

MARINE FISHERIES ADVISORY COMMISSION

June 15, 2017

DFW Field Headquarters

Westborough, MA

In attendance:

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

Division of Marine Fisheries: David Pierce, Director; Daniel McKiernan, Deputy Director; Michael Armstrong, Assistant Director; Kevin Creighton, CFO; Kathryn Ford; Nichola Meserve; Jared Silva; Story Reed; and Melanie Griffin.

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

INTRODUCTIONS AND ANNOUNCEMENTS

Chairman Kane calls the meeting to order. Director David Pierce introduced Lilly McGrath. Lilly is currently a student at Boston College and was serving as Seafood Marketing Program intern. David also welcomed Nichola Meserve back from maternity leave.

APPROVAL OF JUNE 15, 2017 MFAC BUSINESS MEETING AGENDA

There were no comments. **The June 15, 2017 MFAC business meeting agenda was approved unanimously.**

REVIEW AND APPROVAL OF THE MAY 4, 2017 MFAC DRAFT BUSINESS MEETING MINUTES

Kalil Boghdan corrected a typographical error regarding the adjournment of the May meeting. No further comments were made. **A motion was made by Charles Quinn to adopt the May business meeting minutes as amended. The motion was seconded by Michael Pierdinock. The minutes were unanimously approved.**

COMMISSIONER'S COMMENTS

Deputy Commissioner Mary-Lee King handled the Commissioner's comments. Her comments focused on the state budget.

DIRECTOR'S COMMENTS

Director David Pierce thanked the Department of Fish and Game for their work to ensure DMF and other important fisheries related projects remained well funded. The Director then discussed a series of fisheries related issues.

David stated that the state-waters small mesh trawl squid fishery closed on June 9th. He did not extend the season, like in past years, because the available sea sampling data demonstrated that catch rates were low. Also regarding the squid trawl fishery, the Mid-Atlantic Fisheries Management Council (MAFMC) approved the Squid Capacity Amendment. The final amendment reduced latent moratorium permits; limited access to the incidental permit; and reduced the Trimester 2 trip limit once the quota was taken. He expected that despite these changes certain stakeholders would continue to urge fisheries managers to implement seasonal closed areas, particularly south of Nantucket.

Andrew Walsh supported the Director's decision to not extend the state-waters squid fishery. He also expressed some concerns regarding the MAFMC's squid capacity amendment, particularly as it related to limiting access to the incidental permit. Andrew expected this would negatively impact a number of Massachusetts fishermen, as it forces them to either drop the federal permit and participate only in the state-waters fishery or keep the federal permit and be subject to a constraining 2,500 pound trip limit.

Andrew went on and stated that with high overhead, fluke quota cuts, changes to state and federal squid management and existing quota management regulations the trawl fishery in Massachusetts' southern waters was becoming unprofitable. This was problematic as it was a highly important source of income, particularly for those who lost access to groundfish. Accordingly, he requested that DMF conduct a comprehensive evaluation of the trawl fishery in Massachusetts' southern waters to determine what options existed to increase profitability. Director Pierce indicated that he would meet privately with interested members of the MFAC as a first step.

The Director continued his comments. NMFS was delayed in implementing their recreational Gulf of Maine cod and haddock limits for 2017. DMF submitted comments to NMFS on these limits. The comments focused on adopting the closed haddock season proposed by the New England Fishery Management Council (NEFMC) and not the closure that was later proposed by NMFS.

Mike Pierdinock was very concerned that this delay would produce a higher than anticipated haddock harvest (and cod bycatch) and would negatively impact 2018 limits. He also strongly objected to NMFS alternative haddock closure proposal. Mike thanked DMF for submitting these written comments. He cited a technical argument that DMF used in the comments regarding percent standard error when making a motion at the Recreational Advisory Panel regarding the use of MRIP data in estimating harvest.

David stated that the ASMFC's Management and Policy Board held a conference call to discuss New Jersey's decision to implement recreational fluke regulations that did not comply with ASMFC mandates. The ASMFC ruled that New Jersey was out-of-compliance and sent a non-compliance finding to NMFS. This finding was now subject to review by NMFS and the US Secretary of Commerce.

Chairman Ray Kane asked if there had been any further discussions regarding the proposed Wave 1 recreational black sea bass pilot program. David stated the ASMFC had not discussed this further. However, he thought it had some support from NMFS based on conversations he had with Mike Pentnoy; David advocated to Mr. Pentnoy that NMFS should not support the program.

