, inactivity, and new entrants. The details of this program have not yet been developed and will be subject to future rule making. That said, I am interested in using this opportunity to break new ground and diverge from the long-standing limited entry transfer program and consider a permitting framework that would have ongoing actively-fished criteria whereby inactive permits are retired and made available to eligible applicants through a DMF administered process according to exit:entry ratios. This could prevent high costs of entry into the striped bass fishery and thereby allow it to maintain some of its historic cultural aspects as a gateway to the marine economy.

Process

DMF's permit renewal season begins in December annually. Accordingly, to adopt these permitting rules for 2026, the use of the agency's emergency authority is necessary. DMF intends to promulgate these emergency regulations later this fall pending the Executive Office's review process. Public hearings will then follow before the end of the 2025 calendar year so as to allow DMF to adopt these actions as final regulations. MFAC approval is not mandated because these are permitting actions. However, I do seek your consensus on pursuing this action.

Additionally, these proposed emergency regulations are part of a multi-phased approach to address commercial striped bass management in Massachusetts. With the anticipated approval of Addendum III by the ASMFC in October 2025, DMF will likely propose additional draft

regulations to consider amending commercial fishing limits (e.g., trip limit, season start date) for 2026 to extend the quota into the summer. This draft regulatory proposal (or a subsequent draft regulation proposal) may also include activity-based criteria to use the December 31, 2025 control date to further restrict access to this fishery; establishing a program to manage attrition out of - and entry into - the commercial striped bass fishery; and implementing a point-of-harvest tagging program.



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Commissioner

DANIEL J. MCKIERNAN
Director

MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: September 12, 2025

SUBJECT: Proposal to Amend Commercial Summer Flounder Limits for 2026

Proposal

This memo serves to inform the MFAC that I intend to go out to public hearing later this winter to amend commercial summer flounder fishing limits for 2026 in response to recent fishery performance and an expected 75% quota increase. My proposal seeks to make the following amendments to the commercial summer flounder management program (Table 1):

1. Establish a quota-based trigger for the allocations to Period I (January 1–April 22) and Period II (April 23–December 31):
 - a. When the annual state quota exceeds 750,000 pounds, Period I will receive 30% of the annual quota and Period II will receive 70% of the annual quota (consistent with historic splits).
 - b. When the annual state quota is 750,000 pounds or less, Period I will receive 15% of the quota and Period II will receive 85% of the quota (consistent with current splits adopted in 2025 and first effective in 2026).
2. Establish a quota-based trigger for the Period I trip limit:
 - a. When the annual state quota exceeds 750,000 pounds, the trip limit will be 5,000 pounds.
 - b. When the annual state quota is 750,000 pounds or less, the trip limit will be 2,000 pounds.
3. Increase the Period II summertime (April 23–September 30) trip limits from 500 pounds to 600 pounds for net fishers and from 325 pounds to 400 pounds for hook fishers.
4. Eliminate Saturday as a closed fishing day during the Period II summertime fishery thereby allowing commercial fishing seven days per week throughout all of Period II.

I also intend to reinstate the multi-state trip limit program for the 2025 Period II Fall Fishery (October 1–December 31) and the Period I Fishery beginning in 2026. This program allows vessels landing in Massachusetts to possess summer flounder in quantities exceeding the state's trip limit provided the non-conforming fish is to be landed in another state, is clearly labeled identifying the state it is to be landed in, and it remains on the vessel while the Massachusetts limit is being landed. Further, I intend to maintain the multi-day program that occurs during June

1–September 30 and allows trawlers to possess and land consecutive daily limits of summer flounder (and other species) that were lawfully caught and retained over two consecutive open fishing days provided each day’s catch is segregated.

Rationale

Massachusetts’ commercial summer flounder quota for 2026/2027 is expected to increase 75% from the roughly 600,000-pound quota allocated for 2024/2025¹ to approximately 1 million pounds. See the Background section for additional information. This large increase alone provides the rationale to liberalize the commercial fishing limits for next year. Additionally, considering fishery performance to date, I anticipate the fishery may underutilize the 2025 quota. At the time of writing this, ~63% (362,333 pounds) of this year’s annual quota has been taken.² While DMF is projecting a potential quota closure later this fall based on recent landing rates, it is typical for performance to decline beginning in October (Figure 1).

Bearing in mind these factors, I am proposing to go out to public hearing and accept comment on the changes enumerated above. These proposals are designed to move the fishery back to the framework it was managed under in 2024, which provided the Period I fishery with substantially greater access to the quota and also afforded the Period II fishery higher trip limits and no closed fishing days.

Performance this year is likely driven in part by regulatory changes implemented this spring. The 2024 fishing season closed on August 28 largely due to unanticipated changes in summertime fishing effort³. There was a strong negative response to this earlier than anticipated closure from certain inshore fishery participants who wanted the quota to remain available throughout September. Additionally, there were concerns about anticipated low groundfish quotas prompting additional opportunistic net fishing effort to move into the summertime fishery. Throughout last winter DMF worked with industry and the MFAC to amend regulations with the goal of maximizing the value of our quota to the commercial permit holders and seafood industry by directing more quota to the inshore summertime fishery when ex-vessel value tends to be high and the fish is most available to permit holders while also slowing quota consumption to ensure that some amount of quota remains available throughout the summertime season. Among other things⁴, the regulatory changes included: (1) reducing the Period I allocation from 30% to 15% of the overall quota (effective in 2026); (2) reducing the Period I trip limit from 5,000 pounds to 2,000 pounds; (2) pausing the continuation of the multi-state program during Period I and the Period II fall fishery (October 1–December 31); (3) reducing the Period II summertime trip limits from 600 pounds to 500 pounds for net fishers and from 400 pounds to 325 for hook fishers; and (4) eliminating Saturdays as a closed fishing day during the Period II summertime fishery. See Table 2.

¹ 599,507 pounds is the quota allocated to MA for 2024/2025 before accounting for quota overages or transfers.

² This landings figure includes fish landed by non-permitted boats seeking safe harbor for which we will receive a compensatory quota transfer.

³ Landings in 2024 outpaced performance in recent years due to unanticipated increases in summertime fishing effort driven by new operators obtaining permit transfers from individuals who had retired out of the fishery and several boats who historically participate in the summertime federal waters squid fishery opting to target fluke due to poor squid fishing conditions.

⁴ For more information, please review the March 27, 2025 MFAC [meeting materials](#) (p 86) and DMF’s May 5, 2025 [advisory](#).

The changes to the Period I trip limit coupled with the suspension of the multi-day program reduced the ability for the Period I fishery to achieve its quota allocation and only about 40% of the overall quota allocation was landed during this period (8% of the overall quota). This left approximately 520,000 pounds of the quota available to the Period II fishery. This may have been a viable quantity of quota had high levels of effort returned to the summertime fishery in 2025. However, anecdotal reports suggest that opportunistic effort from traditional squid and groundfish boats never materialized in the summer flounder fishery and inshore fishing conditions in the Sounds were poor (likely due to water quality, presence of algae impacting net gear, and low catch rates).

With the pending increase in quota, I am seeking to unwind the management changes put in place for this year. This will allow for greater quota utilization without the threat of negatively impacting the quota available to the summertime fishery⁵. This includes increasing the Period I trip limit to 5,000 pounds, increasing the initial summertime trip limit from 500 pounds to 600 pounds for net fishers and 325 pounds to 400 pounds for hook fishers, and restoring Saturdays as an open fishing day for all gear types to start the summertime period.

Further, I am proposing to set the annual Period-based quota allocations relative to the overall magnitude of the state's quota. This will help us avoid having to annually pursue regulatory adjustments yo-yo allocations in response to quota changes. Under my proposal, when the annual quota is less than 750,000 pounds, the Period I/Period II split will be 15/85 (consistent with what was put in effect this year for next year), thereby providing at least 637,000 pounds of quota to the Period II fishery. Based on recent performance, this should be sufficient to enable it to stay open through September. Then in years when the annual quota exceeds 750,000 pounds the split will be 30/70 (consistent with historic allocations). This will provide the Period I fishery with greater access and enable more quota utilization while also setting aside ample quota for the Period II fishery to achieve its management goals. Moreover, given the timing of interstate and federal quota decisions, we will not be able to impact the quota allocation until the following calendar year (which is why the 2025 reduction in the Period I quota allocation from 30% to 15% does not go into effect until 2026).

Lastly, to encourage the utilization of the remaining 2025 quota, I intend to reinstate the multi-state trip limit program effective October 1, 2025 for the Period II fall season — the existing regulations allow the Director to authorize this program annually for the winter and fall seasons. This vessels participating in the offshore Period I and fall fisheries who are permitted in multiple states to possess non-conforming quantities of summer flounder destined for offloading in other states (e.g., RI, NY, CT) when landing a lawful Massachusetts trip limit.

