

MARINE FISHERIES ADVISORY COMMISSION

April 10, 2017

DFW Field Headquarters

Westborough, MA

In attendance:

Marine Fisheries Advisory Commission: Raymond Kane, Chairman; Michael Pierdinock, Vice-Chairman; William Doyle, Clerk; Kalil Boghdan; Charles Quinn; Sooky Sawyer; and Lou Williams. Absent: Andrew Walsh and Gus Sanfillipo.

Division of Marine Fisheries: David Pierce, Director; Michael Armstrong, Assistant Director; Kevin Creighton, CFO; Jared Silva; Story Reed; Melanie Griffin; Cate O'Keefe.

Department of Fish and Game: George Peterson, Commissioner; and Mary Lee King, Deputy Commissioner.

Office of Law Enforcement: Lt. Matthew Bass.

Members of the Public: John Verissimo, Kevin Slattery, Keith Baker, Eric Morrow and Bill Adler.

INTRODUCTIONS AND ANNOUNCEMENTS

Chairman Kane calls the meeting to order. There were no introductions or announcements.

APPROVAL OF APRIL 10, 2017 MFAC BUSINESS MEETING AGENDA

There were no comments.

Sooky Sawyer made a motion to adopt the April 6, 2017 business meeting agenda as provided. Lou Williams seconded the motion. **The motion was approved unanimously.**

REVIEW AND APPROVAL OF THE MARCH 9, 2017 MFAC DRAFT BUSINESS MEETING MINUTES

Mike Pierdinock had two minor corrections. The first was the correction of a typographical error on page 4. The second was that he asked that the term "percent standard error" or "PSE" be used in place of the phrase "error bars" in his reference to MRIP data on page 21.

No further comments were made. Sooky Sawyer made a motion to accept the March 9, 2017 MFAC business meeting minutes as amended. The motion was seconded by Charles Quinn. **The motion was approved unanimously.**

COMMISSIONER'S COMMENTS

Commissioner George Peterson began his comments by discussing the recent Marine Mammal Commission meeting in Falmouth. He found the meeting interesting but was discouraged by the federal government's seeming lack of interest in managing grey seal populations in the northeast, where they may be impacting inshore fisheries.

The Commissioner then moved on to discuss the budget. He expected that DMF's Industry Based Survey (IBS) for Gulf of Maine (GOM) cod would be fully funded. Additionally, he expected \$1M in recreational permit fee funds would be appropriated in a supplemental budget to fund the development of a recreational fishing pier on Deer Island in Boston Harbor. The Commissioner thought the Deer Island project was a good project to increase urban access to recreational fishing opportunities. However, the project had not yet been approved by the Recreational Development Panel, and they were not scheduled to meet until May 2017.

Director Pierce thanked the Department for their hard work on budget issues, particularly the continued funding of the IBS work.

Chairman Ray Kane asked if this project was to be exclusively funded by recreational fishing permit funds. George stated that it would be. However, it may be paid for over several fiscal years.

The Chairman followed up with a question regarding annual recreational permit revenues. Kevin Creighton stated that DMF obtains approximately \$1.3M per year. However, in the first few years of the permit the annual revenues were not spent in their entirety. So, a surplus was built. Kalil Boghdan added that by law at least 1/3 of these permit revenues are required to go to public access projects.

DIRECTOR'S COMMENTS

Director David Pierce stated that Deputy Director Dan McKiernan would be absent from the April MFAC business meeting. He was attending a meeting with other DMF staff and the Department of Environmental Protection. The purpose of the meeting was to discuss the ongoing issues related to the use of the Wetlands Protection Act by municipalities to regulate fishing gear in town waters.

David also noted that Nichola Meserve had given birth to a healthy baby boy named Evan. She would be on maternity leave through the spring, but remained engaged on recreational black sea bass management issues.

David attended his first banquet with the Massachusetts Sportsman's Association. Lt. Governor Karen Polito was also in attendance. DMF public access coordinator, Ross Kessler, was given an award from the Association for his work in this position.

The Director then shifted his comments to focus on a myriad of fisheries management issues.