Mike Pierdinock stated his strong interest in dovetailing the current for-hire EVTR program with a Wave 5 exempted black sea bass recreational fishery in Massachusetts. He suggested that data provided by this fishery could be useful in arguing for management changes related to the impacts of climate changes on species distribution. Mike also supported a similar exempted fishery for cod and haddock on Stellwagen Bank.

The last recreational fisheries issue the Director discussed was the development of artificial fishing reefs. He noted that he just met with the Cape Cod Charter Boat Association, which supported the development of additional reefs, particularly in Cape Cod Bay. He noted that DMF was favorably disposed to pursuing additional reef development.

Ray stated that Nantucket fishermen had a longstanding interest in developing a reef on the north side of the island. Mike Armstrong was aware of this interest, but DMF had not received a formal request. Ray asked how these constituents should submit a request. The Director stated that they should submit a letter describing the proposed project and request DMF pursue it.

Ray then asked how to find the coordinates to the Harwich reef. Jared Silva stated that they could be found by on the Town of Harwich's [website](#) and on DMF's [website](#) and DMF's [regulations](#).

Mike Pierdinock noted that Florida had a strong private-public partnership on reef development that could serve as a model in Massachusetts.

The Director moved on to discuss recent and upcoming meetings. DMF's Shellfish Advisory Panel met the week prior and the Recreational Development Panel was scheduled to meet the following week. A full NEFMC meeting was scheduled for the end of June. US Congressman Keating was holding meetings in New Bedford to focus on improving stock assessment science. The MFI Executive Board met and established important areas for collaboration and partnership. The MFI would also host a ribbon cutting ceremony at the new SMAST facility later in the year. Lastly, the ASMFC's Sea Herring Section met to establish management measures for Area 1A (inshore GOM).

ACTION ITEMS

Recreational Black Sea Bass and Fluke Limits

David reviewed DMF's recommendation memo. The proposed limits, described in the tables below, were enacted by emergency regulation in May 2017. DMF was now

looking to adopt these limits as final regulations with no changes. No comments were received during the public comment period and public hearing.

2017 Recreational Fluke Limits Compared to 2016

	2016 Rules	Emergency Rules	Final Rules
Season	May 22 – Sept. 24	May 22 – Sept. 24	May 22 – Sept. 24
Bag Limit	5-fish	4-fish	4-fish
Minimum Size	16”	17”	17”

2017 Recreational Black Sea Bass Limits Compared to 2016

	2016 Rules	Emergency Rules	Final Rules
Season	May 21 – Aug 31	May 20 – Aug 29	May 20 – Aug 29
Bag Limit	5-fish	5-fish	5-fish
Minimum Size	15”	15”	15”

Mike Pierdinock expressed his disappointment with these limits and highlighted the negative impacts he anticipated for the charter boat fleet. He reiterated his interest in DMF pursuing an exempted Wave 5 black sea bass fishery for EVTR program participants.

Director Pierce stated that he shared Mike’s disappointment. DMF was working within the structure of ASMFC to improve the management system in order to create greater equity across states and implement rule changes in a more timely manner. He was interested in further discussing an exempted fishery with Mike and staff.

Chairman Kane requested the MFAC make a motion on the Director’s recommendation before further comments were made.

Bill Doyle made a motion to adopt the Director’s recommendation as provided. The motion was seconded by Kalil Boghdan. The Chairman opened the item up for discussion.

Chairman Kane stated the MAFMC was considering developing a fishing mortality (F) based management system for the recreational fluke fishery. He was interested if similar considerations were being given to the recreational black sea bass fishery.

Deputy Director McKiernan and Nichola Meserve explained F-based recreational management may be difficult for species managed federally under the Magnuson-Stevens Act (MSA). This was principally due to MSA requiring annual catch limits and accountability measures. They were interested to see how this F-based management system for fluke would work within these constraints. If successful, it would open the door for potentially adjusting how the recreational black sea bass fishery is managed.

Kalil Boghdan asked for clarity on the ratio of private anglers to for-hire anglers in the recreational black sea bass fishery. Mike Armstrong stated that MRIP data demonstrated the private mode accounted for about 80% of the state’s harvest in 2016.

Mike Pierdinock provided an anecdote that weekend fishing activity was dominated by the private angler mode and weekday fishing activity was dominated by the for-hire mode.