Background

Summer flounder are subject to both a federal (i.e., Mid-Atlantic Fishery Management Council) and interstate (i.e., Atlantic States Marine Fisheries Commission) fishery management plan (FMP). These management bodies met jointly in August 2025 to set 2026–2027 specifications

⁵ Based on fishery performance from 2021–2023, our commercial fishery may not be able to achieve a ~1-million pound quota without increasing participation coupled with improved inshore summertime fishing conditions.

(i.e., catch and landings limits and other management measures⁶), taking into consideration the results of the 2025 stock assessment and recommendations of the MAFMC Scientific and Statistical Committee (SSC), the joint MAFMC Monitoring Committee/ASMFC Technical Committee (MC/TC), and the joint MAFMC/ASMFC Advisory Panel.

The summer flounder stock is designated as not overfished nor experiencing overfishing as of 2024, with spawning stock biomass at 83% of the biomass target and fishing mortality at 74% of its overfishing threshold. This is an improvement over the last assessment which concluded overfishing was occurring in 2023⁷. While the ratio of SSB to its target is unchanged from the last assessment, the assessment predicts increasing SSB such that the stock will be above the target level by 2026. The resulting assessment-projected overfishing limits (OFLs) for 2026/2027 represent a 50% increase from 2025, as do the SSC-recommended acceptable biological catches (ABCs) that account for scientific uncertainty. The MC/TC raised concerns with this large increase to the ABC based on prior volatility of assessment projections due in large part to the strong influence of terminal-year recruitment that is often uncertain, as well as the assessment's retrospective pattern⁸. The MAFMC and ASMFC agreed and decided to reduce the sector-specific annual catch limits (ACLs, which are allocated per the FMP) by 12% commercial and recreational management uncertainty buffers for the sake of fishery stability. The resulting annual catch targets (ACTs), further reduced by sector-specific expected dead discards (based on three-year averages), still result in coastwide commercial quotas and recreational harvest limits for 2026/2027 that represent 45% and 38% increases, respectively, compared to 2025 (Table 3). While the coastwide quota is expected to increase by 45%, Massachusetts' state quota is expected to increase by 75% for 2026/2027 given the formula for state-by-state allocations⁹.

⁶ The specifications also addressed commercial and recreational measures. In August, the management bodies made no changes to the coastwide commercial measures (i.e., minimum fish size, minimum mesh size, and mesh exemption programs). The management bodies will consider recreational measures for 2026–2027 later in 2025 according to the Recreational Measure Setting Process Framework/Addendum.

⁷ The 2023 assessment found that while the stock was not overfished in 2022, overfishing was occurring despite recent catch underages. The prior assessment had overestimated abundance in large part due to the promising 2018-year class being much smaller than initially assessed.

⁸ The very high 2022/2023 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 2024/2025 fishery limits. The 2025 stock assessment projections are similarly influenced by the estimates of increased year class strength in 2023 and 2024.

⁹ 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.

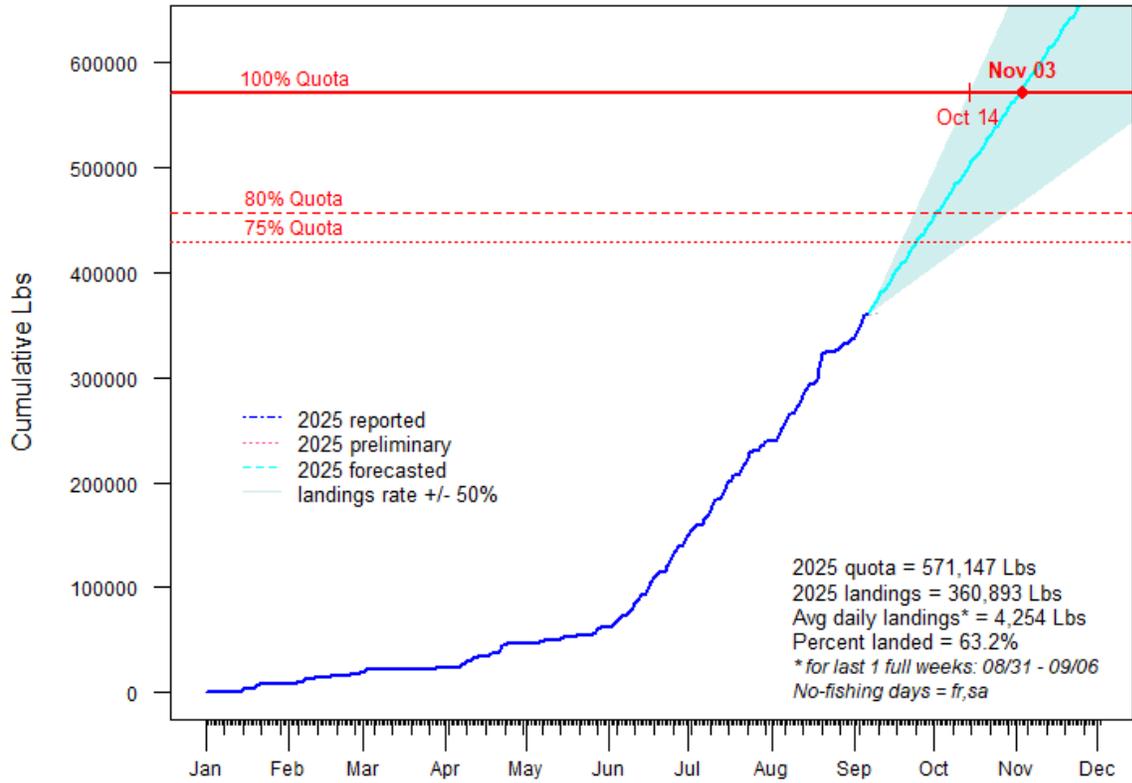


Figure 1. 2025 Summer Flounder Quota Monitoring. Data Source: SAFIS eDR as of 9/11/2025.

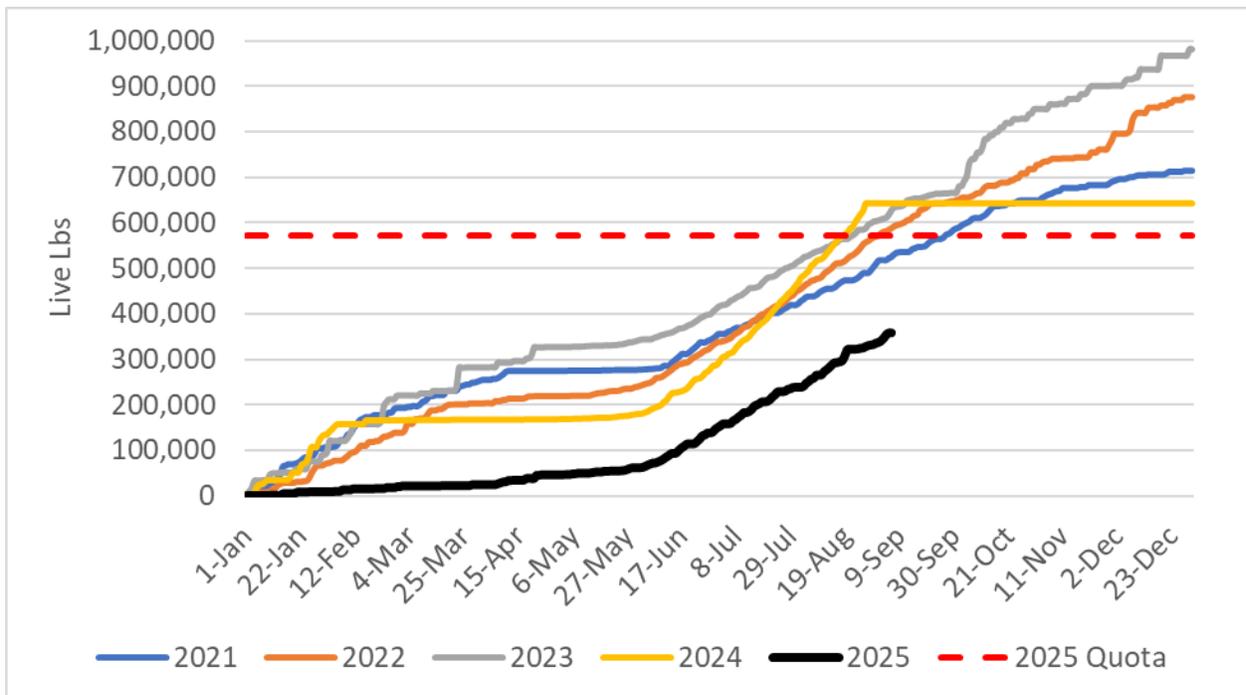


Figure 2. Running total of summer flounder landings, 2021-2025. 2025 data displayed through 9/6/2025. Data Source: SAFIS eDR as of 9/11/2025.

Table 1. Proposed Massachusetts 2026 commercial summer flounder fishing limits, with changes from 2025.