First, he followed up on the Commissioner's comments and addressed the recent Marine Mammal Commission meeting. David noted the first day of the meeting focused on grey seals, whereas the second day focused on right whales. He attended the first day, but did not attend on the second. Deputy Director McKiernan and other DMF staff did attend the second day.

With regards to grey seals, David noted that the meeting focused on population trends, stock structure, diet and role in the ecosystem. He added that much of the ongoing research was focused on population dynamics and disease transfer. He did not think that seal population management was a priority.

There was some discussion among Director Pierce, Commissioner Peterson, Mike Pierdinock and Ray Kane regarding potentially managing the seal population. Director Pierce noted that this was unlikely going to happen in the near future given the requirements of the Marine Mammal Protection Act.

Ray Kane stated that South Beach in Chatham was now an island. He expected the resulting isolation would create a similar situation to Muskeget Island, where the seal population exploded.

Mike Pierdinock asked if presentations from the Marine Mammal Commission meeting were available. David stated that he would have staff look into this.

Next, the Director highlighted two issues that arose during this winter's sea scallop fishery in the Northern Gulf of Maine (NGOM).

- The first issue was a user group conflict among Limited Access General Category (LAGC) and Limited Access (LA) scallop permit holders. LAGC-NGOM permit holders were concerned about equitable access to the NGOM quota. These permit holders are limited to the NGOM area and are subject to a trip limit. However, LA permit holders, have greater flexibility as to where they fish (including the NGOM area) and are not required to fish under a trip limit while in the NGOM area.
- The second issue was that much of the effort in the NGOM fishery was concentrated on northwest Stellwagen Bank.

An ASMFC conference call was scheduled for the end of April to review final 2016 recreational black sea bass harvest and determine if the status quo proposal for 2017 was still appropriate. David intended to focus on enhancing equity across the states in the region. He expressed concern regarding where the recreational black sea bass limits for Massachusetts may end up in 2018 if the management does not improve.

Mike Pierdinock asked if DMF was moving towards a state share rather than regional management approach for black sea bass. Directed Pierce stated that it was an option DMF was considering. He noted that in the past DMF benefited from regional management but with the inability of certain states to effectively constrain their harvest, it may be time to move away from this approach. Commissioner Peterson was frustrated with the ASMFC management system and how it seemingly favored certain states at the expense of others.

Mike then asked if the last minute submittal of vessel trip reports (VTRs) by federally permitted for-hire vessels was creating harvest estimate problems again, like it did last year. David stated that it remained an issue but not as severe.

The Director moved on to discuss recreational fluke limits for 2017. The ASMFC addendum required Massachusetts (and other coastal states except North Carolina) to increase their minimum size by 1" and decrease their bag limit by 1-fish in order to constrain harvest within the 2017 recreational harvest limit. DMF submitted a proposal to ASMFC to maintain the state's current 5-fish bag limit because MRIP data did not demonstrate that there was an increase in Massachusetts recreational fluke harvest at a 5-fish limit as opposed to a 4-fish limit. The ASMFC Board did not support DMF's proposal (and a similar proposal from RI). David submitted a written response that was critical of the ASMFC's determination. He was also considering appealing the decision to the Policy Board.

Mike Pierdinock stated that earlier in the week NMFS held a meeting with recreational fishing representatives. Those in attendance voiced concerns about the use of MRIP data in management, as well as the ASMFC's 2017 recreational fishing limit proposals for black sea bass and fluke.

Ray Kane stated that Massachusetts fishermen have historically caught smaller fluke than they do in other states. So, Massachusetts may be more impacted by the minimum size increase than other places where larger fish are available. Ray asked David if this was reflected in the MRIP data. David stated that MRIP samples length frequencies, but off hand, he could not speak to whether or not it supported Ray's point.

The Director then briefly touched on a number of topics. The NEFMC was scheduled to meet in April and the focus would be on sea herring and sea scallop management. DMF remained engaged on regional ocean planning and offshore wind energy development. DMF was working to schedule a meeting with Law Enforcement and the offshore dragger fleet to discuss potential changes to the wintertime management of the fluke resource. Lastly, David noted that Carlos Rafael had pled guilty to federal fishery violations and tax evasion charges.