Mike Pierdinock asked what discard mortality rate was used for black sea bass. Nichola stated it was 15%.

Mike Armstrong asked Mike Pierdinock to describe the type of recreational black sea bass fishing limits that would accommodate the for-hire fleet. Mike Pierdinock stated that the two biggest requests were for DMF to extend the fishery into the fall and increase the bag limit. He noted that an exempted Wave 5 exempted EVTR fishery would begin to address some of these issues.

Dan McKiernan noted that one of the proposals the ASMFC could consider, would be regional management with one set of rules across the region. This could address discrepancies in bag limits and season lengths. The issue with this type of approach is that states would then have to negotiate when there would be access to this fishery, as it occurs at different times in different places as the fish seasonally migrate along the coast.

Regarding an exempted Wave 5 EVTR fishery, Dan cautioned that resident private anglers have strongly objected in the past to disparate rules that provide the for-hire fishery with additional or differing access to fisheries resources. They make the strong argument that as tax payers they should have equitable access to this resource and it should not be allocated to a small number of businesses in order to take out clients (often non-MA residents) at a fee.

Kalil then asked about migration and spawning. Dan stated that spawning principally occurs during the late-spring in the shallow waters of Buzzards Bay, Vineyard Sound and Nantucket Sound. As the water warms in the summer, the fish move offshore and then later migrate out to the continental shelf during the winter.

No further comments were made. The Chairman called the motion to a vote. **The motion was approved unanimously.**

Commercial Black Sea Bass Limits

Jared Silva reminded the MFAC that in late-February 2017 DMF learned that the annual commercial black sea bass quota was increased by 53%. In response, DMF held a public scoping meeting in late-March to solicit ideas on how to increase access to the quota for 2017. The comments received were varied, but there was near unanimous support for opening the fishery earlier in summer (post-spawning). Based on the comments received and the timing of this quota increase, DMF decided to enact emergency regulations that would open the fishery in early July (rather than the first Tuesday of August) and increase the weir set aside commensurate with the quota increase (from 10,000 lbs to 15,000 lbs). Other potential changes (e.g., trip limits, trawl

set aside, and open fishing days) would be analyzed in late 2017 for potential implementation in 2018.

Only one public comment was received during the hearing and comment period. It was from a pot fisherman who objected to an earlier start date as he fished for lobster during July. This was contrary to much of the public comment received during the public scoping meeting.

DMF was recommending that the emergency regulation be adopted as a final regulation, without any changes.

Bill Doyle made a motion to accept the Director's recommendation. Charlie Quinn seconded the motion. The Chairman opened up the item for discussion.

Mike Pierdinock asked if DMF had considered the public comment before making its final recommendation. Jared indicated that DMF had, but it ran counter the strong support for an earlier start date during the public scoping period. Accordingly, DMF was not going to change the season start date based on this single comment.

No further comment was made. The Chairman called the motion to a vote. **The motion was approved unanimously.**

Ray asked about the weir fishery's performance so far in 2017. Jared Silva stated that the fishery was active and they benefited from the increase to the set-aside.

PRESENTATION

Offshore Wind Energy Development

DMF Habitat Project leader Kathryn Ford provided the MFAC with a presentation regarding offshore wind energy development. At the completion of the presentation, she took questions from the MFAC.

Chairman Kane asked about the fate of the revenue from the bids for wind energy areas (WEA). Kathryn believed these monies were deposited in the federal general fund.

Ray then followed up and asked about the status of the Cape Wind project. Kathryn stated that DMF was very engaged with the Cape Wind project early on when it appeared that the area was going to be developed. However, at this point a power purchase agreement was not in place resulting in development being stalled. Kathryn added that more information would be available in July when power purchase agreements are put up for auction. However, she did not believe that Cape Wind was in a position to pull together the necessary funding.

Ray asked what the process would be if Cape Wind was able to obtain the funding for a power purchase agreement. Kathryn stated that the Bureau of Energy Management (BOEM) would have to review the Environmental Impact Statement (EIS) and permit the

project. At this point they would have two years to develop a construction plan and conduct a public process. If they do not implement a plan during this two-year period they would lose their lease.

David noted that the state (both DMF and CZM) had commented on other WEAs. The comments focused on a lack of adequate survey information, improving description of impacts and remaining engaged with fishing industry participants.