Season	Gear*	Trip Limit	Open Days
Jan 1–Apr 22	All	5,000 lb 2000 lb (100 lb once 30% 15% quota taken)	Sun-Sat
Apr 23 – Aug 31	Nets	600 lb 500 lb , with triggers: <ul style="list-style-type: none"> • 400 lb if 75% quota reached before Aug 15 • 200 lb if 90% quota reached before Sep 1 	Sun – Sat Sun-Fri
Apr 23 – Aug 31	Hooks	400 lb 325 lb , with triggers: <ul style="list-style-type: none"> • 250 lb if 75% quota reached before Aug 15 • 200 lb if 90% quota reached before Sep 1 	Sun – Sat Sun-Fri
Sep 1 – Sep 30	Nets	800 lb if >20% quota remains 600 lb 500 lb if ≤20% remains	Sun – Sat
Sep 1 – Sep 30	Hooks	800 lb if >20% quota remains 400 lb 325 lb if ≤20% remains	Sun – Sat
Oct 1 – Dec 31	All	5000 lb if >10% quota remains 800 lb if ≤10% quota remains	Sun – Sat

*Includes trawls with minimum mesh size of 5.5” diamond or 6” square. Lawfully fished smaller mesh limited to 100 lb bycatch while quota remains.

Table 2. Massachusetts 2025 commercial summer flounder fishing limits, with changes from 2024.

	Gear*	Trip Limit	Open Days
Jan 1–Apr 22	All	5,000 lb 2000 lb (100 lb once 30% quota taken**)	Sun-Sat
Apr 23 – Aug 31	Nets	600 lb 500 lb , with triggers: <ul style="list-style-type: none"> • 400 lb if 75% quota reached before Aug 1 Aug 15 • 200 lb if 90% quota reached before Sep 1 	Sun—Sat Sun-Fri
Apr 23 – Aug 31	Hooks	400 lb 325 lb , with triggers: <ul style="list-style-type: none"> • 250 lb if 75% quota reached before Aug 1 Aug 15 • 200 lb if 90% quota reached before Sep 1 	Sun—Sat Sun-Fri
Sep 1 – Sep 30	Nets	800 lb if >20% quota remains 600 lb 500 lb if ≤20% remains	Sun – Sat
Sep 1 – Sep 30	Hooks	800 lb if >20% quota remains 400 lb 325 lb if ≤20% remains	Sun – Sat
Oct 1 – Dec 31	All	5000 lb if >10% quota remains 800 lb if ≤10% quota remains	Sun – Sat

*Includes trawls with minimum mesh size of 5.5” diamond or 6” square. Lawfully fished smaller mesh limited to 100 lb bycatch while quota remains.

** Period I quota allocation was reduced from 30% to 15% as part of 2025 rule-making, but given timing change does not become effective until 2026.

Table 3. Expected 2026/2027 summer flounder specifications (and their basis), compared to the 2025 specifications, in millions of pounds.

	2025	2026/2027	Basis
OFL	24.97	31.89/32.42	Stock assessment projection
ABC	19.32	30.01	Derived by SSC
Com ACL	10.62	16.50	ABC x 55% (per FMP)
Com ACT	10.62	14.52	Com ACL – Com management uncertainty (12%)
Com Quota	8.79	12.78	Com ACT – Expected com dead discards
Rec ACL	8.69	13.50	ABC x 45% (per FMP)
Rec ACT	8.69	11.88	Rec ACL – Rec management uncertainty (12%)
RHL	6.35	8.79	Rec ACT – Expected rec dead discards



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DANIEL J. MCKIERNAN
Director

MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)
FROM: Daniel J. McKiernan, Director 
DATE: September 12, 2025
SUBJECT: **Proposal to Amend Commercial Black Sea Bass Limits for 2026**

Proposal

This memo serves to inform the MFAC that I intend to go out to public hearing later this winter to make minor liberalizations to the commercial black sea bass fishing limits for 2026. The proposal is enumerated below and described in Table 1. This proposal responds to an expected 30% quota increase in 2026 in the context of recent fishery performance.

1. Amend the date whereby commercial closed fishing days are eliminated and trip limits are increased so that it occurs earlier in the season. Under current regulations, on September 15 the Friday and Saturday closed fishing days in the directed pot and hook and line fishery are eliminated thereby allowing commercial fishing seven days per week and trip limits are increased from 500 pounds to 600 pounds for pot fishers and from 250 pounds to 300 pounds for hook fishers should at least 15% of the quota remain available. For 2026, I am proposing that these changes should occur no later than September 1.
2. Eliminate the April 1–April 22 closure during which trawlers are prohibited from landing an incidental catch of up to 100 pounds of black sea bass.

Rationale

Massachusetts' allocated black sea bass quota is expected to increase 30% from 787,216 pounds in 2025 to just over 1 million pounds for 2026/2027.¹ See Background for additional details. To date, the 2025 fishery has landed approximately 63% of its transfer-adjusted quota (525,320 pounds landed out of 837,216 pounds) and we are projecting a quota closure in the late October (Figure 1). Additionally, in the preceding five years, the Commonwealth was allocated between 725,000 and 999,000 pounds of quota of which the fishery took at least 95% each year (Table 2, Figure 2).

Considering the anticipated quota increase for 2026, and the recent performance of the fishery, I do not think substantial liberalizations to the fishery management program are warranted to

¹ MA's 2025 allocated quota of 787,216 pounds was increased by a 50,000-lb pre-season transfer which was sought out by DMF to offset the 15% reduction in quota from 2024 to 2025. The increase from MA's 2025 transfer-adjusted quota to the anticipated 2026/2027 quota is 23%.

ensure quota utilization. Rather, I think it is best to have the existing regulatorily established in-season adjustments to fishing limits occur earlier in the calendar year. Accordingly, the automatic elimination of closed fishing days (Fridays and Saturdays) and the quota-dependent trip limit increase for directed gears could be moved from September 15 to a date certain occurring no later than September 1. This would accommodate additional harvest opportunities, particularly as safe weather windows for small boat fishers become sparser in the fall.

It is my view that this adjustment will likely be sufficient to utilize the available quota assuming there is not substantial variation in participation and availability. Further, this approach would balance the desire to achieve the annual quota with longstanding interest among certain participants to maintain quota into the fall so that the fishery can co-occur with other inshore commercial fisheries (e.g., tautog). Additionally, this proposal is consistent with an informal in-season adjustment request received by DMF late this summer from a major dealer, which I was unable to consider or accommodate given timing and the in-season adjustment process².

That said, given this pending quota increase, I do anticipate DMF and the MFAC will receive pressure to start the commercial season earlier than July 1 to facilitate quota utilization. I do not support moving such an action forward. DMF studies demonstrate that black sea bass begin to spawn in our inshore waters starting in late May with the majority of spawning activity concluding by the end of June and that black sea bass spawning aggregations in Massachusetts waters have grown considerably in the last 15 years (helping to support the increased stock size in the northern Atlantic population). Since 2013, a core component of DMF's black sea bass conservation and management strategy has been to delay the commercial fishery until after the conclusion of this springtime spawning season. This prevents commercial fishing effort on the dense spawning aggregations that occur near-shore. Prior to 2013, DMF allowed commercial fishing during the spawning period and this created derby fishing conditions resulting in high levels of quota consumption, market gluts, user-group conflicts between the recreational and commercial sectors, and significant enforcement and compliance challenges. Given the observed growth of black sea bass spawning aggregations in our waters, these challenges are likely to be even more acute in 2026 than they were previously. Accordingly, I think it is prudent to maintain the current July 1 start of the directed commercial fishery.

Regarding the 22-day closure in April (April 1–April 22) to trawler bycatch, this is effectively a regulatory oversight. Historically, there has been a bycatch allowance for black sea bass in the state waters small mesh trawl fishery for squid, which begins on April 23. Then, about 10-years ago, DMF adjusted the wintertime season so that it would close on April 1 to prevent directed fishing in April during years when black sea bass arrived early. Unintentionally, this resulted in trawler bycatch being incidentally prohibited during the first 22 days of April.

This oversight should be fixed to allow trawlers to land a 100-pound incidental catch of black sea bass throughout April. Catch during this period would primarily occur in trawl fisheries in federal waters and a bycatch limit should be accommodated to prevent regulatory discarding and encourage the trip to be offloaded in Massachusetts (as opposed to other states where the vessel

² The in-season adjustment process at 322 CMR 6.41 mandates that DMF conduct a two-week comment period and obtain approval of the MFAC. Given the request was not received until August 27, the soonest DMF could implement such a change under this process would be September 19.

may be permitted). I anticipate this will have a negligible impact on landings given the low limit and limited fishing activity. Additionally directed gears (e.g., hooks and pots), I do not have significant concerns about trawlers (and weirs) retaining and landing a low limit of black sea bass during April should the fish arrive early because this practice has not presented the same derby fishing challenges as the directed fishery.

Background

Black sea bass are subject to both a federal (i.e., MAFMC) and interstate (i.e., ASMFC) fishery management plan. These management bodies met jointly in August 2025 to set 2026–2027 specifications (i.e., catch and landings limits and other management measures), taking into consideration the results of the 2025 stock assessment and recommendations of the MAFMC Scientific and Statistical Committee (SSC), the joint MAFMC Monitoring Committee/ASMFC Technical Committee (MC/TC), and the joint MAFMC/ASMFC Advisory Panel.