The Director concluded with a brief discussion of the IBS and recent Boston Globe articles regarding the status of Gulf of Maine cod. On a positive note, he stated that DMF biologist Micah Dean recently presented to Governor Baker on the findings of the first year of the IBS survey. The Governor appreciated the work being done to improve

stock assessment science for cod. David added that the MFAC should expect to receive a similar presentation from Micah at an upcoming meeting.

David discussed the recent Boston Globe article regarding the status of Gulf of Maine cod and the IBS work. David Able, the author, was also working on a documentary - "The Sacred Cod". The documentary was scheduled to be aired on the Discovery Channel in mid-April.

The article prompted a follow-up editorial from the Globe's editorial board. The editorial was highly critical of those in the fishing industry and the political spectrum that claim that the stock assessment science for GOM cod is either wrong or inadequate. The Director stated that he found the editorial to be overly broad and critical. He added that it is wrong to readily discount the perspective of fishermen who claim cod are not in as poor of shape as the science demonstrates. The Administration was currently considering whether or not to respond to the article.

David added that the IBS was a critical tool to improving stock assessment science for GOM cod. Data from 2016 (the first year of the current survey) demonstrated that GOM cod biomass is down by about 80% when compared to when a similar survey was conducted about 10 years ago. However, he cautioned that was derived from only one year of data in a multi-year study.

Mike Pierdinock noted there may be retrospective impact on stocks from non-compliance, particularly in the case of Carlos Rafael.

Chairman Kane asked if SMAST's open cod end video survey work would be incorporated into the IBS. David stated that it was not being directly incorporated. However, the goal was to have these two surveys dovetail to enhance the existing survey work and improve the stock assessment.

LAW ENFORCEMENT COMMENTS

Lt. Matt Bass stated that a few enforcement cases were picked up by the local media. This included federal lobster and monkfish incidents.

Coastal enforcement remained focus on the seasonal fixed gear closure north of Cape Cod. Attention was also being paid to elver poaching. The fishing in Maine was not great this winter, so with demand high and supply low the conditions were prime for poaching.

Adjudicatory hearing requests had been sent into DMF to take action on a number of permits based on incidents in 2016. Jared Silva stated that DMF was currently processing these hearing requests. Ray Kane thanked Director Pierce, Deputy Director McKiernan and Jared Silva for their firm approach to handling fishery violations with permit sanctions.

Sooky Sawyer asked for more details about the federal lobster case. Lt. Bass stated that it was a dragger who was in violation of the lobster possession limit, as well as size limits.

Ray stated MA fishermen are concerned that enforcement in other states turns a blind eye to recreational fishery. He wanted to see DMF take a strong stance at ASMFC to advocate for consistent enforcement throughout the range.

Director Pierce noted that DMF was holding a meeting with the south coast's head boat fleet. One of the purposes of this meeting was to find common solutions to improve compliance on these vessels.

PRESENTATION

Review of Nantucket Public Meeting on Mobile Gear Petition

Director Pierce provided an overview of the presentation he provided at the March 2017 public meeting on Nantucket regarding the town's petition affecting mobile gear fishing. He reviewed NEFOP bycatch and discard data for the squid fishery that demonstrated discards make up a relatively small component of the overall catch. He noted that the primary species being discarded was scup and DMF was attempting to resolve some of these issues by allowing large weekly aggregate scup limits. He also reviewed the history of the state's mobile gear closures particularly south of Cape Cod.

David stated that the petitioners were concerned that the squid fishery was reducing forage availability impacting striped bass (and fluke) catch. He stated that while he understood the petitioners concerns, he believed their assumptions may not be valid. He noted that low striped bass catch was likely related to recent poor year class strength and low fluke catch due to recruitment issues. He was optimistic that striped bass fishing conditions may improve in the short term as the strong 2011 year class aged into the fishery. He further noted that the commercial striped bass fishery was strong in Cape Cod Bay in recent years, which may be related to water temperatures and seals, as well as forage.