The black sea bass stock is designated as not overfished nor experiencing overfishing as of 2024, with spawning stock biomass at a very healthy 284% of its biomass target and fishing mortality at 73% of its overfishing threshold. Notably, the SSC deviated from the assessment-projected overfishing limits (OFLs) for 2026/2027 (due to the method's poor track record of predicting biomass declines that have not materialized) and recommended an alternative approach based on the terminal year assessment estimates. Rather than the OFL increasing 5% in 2026 and declining 25% in 2027, the result is a constant OFL across 2026/2027 representing a 28% increase from 2025. After accounting for scientific uncertainty, the FMP's sector allocations, and expected sector-specific dead discards, the resulting coastwide commercial quota and recreational harvest limit for 2026/2027 represent 30% increases from 2025 (Table 3).

The specifications also address coastwide commercial and recreational measures. In August, the management bodies made no changes to the coastwide commercial measures (i.e., commercial minimum fish size, trawl minimum mesh size and bycatch allowance, pot/trap escape vent size, and quota overage buffer). Irrespective of the specifications, Massachusetts' share of the coastwide quota can change after each stock assessment based on the allocation formula that incorporates the regional biomass distribution (north and south of Hudson Canyon). The 52/48 biomass split estimated by the 2025 stock assessment is unchanged from the 2023 stock assessment, and hence MA's allocation remains 13.12% and the coastwide and state commercial quotas increase by the same percentage (i.e., 30%). The management bodies will consider recreational measures for 2026–2027 later in 2025 according to the Recreational Measure Setting Process Framework/Addendum.

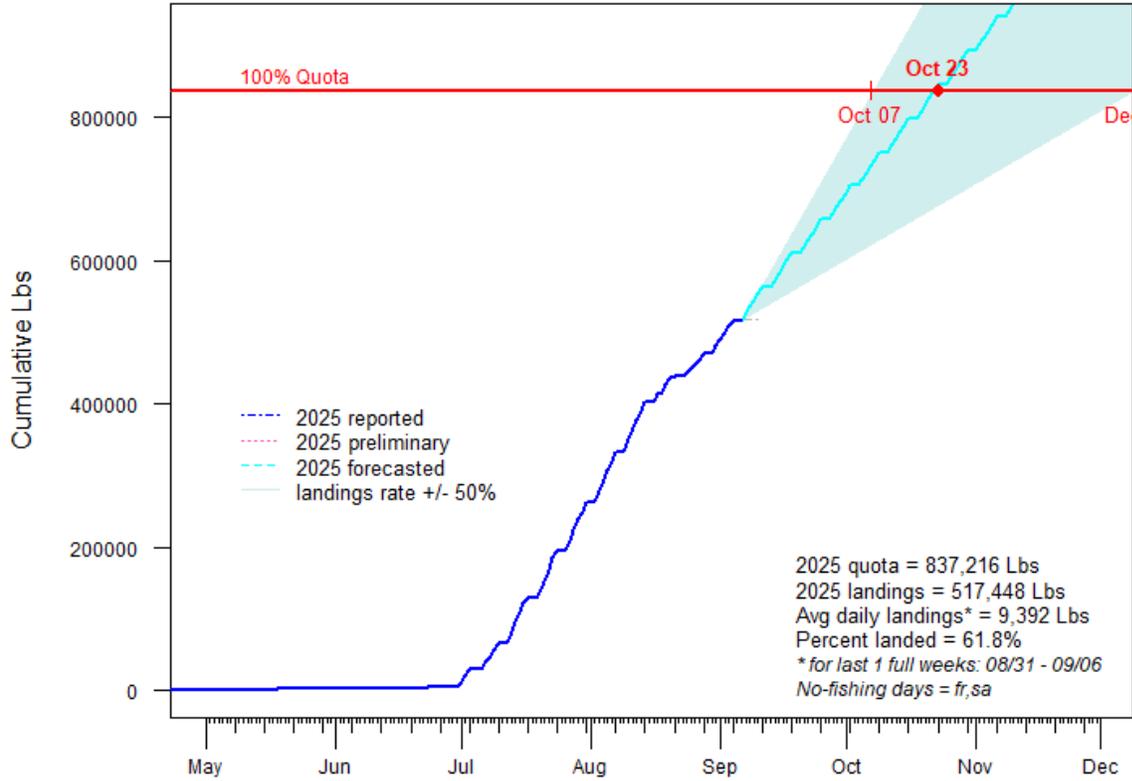


Figure 1. 2025 Black Sea Bass Quota Monitoring. Data Source: SAFIS eDR as of 9/11/2025.

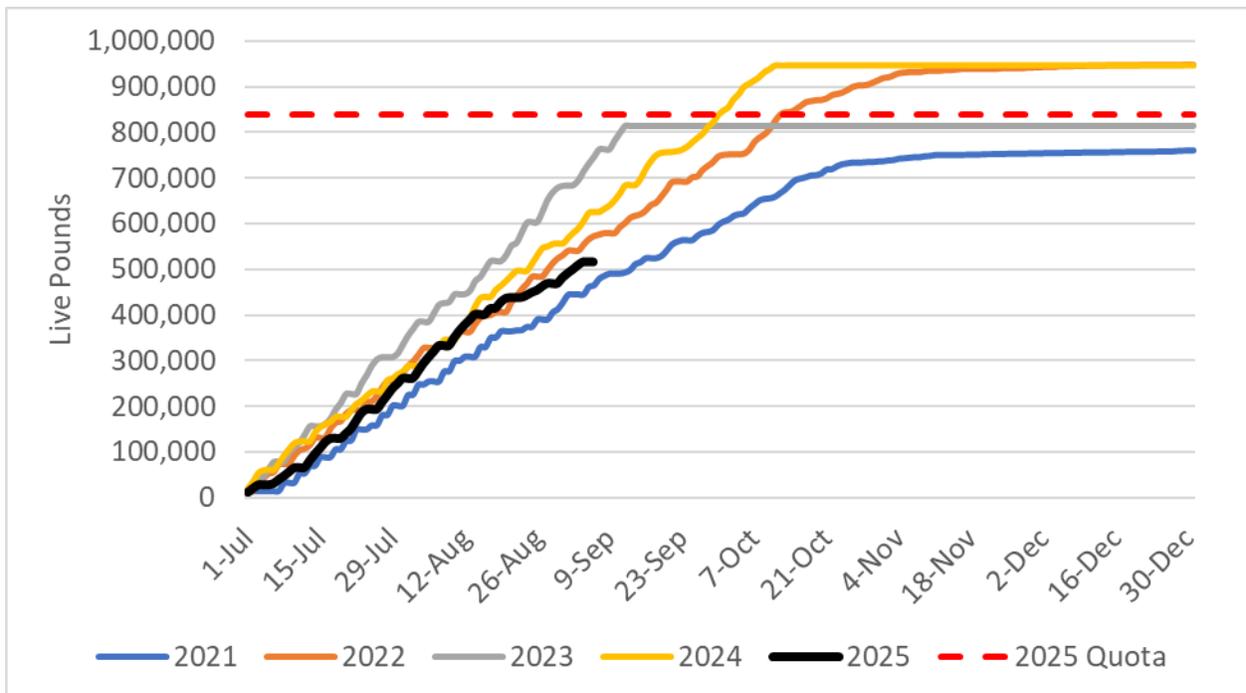


Figure 2. Running Totals of Black Sea Bass Landings, 2021 - 2025. 2025 data displayed through 9/6/2025. Data Source: SAFIS eDR as of 9/11/2025.

Table 1. Proposed Massachusetts 2026 commercial black sea bass fishing limits, with changes from 2025.

Gear Type	Season	Trip Limit (lbs)	Open Fishing Days	Minimum Size
All	January 1 – March 31	100	Sun - Sat	12”
Weirs	April 1 – December 31	N/A*	Sun – Sat	12”
Trawls	April 1 April 23 – December 31	100	Sun – Sat	12”
Pots	July 1 – August 31 September 14	500	Sun – Thur	12”
Pots	September 1 September 14 – December 31	600 if $\geq 15\%$ of quota remains; 500 otherwise	Sun – Sat	12”
Hooks (and Other Gears)	July 1 – August 31 September 14	250	Sun – Thur	12”
Hooks (and Other Gears)	September 1 September 14 – December 31	300 if $\geq 15\%$ of quota remains; 200 otherwise	Sun – Sat	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, 2020–2024

Year	Landings (lbs)	Allocated Quota (lbs)	Transfer Adjusted Quota (lbs)	Percent of Transfer-Adjusted Quota Landed	Quota Closure
2020	722,428	725,400	743,565	97.2% ¹	November 6
2021	761,289	791,700	791,700	96.2%	N/A
2022	948,182	998,901	948,901	99.9% ²	N/A
2023	813,102	741,071	816,071	99.6% ³	September 13
2024	946,571	926,338	926,338	102.2% ⁴	October 12

¹ In 2020, MA received a 15,000-lb transfer to mitigate for a potential quota overage. Had this transfer not occurred, the percent of quota landed would have been 99.6%.

² In 2022, MA donated 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%.

³ In 2023, MA 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%.

⁴ Payback for this overage was not required because the coastwide quota was not exceeded.

Table 3. Expected 2026/2027 black sea bass specifications (and their basis), compared to the 2025 specifications, in millions of pounds.

	2025	2026/2027	Basis
OFL	17.01	21.79	SSC derived
ABC	16.66	21.34	Derived by SSC
Com ACL	7.50	9.60	ABC x 45% (per FMP)
Com ACT	7.50	9.60	Com ACL – Com management uncertainty: 0%
Com Quota	6.00	7.83	Com ACT – Com discards
Rec ACL	9.16	11.74	ABC x 55% (per FMP)
Rec ACT	9.16	11.74	Rec ACL – Rec management uncertainty: 0%
RHL	6.27	8.14	Rec ACT – Rec discards



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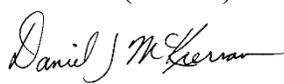
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DANIEL J. MCKIERNAN
Director

MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)
FROM: Daniel J. McKiernan, Director 
DATE: September 12, 2025
SUBJECT: **Public Hearing Proposal for Bluefish Recreational Possession Limits**

Proposal

This memorandum serves to inform the MFAC that I intend to go out to public hearing this winter with a proposal to increase the recreational bluefish possession limits by two fish. Specifically, the proposal would amend the existing daily bag limits of 3 fish per angler when fishing from shore or a private/rental vessel (“private modes”) and 5 fish per angler when fishing from a charter or party boat (“for-hire modes”) to 5 fish per angler in the private modes and 7 fish per angler in the for-hire modes.

Rationale

This proposal 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.

Background

Bluefish are subject to both a federal (i.e., MAFMC) and interstate (i.e., ASMFC) fishery management plan. These management bodies met jointly in August 2025 to set 2026–2027 specifications (i.e., catch and landings limits and other management measures), taking into consideration the results of the 2025 stock assessment and recommendations of the MAFMC Scientific and Statistical Committee (SSC), the joint MAFMC Monitoring Committee/ASMFC Technical Committee (MC/TC), and the joint MAFMC/ASMFC Advisory Panel.

The bluefish stock entered a seven-year rebuilding plan in 2022. Based on the results of the 2025 stock assessment, bluefish were not experiencing overfishing and were no longer overfished in 2024. While not fully rebuilt to the biomass target reference point (i.e., 89%), the stock is projected to be there in 2025, ahead of the 2028 deadline. The assessment-projected overfishing limits (OFLs) for 2026–2027 represent over 75% increases from 2025. After adjusting for scientific uncertainty, the SSC recommended 2026–2027 acceptable biological catches (ABCs) that increase by over 100% compared to 2025. The MC/TC raised concerns with these large increases to the ABCs while the stock remains in a rebuilding plan and given the pending MRIP

recreational estimate recalibration in 2026. The MAFMC and ASMFC ultimately decided to reduce the sector-specific annual catch limits (ACLs, which are allocated per the FMP) by 25% commercial and 30% recreational management uncertainty buffers for the sake of fishery stability. The resulting annual catch targets (ACTs) were further reduced by sector-specific expected dead discards (based on prior three-year averages) to result in the commercial quotas and recreational harvest limits adopted by the MAFMC and ASMFC (Table 1).

Ultimately, the coastwide commercial quota for 2026 is expected to increase 54% from 2025 and the 2026 recreational harvest limit by 40% (each with an additional small increase in 2027). Notably, Massachusetts commercial quota will increase by 63% in 2026 (and more in 2027) due to the ongoing phase-in of new commercial allocations. Next year (2026) is year five of a seven-year transition to state allocations based on more recent landings, which will ultimately bring MA's quota share from 6.71% in 2021 to 10.11% in 2028 in equal annual increments (i.e., 9.14% in 2026 and 9.63% in 2027).

The bluefish specifications may also include commercial and recreational management measures where necessary. There are no coastwide management measures for the commercial bluefish fishery other than the state-by-state quotas. Massachusetts has a 16" minimum size and 5,000-lb commercial trip limit. These are long-standing measures that take into consideration market factors and the potential for high interannual variability in harvest, and we are not proposing any changes for 2026 despite the commercial quota increase and a likely quota underutilization in 2025.

Rather than state by state quotas, the recreational fishery has been managed with coastwide possession limits to restrict harvest to the RHL (with no size limit or season). This limit was historically 15 fish per angler regardless of fishing mode until 2020, when the limit was reduced to 3 fish for the private modes and 5 fish for the for-hire modes in response to a needed 28% recreational harvest reduction to prevent exceeding the RHL. Arguments for the higher for-hire bag limit centered on operational needs of for-hire recreational fishing businesses and the mode's minimal contribution to total recreational harvest (~5% by weight) and ultimately won the vote despite concerns about equitable access and data partitioning.

Headed into 2026 with a 40% increase in the RHL, the MAFMC and ASMFC decided to increase the possession limits by two fish across all modes, i.e., to 5 fish for the private modes and 7 fish for the for-hire modes. This is projected to increase harvest by roughly 15-30%, depending on the method of calculation. Recent coastwide recreational harvest has averaged roughly 11.5 million pounds (2022–2024) compared to the 2026 RHL of 22.02 million pounds. The MAFMC and ASMFC acted with some restraint based on the ongoing rebuilding plan, recreational catch estimate uncertainty and variability, and interest in management stability. A substitute motion for a uniform 5-fish limit was supported by the ASMFC Board (12/4/0/0) but was narrowly defeated by the MAFMC (7/8/0), thus failing overall. The rationale for the all modes, 5-fish limit centered on equal access and returning to uniform measures before comprehensively considering mode management/sector separation through the ongoing draft amendment¹.

¹ MAFMC action tracking website: <https://www.mafmc.org/actions/recreational-sector-separation-amendment>

Based on 10-year average (2015-2024) MRIP estimates, the Massachusetts recreational bluefish fishery contributes about 3% of the coastwide annual catch and harvest, based on number of fish, and 7% of the coastwide annual harvest, based on weight of fish. Both coastwide and MA recreational harvest show an overall declining trend. MA's 10-year average annual harvest is 1.16 million pounds or 350,000 fish. By number of fish harvested in MA, the for-hire modes contribute 7%, the private/rental vessel mode 63%, and the shore mode 29%. Due to the smaller size of fish harvested from shore, the shore's contribution drops to 10% when considering harvest in weight (13% for-hire, and 77% private/rental vessel). Across all recreational modes, about 70% of the bluefish caught in MA are released, although the for-hire mode tends to retain a larger proportion of fish caught (50% compared to 25% in the private modes). Limiting out is the reason for few releases in any mode (Figure 1). The private/rental vessel mode has the highest frequency of limiting out.

Table 1. Expected 2026-2027 bluefish specifications (and their basis), compared to the 2025 specifications, in millions of pounds.

	2025	2026	2027	Basis
OFL	27.49	48.43	48.48	Stock assessment projection
ABC	21.83	44.61	45.41	Derived by SSC
Com ACL	3.06	6.25	6.36	ABC x 14% (per FMP)
Com ACT	3.06	4.69	4.77	Com ACL – Com management uncertainty (25%)
Com Quota	3.03	4.66	4.75	Com ACT – Expected com dead discards
Rec ACL	18.78	38.36	39.05	ABC x 86% (per FMP)
Rec ACT	18.78	26.85	27.34	Rec ACL – Rec management uncertainty (30%)
RHL	15.70	22.02	22.50	Rec ACT – Expected rec dead discards