There was a growing concern among those the petitioners that mobile gear fishing around the island was disturbing squid egg mops and potentially impacting future squid biomass. The MAFMC highlighted this as an information gap and key research concern. However, if these impacts are influencing survivability then the issue is not just centralized around Nantucket because squid spawn up and down the coast, both inshore and offshore. He also tasked staff with studying the impacts of disturbances on squid egg survivability and hatching. David noted that egg mops were susceptible to a variety of environmental pressures including current and storm surge, temperature and plankton.

David ultimately did not support Nantucket's petition. However, he expected that issues regarding small mesh squid fishing will likely remain contentious. He noted that

Nantucket residents remain very engaged on the issue both at the state and federal level and Pew Charitable Trusts had involved itself in the issue.

Chairman Kane recalled that Provincetown was having issues on the town dock with recreational squid fishing activity several years back. This may be indicative of a growing abundance of squid north of Cape Cod influencing the location of the striped bass fishery.

Lou Williams stated that Marblehead and Salem were having similar problems. However, he countered Ray's point and stated that despite the availability of squid the striped bass catch remained slow on the North Shore.

Sooky Sawyer asked if there was any evidence that the seals around Nantucket were eating squid. David stated that there was no evidence. Scat studies demonstrated that seals are primarily eating finfish and other invertebrates.

BELDING AWARD

Director Pierce provided a brief history of the Belding Award. The award was given in honor of Dr. David Belding, the godfather of marine biology in Massachusetts and it was presented to individuals to acknowledge their work in fisheries science and management. This year, DMF was presenting the award to Bill Adler. Bill was the longstanding Executive Director of the Massachusetts Lobsterman's Association and served for many years on the ASMFC and the MFAC.

Bill thanked David for the award. He provided a few words highlighting the difficulty of fisheries management given the need to balance conservation with the needs of the fishing industry and consumers. He thanked those currently serving on the MFAC for continuing the difficult work.

ITEMS FOR EMERGENCY RULE MAKING

Recreational Fishing Limits for 2017

For numerous reasons, setting recreational fishing limits for Gulf of Maine (GOM) cod and haddock, and summer flounder was delayed this year. Accordingly, to ensure limits were appropriately changed by the start of the season DMF had to file emergency regulations. David described the various proposals discussed in the memorandum and described in the tables below.

With regards to GOM cod and haddock, DMF was matching the federal rules. This simplifies enforcement, as much of the fishery for these species occurs in state-waters and by federal permit holders. However, DMF was deviating from matching the federal seasons for private anglers fishing in state-waters only. This was to accommodate reasonable access to the resource by private citizens. This was consistent with DMF's historic approach.

On fluke, the ASMFC was requiring all coastal states (except North Carolina) to reduce the bag limit by 1-fish and increase their minimum size by 1". David reiterated that the ASMFC rejected DMF's proposal to retain the 5-fish bag limit and he was currently weighing his options. However, it was likely that he would move forward the 4-fish bag limit.

Changes to MA GOM Cod Rules from FY16 to FY17				
Species/Mode	FY	Open Season	Bag Limit	Size Limit
GOM Cod For-Hire	2016	August 1 – Sept 30	1-fish	24"
	2017	Closed	No retention	N/A
GOM Cod Private Angler	2016	Jan 1 – Dec 31	1-fish	19"
	2017	Jan 1 – Dec 31	1-fish	19"

Changes to MA GOM Haddock Rules from FY16 to FY17				
Species/Mode	FY	Open Season	Bag Limit	Size Limit
GOM Haddock For-Hire	2016	Jan 1 – Feb 28 Apr 15 – Dec 31	15-fish	17"
	2017	Jan 1 – Feb 28 Apr 15 – Sept 16 Nov 1- Dec 31	12-fish	17"
GOM Haddock Private Angler	2016	Jan 1 – Dec 31	15-fish	17"
	2017	Jan 1 – Dec 31	12-fish	17"