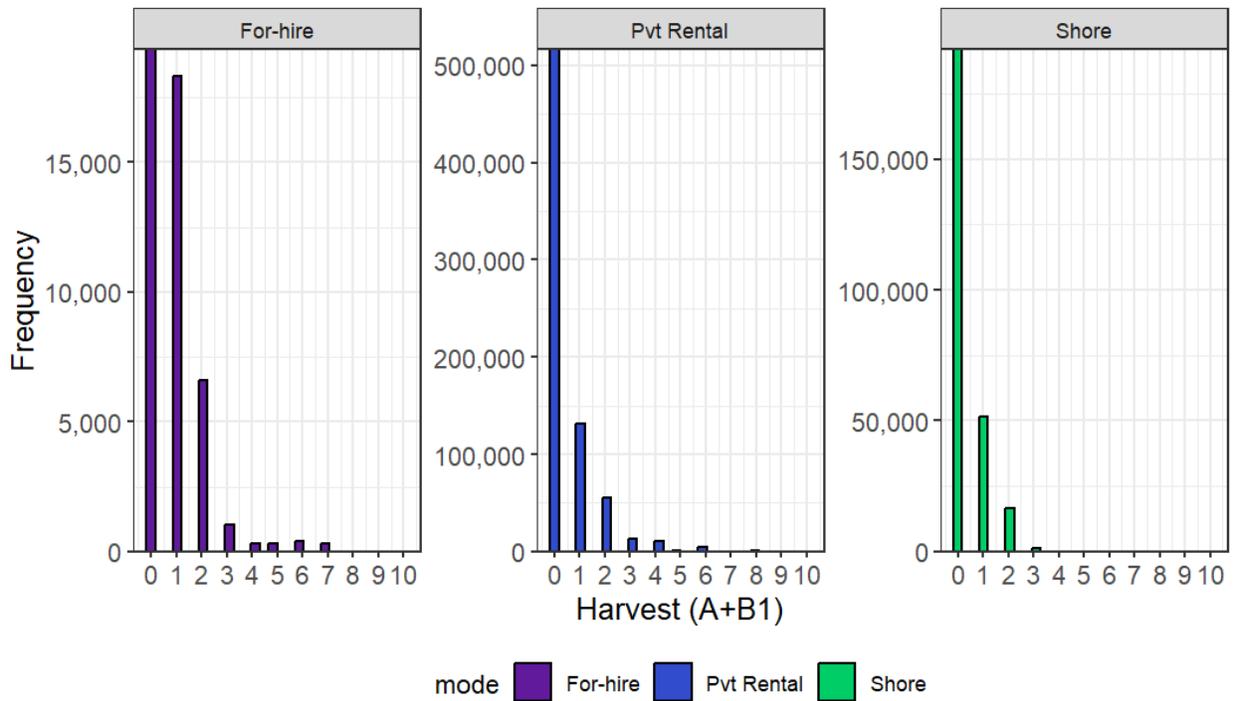


Figure 1. Frequency distribution of Massachusetts angler trips catching bluefish by number of bluefish retained (Source: MRIP pooled 2022–2024 intercept data). The proportion of angler trips at or above the bag limit by mode are: 2.2% for-hire (5-fish limit); 4.2% private/rental vessel (3-fish limit); and 0.4% shore (3-fish limit).



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DANIEL J. MCKIERNAN
Director

MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: September 12, 2025

SUBJECT: Proposal to Modify and Update Commercial Offshore Lobster Permitting Rules

Proposal

This memo serves to inform the MFAC that I intend to go out to public hearing later this winter to liberalize permitting regulations to allow an existing Coastal Lobster Permit holder whose corresponding vessel holds a federal lobster permit authorized for traps to surrender their Coastal Lobster Permit to DMF and be issued an Offshore Lobster Permit thus permanently converting their trap fishery authorization from dual state-federal (MA-EEZ) to federal waters only (EEZ-only).

Background and Rationale

DMF issues two principal commercial lobster trap fishing permits. The Coastal Lobster Permit allows lobster trap fishing in the waters under the jurisdiction of the Commonwealth, and if the vessel named on the permit also holds corresponding federal lobster trap permit, it authorizes the possession and landing of lobsters in Massachusetts lawfully taken in federal waters under the authority of their federal permit. State-only permit holders may annually apply for and be issued "MA-Only" trap tags, whereas dual state-federal permit holders may annually apply for and be issued "MA-EEZ" trap tags. An Offshore Lobster Permit does not authorize trap fishing in the waters under the jurisdiction of the Commonwealth. However, it enables a federal lobster trap permit holder to possess and land lobsters in Massachusetts that were lawfully taken in federal waters under the authority of the named vessel's federal lobster trap permit. Massachusetts Offshore Lobster Permit holders may annually apply for and be issued "EEZ-Only" trap tags.

Offshore Lobster Permit regulations (322 CMR 7.08) establish a moratorium on the issuance of new Offshore Lobster Permits for trap gear. This was done to prevent the splitting of state and federal permits that may result in the doubling of traps a permit holder may fish, as well as increase the total number of traps fished in that in Lobster Conservation Management Areas (LCMA). This was of particular concern within LCMA1 where there is an 800-trap limit for each commercial fishing operation. This is dissimilar to LCMA 2 and 3 where trap allocations for each permit holder were developed based on past qualifying criteria and there have been ongoing efforts along the coast to consolidate fishing operations.

With this in consideration, DMF established an exception to the moratorium on the issuance of Offshore Lobster Permits that enables federal lobster trap permit holders in LCMA 2 and 3 to obtain new Offshore Lobster Permits to land lobsters lawfully caught exclusively in federal waters in Massachusetts ports. Effectively, this allows a business previously ported out of another state (i.e. Rhode Island, New Hampshire or Maine) to fish out of a Massachusetts port and land their product in a Massachusetts port without increasing the trap fishing effort (or trap allocation) afforded to that business or the overall number of traps fished in that LCMA.

In recent years, DMF has received requests from dual state-federal LCMA 1 permit holders seeking to relinquish their Coastal Lobster Permit, acquire a Massachusetts Offshore Lobster Permit, and permanently convert their trap allocation from MA/EEZ to EEZ-only. These parties have explained they are pursuing other economic opportunities but wish to maintain activity on — or revenue from — their Coastal Lobster Permit. However, they are unable to do so because DMF regulations require Coastal Lobster Permits to be “owner-operator” and prevents the use of hired captains, even if the permit is fished exclusively in federal waters. Whereas the Offshore Lobster Permit is not owner-operator, the proposed permitting change would allow these businesses to surrender their Coastal Lobster Permit — forgo their authorization to fish in the waters under the jurisdiction of the Commonwealth — become federal waters-only fishers operating under an Offshore Lobster Permit and thereby utilize a hired captain.

DMF has reviewed this request. We have determined it would not undermine existing controls governing permit splitting and is consistent with the federal lobster permitting rules and the Atlantic States Marine Fisheries Commission’s Fishery Management Plan for American Lobster. Accordingly, we support taking this request to public hearing and accepting comment on allowing any existing Coastal Lobster Permit holder with a dual state-federal trap allocation to permanently operate their business in the EEZ-only (federal waters) by obtaining a DMF-issued Offshore Lobster Permit, and surrender their Coastal Lobster Permit.



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DANIEL J. MCKIERNAN
Director

MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: September 12, 2025

SUBJECT: Proposed Housekeeping Amendments to Regulated Fishery Permit Endorsements

Proposal

This memo serves to inform the MFAC that I intend to go out to public hearing later this winter with two housekeeping amendments to the regulations establishing regulated fishery permit endorsements so as to simplify the Division of Marine Fisheries (DMF) permitting program.

1. Eliminate the Coastal Access Permit sub-endorsements for Squid, Whiting, Sea Herring, and North Shore Mobile Gear.
2. Eliminate the Sea Scallop Shucking endorsement.

Rationale

DMF issues a limited entry Coastal Access Permit (CAP) to allow vessels with a total length of 72' or less to use of certain mobile gear (e.g., trawl, sea scallop dredge) in the waters under the jurisdiction of the Commonwealth. All CAP permit holders may obtain any additional sub-endorsements at no cost to fish with raised footrope trawls for whiting, small mesh trawls for squid, and in the North Shore mobile gear exemption areas. The sub-endorsements date back to a time when DMF collected supplementary catch reports for certain activities and needed to further distinguish CAP permit holders for these reporting purposes. Since the implementation of trip level reporting in 2010, these sub-endorsements have become superfluous and only serve to complicate DMF's permitting program. Accordingly, I intend to remove these sub-endorsements from the permit renewal applications for 2026 and the permitting regulations. Any person who receives one of these sub-endorsements will instead just receive the CAP which will continue to authorize those activities covered by these sub-endorsements.

DMF also issues an open entry sea scallop shucking endorsement that authorizes the named person or vessel to shuck sea scallops at sea. This endorsement was developed in the 1980s to distinguish those fishers who were retaining shucked products from those who intend to land shellstock and would then be subject to additional permitting and regulatory requirements. From a permitting and management perspective, this distinction is no longer necessary. Accordingly, I am proposing to eliminate this endorsement type. If this were to occur, permit holders seeking to

land shellstock would need a Shellfish Endorsement and would have to adhere to state¹ and federal requirements governing where this product may be harvested, and all other permit holders would simply be able to land shucked product without additional permitting requirements.

¹ See DMF's [Policy and Guidelines for the Commercial Sea Scallop Dredge Fishery](#) for additional information regarding the retention and landing of whole sea scallops.



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DANIEL J. MCKIERNAN
Director

MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)
FROM: Daniel J. McKiernan, Director *Daniel J. McKiernan*
DATE: September 12, 2025
SUBJECT: **Discussion of Potential Recreational Striped Bass Seasons**

At the MFAC's August meeting, DMF previewed the options in [Draft Addendum III](#) to Amendment 7 of the Striped Bass Fishery Management Plan. The Draft Addendum was released for public comment in August, will be the subject of 17 public hearings coastwide during September (including hearings in Massachusetts on September 25 and 30), and is scheduled for final action before the Management Board during the Atlantic States Marine Fisheries Commission (ASMFC) October 27–30 meeting. The MFAC requested time on its September business meeting agenda to provide input on the recreational fishery management options to achieve the proposed 12% reduction in removals.

These options present a range of recreational seasonal closures, implemented as either harvesting or targeting prohibitions. The ocean bag and size limits are status quo (1 fish at 28–31”), except for an alternative that would allow the for-hire modes a wider slot (28–33”) and necessitate a 13% reduction achieved through a longer seasonal closure (applicable to all modes). Massachusetts could be part of a coastwide ocean region, a Maine–Massachusetts region, or a Maine–Rhode Island region, whereby all states in a region will have the same closure dates.

The seasonal closures are expressed as a number of days closed per two-month “wave”.¹ Specific seasons in calendar dates are not listed because of the multitude of possibilities (e.g., a 30-day closure in wave 3 could be applied May 2–31, June 1–30, May 15–June 13, and so on). Additionally, some of the options need to be extended into an adjacent wave to achieve the required reduction, with the number of days not identified in the document, again because of multiple possibilities (e.g., an entire wave 3 closure that doesn't meet the required reduction could potentially be extended into wave 2 or wave 4, or part of both). Lastly, the Board has discretion to modify the number of days per wave that are closed in the dual-wave closure options, provided the required reduction is still met and no closure is less than 14 days. These options were designed to allocate the closure equally between two waves (i.e., the same number of days per wave), but it could be apportioned differently, which could change the total number

Wave 1		Wave 2		Wave 3		Wave 4		Wave 5		Wave 6	
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec

of days closed. Ultimately, the specific dates for a selected option would be determined by the Management Board during (or very shortly after) final action in October. This presentation of the options, while necessary to provide for some management flexibility, renders the potential outcomes somewhat less evident.

To facilitate the MFAC's discussion, DMF has translated the recreational season options into some example open seasons under the no-harvest type of closure (Table 1). Note this is not an exhaustive list. DMF does not support the use of no-targeting closures as a broad measure for achieving striped bass reductions at this time (due to their effectiveness, enforceability, socio-economic impacts and anticipated lack of stakeholder support), and so the example open seasons focus on no-harvesting closures. However, the difference in days closed under no-targeting closures is shown. Example open seasons are provided for the coastwide region and the Maine–Massachusetts region. This is not meant to indicate DMF's preference for either the Maine–Massachusetts or Maine–Rhode Island regional options, but done in the interest of brevity. The example open seasons for Maine–Massachusetts under no-harvest closures differ by 1–5 days in length if Rhode Island is also in the region (shorter or longer depending on the specific option). These example open seasons achieve the 12% reduction that aligns with all recreational modes keeping to the 28–31” slot limit. They would need to be lengthened by 3–8 days to achieve a 13% reduction to offset a wider slot limit (28–33”) for anglers aboard for-hire vessels. The difference in days closed between achieving a 12% and 13% reduction is on the smaller side of that range when the closure option includes days in wave 4.

Table 1. Example Striped Bass Recreational Open Seasons (under No-Harvest Closures) for Massachusetts to Achieve a 12% Regional Reduction via Draft Addendum III's Options

Ocean Region	Wave(s)	Targeting Closure	Harvest Closure	Example <u>Open Season</u> under No Harvest Closure Option and 28-31" Slot Limit for all Modes (12% reduction)	
ME-NC	3 & 6	22 per wave	31 per wave	Jan 1–May 30 & July 1–Nov 30	
				Jan 1–May 30 & July–Oct 31 & Dec 2–31	
				Jan 1–Apr 30 & June 1–Nov 30	
				Jan 1–Apr 30 & June 1–Oct 31 & Dec 2–31	
ME-MA	3	61 (-10%)	61 (-9%) ²	July 12–Dec 31 (and Jan–Apr ⁴)	
	4	39	41	Jan 1–July 21 & Sept 1–Dec 31	
				Jan 1–June 30 & Aug 11–Dec 31	
	5	51	61 (-8%) ³	Jan 1–Aug 17 (and Nov–Dec ⁴)	
	3 & 5	30 per wave	44 per wave	June 14 – Sept 17 (and Jan–Apr and Nov–Dec ⁴)	
	Other Wave 3/5 Splits			31/58	June 1–Sept 3 (and Jan–Apr and Nov–Dec ⁴)
				61/25	July 1–Oct 6 (and Jan–Apr and Nov–Dec ⁴)
			55/31	June 25–Sept 30 (and Jan–Apr and Nov–Dec ⁴)	

² Closing all of wave 3 to harvest achieves a 9% reduction. The closure can be extended into wave 4 by 11 days to achieve a 12% reduction, resulting in 72 days closed.

³ Closing all of wave 5 to harvest achieves an 8% reduction. The closure can be extended into wave 4 by 14 days to achieve a 12% reduction, resulting in 75 days closed.

⁴ Technically these other waves, when fish are generally not available in the region, could still be open. They are not part of the calculated reduction because they provide zero savings as there is no associated catch, but DMF may propose their closure in order to simplify the regulations.

State Waters Scallop Meeting Summary
August 26, 2025
DMF Gloucester Office

Industry Attendees: Kyle Grant, Paul Theriault, Scott Rowe, Peter Marshall, Andy Santapaola, Dusty Ketchopulos

DMF Attendees: Dan McKiernan, Melanie Griffin, Kelly Whitmore, Story Reed

Summary: A group of North Shore state waters sea scallop dredge fishers reached out to DMF staff after the 2025 winter and spring fisheries to raise concerns regarding the management of the inshore fishery. It should be noted that as several similar issues were raised among the callers, DMF invited interested fishermen to an in-person meeting at the Gloucester office.

Permitting: In recent years the federal Northern Gulf of Maine (NGOM) scallop fishery has proliferated on Stellwagen Bank and there has been a seasonal surge in vessels drawn to the fishery. Most of the vessels utilize the port of Gloucester as a temporary homeport for this seasonal late-winter/early-spring fishery that lasts about a month or less. Some of these fishers have obtained Massachusetts Mobile Gear Coastal Access Permits (“CAP permits”) through DMF approved transfers and began participating in the state waters scallop fishery on either side of the NGOM season. This has added effort to the limited areas where the state waters fishery takes place. There are concerns about the sustainability and profitability of the fishery if effort continues to escalate.

Owner-Operator Requirement: The idea of an owner-operator requirement on the state waters sea scallop dredge fishery was briefly discussed. However, because hired and relief captains are frequently used in mobile gear fisheries, there was no consensus to pursue this further.

Timing of Ipswich Bay Opening: Area 1B—Ipswich Bay is open seasonally to the use of mobile gear from December 15 – April 30. The December 15th opening date was brought up as potentially occurring too early as many of the fishers who pursue scallops in this area are still lobster trap fishing during the early winter and there may be some benefit to adjusting the open season to better coincide with the February 1- May 15 trap closure to protect right whales. There was some discussion on this, but no consensus reached on the need for a later opening date.

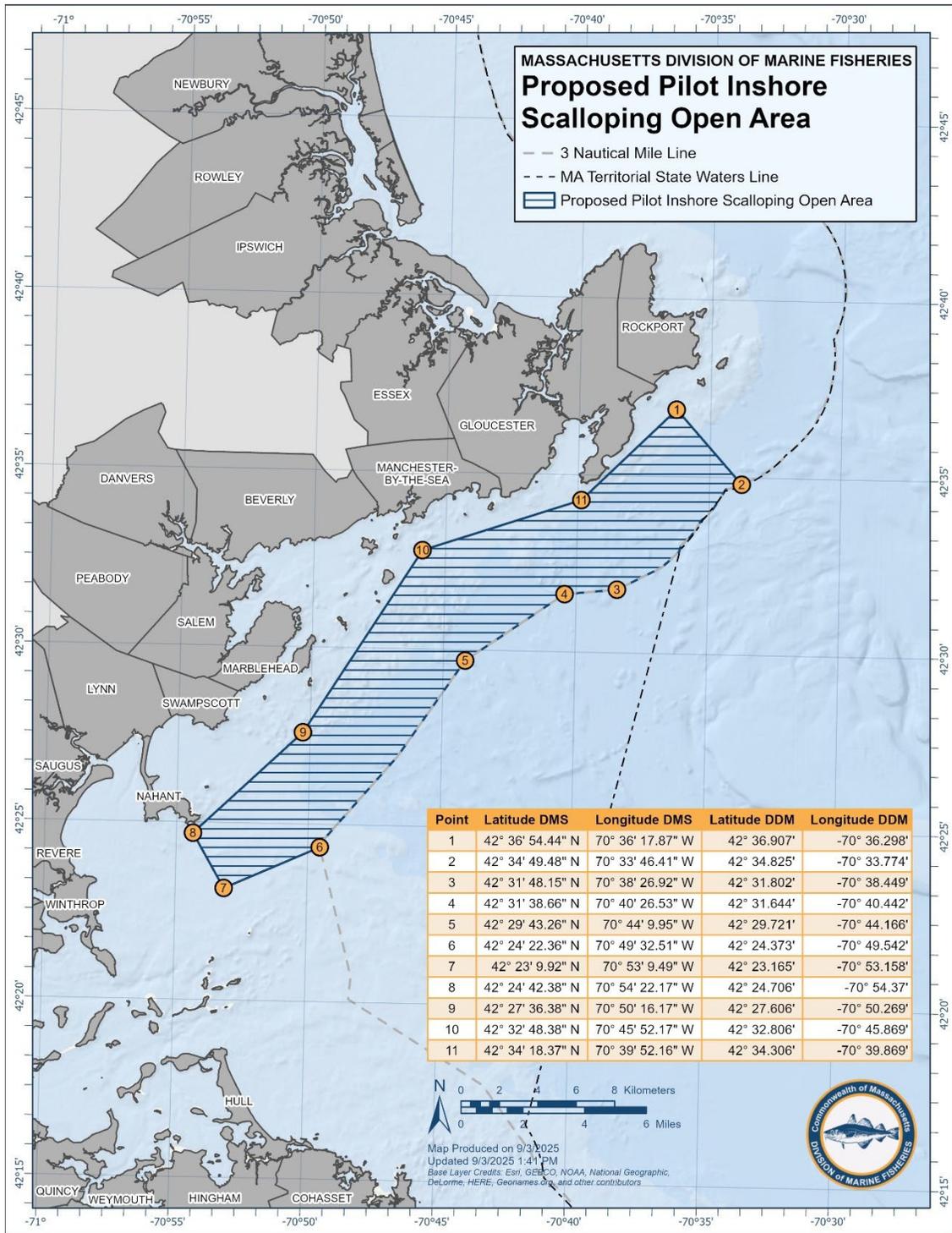
Prohibited Classification of MB14 (Massachusetts Bay): MB14—Massachusetts Bay is a shellfish growing area that has been classified as Prohibited and closed to the landing of whole scallops (shellstock) since at least 1988. There was a question about whether MB14 could be reclassified out of the Prohibited status with additional testing. One of the permit holders was offering to help with the testing. A potential reclassification would accommodate the harvest of in-shell sea scallops. However, DMF explained that the