Changes to MA Fluke Limits 2016 to 2017				
	FY	Open Season	Bag Limit	Size Limit
Fluke All modes	2016	May 22 – Sept 30	5-fish	16"
	2017	May 22 – Sept 30	4-fish	17"

Mike Pierdinock asked if there was a different bag limit for cod north and south of 42°00' latitude. Jared Silva explained that for groundfish, including cod, state-waters was split into two management areas. The GOM Management Area consists of all state-waters north of 42°00' latitude and also all waters within Cape Cod Bay south of the 42°00', including the Cape Cod Canal. Then all waters south of 42°00' that are east of Cape Cod and all waters that are south and west of Cape Cod are considered the Southern New England (SNE) Management Area. The changes being discussed would only apply to cod and haddock caught in the GOM Management Area. The limits for cod and haddock in the SNE Management Area would remain status quo.

Mike stressed his concerns regarding using MRIP data to set these limits.

Lou Williams stated that a 1" minimum size increase was a large minimum increase for a flounder. He explained his long standing issue with raising minimum sizes for conservation, as it forced more discarding and the harvest of larger and potentially more fecund fish.

On fluke, Ray Kane noted that the ASMFC proposal only achieved an approximate 30% reduction in harvest; the required harvest reduction was more than 40%. To this point, he asked what DMF's plan was if NMFS rejected the ASMFC's proposal. David was uncertain. He stated that this was further complicated by the late timing of any action by NMFS. Ray asked when David expected to hear from NMFS. David stated that he hoped NMFS would weigh in prior to the May ASMFC meeting.

Commercial Black Sea Bass Limits

With a 53% increase in the 2017 commercial black sea bass quota, DMF took public comment on potential adjustments to the commercial fishing limits. This straw-man proposal presented by DMF included only changes to the start date, increases to the weir set-aside and establishing a mobile gear allocation. Nearly all the comments received supported starting the season as early as possible. There was no support for establishing a mobile gear allocation and no objection to increasing the weir set aside. Additionally, there were a number of comments that supported adjusting the commercial fishing days and limits, which was outside of the scope of the straw-man proposal.

At this time, DMF was proposing to only pursue emergency regulations to increase the weir set-aside by 50% from 10,000 to 15,000 pounds and to move the season start date for net, trap and hook and line fishermen to July 9th. DMF was not proposing a mobile gear allocation due to the lack of support for it. DMF was also not proposing to adjust the open fishing days or trip limits because it was outside of the scope of the initial proposal. David would reconsider these options in 2018, subject to a more prolonged public comment period.

Sooky Sawyer asked if DMF was proposing to adjust the black sea bass pot allocation. Jared Silva stated that this was not a proposal. The pot limit would remain at 200 for 2017.

Commissioner Peterson asked DMF to clarify their position on adjusting the open commercial fishing days. Director Pierce stated that while there was comment in favor of changing the commercial fishing days (and trip limits) he was uncomfortable making these adjustments at this time. These types of changes were not included in the scoping document and changes to the sea bass fishing days may also require adjusting fishing days on other fisheries (e.g, striped bass). Such changes justified a more robust public comment. Accordingly, he favored seeing how the earlier season worked for participants and then consider additional changes for 2018. Ray Kane asked DMF being the rule making process early on to promptly accommodate potential adjustments to the fishing days and limits for 2018.

Mike Pierdinock noted the recreational fishery is sensitive to the commercial liberalizations given the issues facing recreational black sea bass management.

DISCUSSION ITEMS

Update on Fines and Penalties Proposal

Jared Silva stated that the Secretariat of Energy and Environmental Affairs requested that DFG/DMF develop a legislative strategy to move the fines and penalty proposal forward. This involved outlining what industry groups and legislators would support the proposal. As the MFAC unanimously supported the proposal and many members of the MFAC represent various industry groups, DMF was requesting that the industry groups provide letters of support to DMF or indicate they would support the proposal. Additionally, DMF staff was willing to provide a presentation on the proposal to any interested entities. DMF was already presenting to the Barnstable County League of Sportsmen and the Cape Cod Charter Boat Association.

Mike Pierdinock asked that Jared send an e-mail reminder to the MFAC.

Ray Kane asked what accounts marine fishery fines were paid to. Commissioner Peterson stated that by statute most marine fishery fines should be paid to the Environmental Police. However, the court system is ultimately responsible for coding how these payments are to be made and it appears that most fines may go to the general fund. The Administration was working to unwind this issue.

The Line of 1881

Jared Silva reviewed the memorandum provided to the MFAC on the state's long-standing seaward mobile gear closure boundary and the so-called "Line of 1881". This line was drawn in the late 19th century to establish municipal boundaries. It is currently not portrayed on NOAA charts and its coordinates are difficult to determine without an extensive review of the historical record. Accordingly, enforcing this boundary as part of the mobile gear closures was difficult and there were gear conflicts between mobile gear and fixed gear fishermen as a result of confusion as to where the line exists.

This issue was most problematic in Massachusetts Bay, from Boston Harbor north to Gloucester. To address this issue, Jared used the current municipal marine boundaries as a proxy for the Line of 1881 and depicted this line (and its coordinates) on a chart of Massachusetts Bay. DMF was intending to issue this chart to all mobile gear permit holders to ensure they were aware of the location of the line. Additionally, DMF was going to adopt this line as permit conditions to make the existing mobile gear closures more enforceable.

Jared added that he was also in the process of researching and mapping the location of the 1881 Line across the state. This would allow DMF to amend its regulations to eliminate references to this line and replace the line with coordinates. This was a long term project and was expected to be completed for 2018.

Lou Williams stated that the proxy provided by Jared seemed to match up with his understanding of where the Line of 1881 was located. He noted that this line had become an issue on the North Shore because of the presence of scallops off Nahant and draggers fishing for grey sole off Gloucester.

Lou also advocated that DMF consider allowing mobile gear fishing off the North Shore during the winter months. This would allow them to target the occasional abundance of seas scallops in the area. Lou added that gear conflicts will likely be minimal. Fixed gear fisheries were not particularly active during the winter months with the groundfish closures affecting the gillnet fishery and limited seasonal lobster fishing effort.

Director Pierce stated that his primary objective was to better describe the mobile gear closure boundaries. However, he was open to analyzing Lou's suggestion (and other adjustments to mobile gear closure boundaries) as part of a subsequent regulatory change.

Sooky Sawyer stated that with more scallop and groundfish activity in state-waters there were substantial gear conflicts between the mobile gear fleet and the fixed gear fleet. He supported DMF's efforts to define the mobile gear closure boundaries and argued that this should be done as quickly as possible.

Ray asked Jared to confirm his expected timelines. Jared stated that following the MFAC meeting he would immediately issue permit conditions to the mobile gear fleet to clarify the seaward boundary of the mobile gear closures in Massachusetts Bay. Then a full regulatory change should be completed for 2018.

OTHER ISSUES AND COMMISSIONER'S COMMENTS

Bill Doyle raised concerns regarding commercial vessels (e.g., whale watch boats) pumping out within the state's No Discharge Areas (NDA's). He argued that this negatively impacts water quality and may result in inshore shellfish closures, which would be to the detriment of the aquaculture industry on the South Shore. He did not believe NDAs were being adequately enforced and was curious if state law at G.L. c. 130 s. 25 granted DMF the authority to address this. Commissioner Peterson stated that they would review this legal question with the Department's Counsel.

Bill then asked about the ability of a municipality to charge user fees for persons to utilize properties built with state funding and if chargers were capped. Commissioner Peterson stated that he would look into this question for Bill.

Mike Pierdinock reviewed his experience at a recent recreational fisheries roundtable meeting with NMFS. At this meeting Mike expressed concerns about MRIP data. Specifically that the data being used in management may have a very high percent standard error and certain states were not adequately investing in their sampling programs to decrease these margins of error. At the end of the meeting, NMFS asked what the most important issue was for recreational fishermen, the most common refrain

was access to the resource. Many for-hire operators thought they would be driven out of business in less than 10-years.