MWRA sewage treatment plant outfall is contained within MB14. Given the volume of daily effluent discharge, and requirements under the National Shellfish Sanitation Program's Model Ordinance to retain Prohibited area buffer zones around outfalls to safeguard public health from various contaminants wastewater treatments plants do not treat or test for, a classification upgrade is not achievable. The permit holders recognized this challenge and that only shucked product could be landed from this area.

Open Additional Area South of Gloucester: The industry members expressed interest in a seasonal (February 1 – May 15) opening of a portion of the North Shore Region Mobile Gear Closure south and southwest of Gloucester. This would coincide with the trap gear closure to protect right whales and thereby provide an alternative seasonal fishery for some individuals who participate in the lobster trap fishery as well as the sea scallop fishery on a seasonal basis. It was proposed that the exemption area could be bounded to the west by the Winter Flounder Spawning Closure; to the north by the Area 1A—Gloucester Rockport Exemption Area, and to the south by the Area 2—Boston Harbor Mobile Gear Closure (see map below). Opening any or all of this area during the fixed-gear closure would give the state waters boats more area to work. Additionally, it would spread out effort, take fishing pressure off other areas, and provide an area to work in the lee on windy days. DMF shared the experience of seeking public comment on a similar proposal in 2018. However, that proposal was prior to the expansion of the trap gear closure to the North Shore in 2021.

Dredge Width Definition: One participant brought up the slight inconsistency in the definition of scallop dredge width (10' vs. 10.5') between state and federal rules. DMF committed to examining this and modifying state regulations as needed.

Deliverables: This fall and winter, DMF will explore permitting solutions to address the activation of opportunistic inshore scallop fishing effort; the timing of the Ipswich Bay Area 1B fishery; the accommodation of additional seasonal scallop dredge fishing opportunities off Cape Ann; and alignment of state and federal rules governing scallop dredge gear. All relevant proposals will be provided at a future date to the Marine Fisheries Advisory Commission for their consideration.





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DANIEL J. MCKIERNAN
Director

MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)
FROM: Daniel J. McKiernan, Director 
DATE: September 12, 2025
SUBJECT: **Summary of the Commercial Fisheries Commission's First Year Thus Far**

Background

The [Commercial Fisheries Commission](#) (CFC) was established by the Massachusetts Legislature through the Special Acts of 2022 ([c. 179, §79](#)). The purpose of the CFC is to develop and recommend strategies, methods, and tools to promote the sustainability of the Commonwealth's commercial fishing industry including, but not limited to, harvesting, processing and production, and sales and distribution, and to address subjects including the responsible development of offshore energy projects, mitigation, and support strategies to ensure the long-term sustainability of the fisheries in the Commonwealth. As part of the statute, the CFC is required to meet four times annually and publish an annual report to the state legislature.

The CFC is comprised of 19 members as defined by the enabling statute, but there are only 17 active members. Three members are state officials (or their appointees), including the Secretary of the Executive Office of Energy and Environmental Affairs (EEA), as well as the Directors of the Division of Marine Fisheries (DMF) and the Office of Coastal Zone Management (CZM), who serve as co-chairs. Additionally, there are 14 members appointed by the Governor who represent certain industry and research organizations specified in the enabling legislation, including members nominated by: the Massachusetts Fishing Partnership; the Stellwagen Bank Charter Boat Association; the Responsible Offshore Development Alliance; the Fisheries Survival Fund; the Northeast Seafood Coalition; the Gloucester Fishermen's Wives Association; the Massachusetts Lobstermen's Association; the Gloucester Fishing Community Preservation Fund; the Cape Cod Fishermen's Alliance; the Center for Sustainable Fisheries; the Gloucester Fisheries Commission; the School for Marine Science and Technology at the University of Massachusetts Dartmouth; the New Bedford Port Authority; and the Massachusetts Seafood Collaborative.

The CFC is currently facilitated by contractors Pat Field and Abby Fullem from the Consensus Building Institute (CBI) with support from DMF staff.

Previous Meetings

While established in 2022, the CFC did not begin to meet until 2025 due to challenges related to making appointments to such a large public body. However, this year, the CFC has met on three occasions and has established focus groups to address specific areas of interest.

At its first meeting in April, the CFC discussed the purpose, scope, and intent of its work and identified topics for the group to work on during its first year. CBI shared findings from initial interviews with CFC members to discern focus areas and objectives. Results of these surveys included: economic development; port infrastructure; offshore energy development; and economic sustainability of the industry while increasing awareness within fishing communities and state government. The CFC determined several primary actions during its first meeting, including: convening a Focus Group to inform DMF on an updated [Port Profile Project](#); differentiating the focus of the work conducted by the CFC on offshore wind from the work already being done by the [Fisheries Working Group for Offshore Wind Energy](#) (FWG) and establishing an Offshore Wind Focus Group to assist in this endeavor; providing feedback on CZM's [ResilientCoasts Draft Plan](#); developing a formal charter; and sharing individual written support of commercial fishery representation on the Commonwealth's [Food Policy Council](#).

During its May meeting, CZM presented their ResilientCoasts Draft Plan. This presentation outlined the Plan's goals to improve human health and safety; protect the value of natural and cultural resources; increase resilience of built infrastructure; strengthen coastal economy; advance environmental justice; and support the capacity of coastal communities. The Plan will work as a guide for communities to understand their coastal flood risk, with consideration to the specific needs of ports and working waterfronts. In response to this presentation, the CFC discussed the intersection of ResilientCoasts and DMF's Port Profile Project.

At its most recent meeting in June, the CFC was able to further refine some of its initial objectives and topics of interest. DMF shared a presentation on a delegate study trip to European floating wind facilities with the CFC (and the FWG). The CFC discussed the key takeaways from their focus group meetings on the Port Profile Project and Offshore Wind, reflected on the ResilientCoasts Draft Plan, finalized their charter and work plan, and learned about DMF's derelict gear initiative. On offshore wind, the CFC determined that active collaboration with the FWG will allow for minimal redundancy across the groups such that the CFC will consider issues raised by the FWG for policy relevance and develop recommendations, rather than focusing on specific projects. The CFC also engaged in extensive discussion on potential actions pertaining to offshore wind. From these conversations, the group planned their next steps: to refine their potential actions concerning offshore wind during future meetings and focus group sessions; discuss their work plan and annual report in more detail; determine their role in advocating for fisheries research collaboration; and participate in public comment on DMF's derelict gear initiative.

Upcoming Meeting

The CFC was scheduled to meet on September 8, but this meeting was postponed due to unanticipated scheduling conflicts and will be rescheduled imminently. This upcoming fall meeting will include: updates on the Port Profile Project and offshore wind projects; a discussion on CZM's [Designated Port Area Program](#); a presentation on potential issues of flounder processing; and briefings on initiatives relevant to the CFC, such as the [Mass Ready Act](#), the [Department of Fish and Game's Biodiversity Initiative](#), and USDA Export Grants. The CFC will also discuss what to include in the group's end-of-year annual report to the Executive Office of Energy and Environmental Affairs and the legislature.