Mike then mentioned that he now serves on the International Commission for the Conservation of Atlantic Tunas. He was concerned that US fishermen were sacrificing quota as a result of more stringent bycatch regulations. Accordingly, he was supporting measures that hold other member states to similar standards.

Ray Kane stated that the South Shore Lobsterman's Association was making a proposal to the Atlantic Large Whale Take Reduction Team to open up certain areas of western Cape Cod Bay and Stellwagen Back to trap fishing during the three month closure period (February – April). In turn, these fishermen were willing to adopt a year-round buoy line breaking strength modification designed to reduce the impacts of potential whale entanglements. This proposal was based on work done cooperatively with the New England Aquarium. He asked if DMF and the MLA were supporting this proposal.

Sooky Sawyer stated that MLA was concerned that the proposed gear modifications would be required not just of the fishermen fishing in these exempted areas but of all lobstermen throughout the state. MLA was also interested in whether the New England Aquarium would formally support this proposal. As MLA President, he stated that he had the unenviable task of trying to keep the state's lobster fishery unified when whale management was seemingly pitting one group against another.

COMMENTS FROM PUBLIC

John Verissimo submitted several petitions to DMF over the winter regarding the surf clam fishery. He claimed that DMF had not moved forward any of these proposals. Jared Silva stated that DMF had reviewed the petitions and had met with John to discuss them. The shellfish program was also working on developing and implementing a surf clam survey for the north shore. Additionally, a meeting would be scheduled for early-to-mid May to discuss access issues, which John's petitions focused on. DMF would notify John of the meeting date once it was scheduled.

John was concerned that progress on these issues was being tied up due to concerns about gear conflicts with the mobile gear fleet. He explained how he thought these issues could be addressed. Ray Kane suggested John meet with MLA to discuss this. Sooky noted that MLA had discussed seasonal surf clam dredge access to Ipswich Bay with DMF. Jared stated that DMF had provided the MFAC with a memorandum on this at a past meeting. The memorandum explained that DMF was planning to conduct the surf clam survey along the north shore in 2017. If there was a commercially viable abundance of surf clams in the area, DMF would then meet with stakeholders (including MLA and local shellfish constables) to discuss potentially allowing access to these areas.

Kevin Slattery, Eric Morrow and Keith Baker raised their concerns regarding the 2017 recreational black sea bass limits. They explained that status quo regulations would likely result in them leaving the fishery. The nature of their business is that they have to attract anglers from out-of-state. Many are not willing to travel for low bag limits, like the current 5-fish limit, particularly when states closer to home have more liberal rules. They argued that the current management system favored the Mid-Atlantic, particularly New York, at the expense of Massachusetts. Moreover, the timing of the annual rule adjustments during the spring negatively impacted their ability to schedule trips. They strongly advocated for DMF taking whatever steps necessary, including non-compliance with federal mandates, to increase the bag limit and extend the season.

Commissioner Peterson agreed that the management system was disadvantageous to Massachusetts fishermen. He noted that the state was considering all options.

Director Pierce noted that these opinions were heard and understood by DMF. He was working through the ASMFC to improve the management system and create greater equity in rules across the states. He was hopeful that this would improve the management system for Massachusetts fishermen moving forward.

No further comments were made. **Kalil Boghdan made a motion to adjourn to April 10, 2017 MFAC business meeting. Lou Williams seconded the motion. The meeting was adjourned.**

Meeting Documents

- April 10, 2017 MFAC Business Meeting Agenda
- March 9, 2017 MFAC Draft Business Meeting Minutes
- Memorandum on Emergency Regulations to Implement 2017 Recreational Fishing Limits for Fluke, Gulf of Maine Cod and Gulf of Maine Haddock
- Memorandum on Emergency Regulations to Adjust 2017 Commercial Black Sea Bass Limits
- Memorandum on the Line of 1881

Next Meetings

May 4, 2017
DFW Field Headquarters
1 Rabbit Hill Road
Westborough, MA

June 15, 2017
DFW Field Headquarters
1 Rabbit Hill Road
Westborough, MA