Mike Pierdinock was concerned that BOEM seemed unaware about recreational fishermen utilizing certain offshore areas where WEAs were being proposed. Areas like “the claw”, “the fingers” and “the dump” are popular areas for the offshore recreational fishing fleet. Wind farms in or near these areas may impact the migration of these species and other migratory animals (e.g., whales, turtles). Additionally, fishing access may be limited if buffer zones are implemented. Moreover, they presented potential navigation and insurance issues for fishermen.

Kathryn noted that some of these areas were selected by BOEM as potential WEAs because little was known about them. Once they are selected as potential sites, surveys are conducted. As a result, they are finding that many of these areas are more productive than they originally thought. Kathryn noted that there was a need for higher resolution survey work to better assess navigational and fisheries management issues. While WEAs are broad areas, impact analysis will influence where within the WEA the turbines would be cited and how they are constructed.

Dan McKiernan expressed concerns regarding how potential pay-outs to fishermen may favor one entity over another, as they had in the past with oil and gas development projects. Kathryn stated that BOEM had the authority to provide compensation for oil and gas development. However, under the current law, they did not have the authority to provide similar funding for renewable energy development.

Sooky Sawyer stated that these WEAs would not exist if they were instead being used for fossil fuel extraction. Kathryn stated that the Trump Administration was interested in oil and gas extraction in the Northwest Atlantic. So, there may be increasing exploration off Georges Bank in the near future and these projects may also impact the fishing industry.

Andrew Walsh asked about the development of security buffers around wind farms. Kathryn stated that the USCG was responsible for developing navigational rules and security buffers. The USCG would conduct a navigation and safety assessment (outside of EIS process). She expected the largest buffers would occur during construction. However, once construction was complete the USCG indicated the security buffers would be lifted.

Andrew noted that buffers still exist around offshore oil and gas platforms. She noted that this was because of equipment under the platform; with wind power, the structure is a mono-pole with a jacketed foundation, so there is no reason to limit access. Kathryn

added that there are other mechanisms that may result in area closures and the BOEM needed to be clearer about what scenarios may result in such an action.

DICSUSSION ITEMS

Net Strengthener Rule

Jared Silva covered this discussion item. Dating back to the 1990s, DMF managed the trawl fishery with net mesh minimum size (6.5" in the codend and 6" throughout). To ensure compliance with the minimum net mesh, DMF also prohibited the use of any device that may obstruct the net meshes or reduce their effective size. DMF exempted certain trawl fisheries from this minimum net mesh size, including the state-waters squid fishery.

In 2016, DMF received a petition from the Town of Nantucket regarding the use of mobile gear in Nantucket waters and in the state small mesh trawl squid fishery. Among other things, this petition sought DMF develop a minimum net mesh size for the state-waters squid fishery that was at least as restrictive as the 1 7/8" federal minimum net mesh size. While DMF did not move forward other aspects of Nantucket's petition, this minimum net mesh size was adopted.

Since being implemented in April 2017, the 1 7/8" minimum net regulation has created some confusion. Certain stakeholders concluded that the long-standing prohibition on devices that obstructed mesh sizes now applied to not only large mesh fisheries, including the small mesh squid fishery. Therefore, the state had prohibited the use of net strengtheners in the squid fishery.

DMF's intention in adopting a 1 7/8" minimum net mesh size in the squid fishery was not to also prohibit the use of net strengtheners. In fact, DMF opposed this aspect of Nantucket's petition due to the detrimental impact it would have on the squid trawl fishery. To limit future confusion, DMF was recommending going to public hearing with a rule change that would clarify that net strengtheners were not prohibited in the squid fishery.

Andrew Walsh suggested that DMF consult federal regulations, as these rules currently authorize the use of net strengtheners.

Surf Clam Dredge and Bar Spacing Rule

Jared Silva stated that in the past DMF had received requests from certain surf clam fishery participants to enact a rule that would establish a 2" minimum bar spacing requirement. The intended purpose of this rule would be to reduce the catch of undersized surf clams and other non-target species (e.g., bay quahogs). DMF had been hesitant to adopt such a rule, as there was no scientific literature to support that this would improve size selectivity. However, it was recommended again at the recent Shellfish Advisory Panel (SAP) meeting. With support of the SAP, DMF was

recommending taking public comment on a regulation to establish 2" minimum bar spacing on surf clam dredges.

Andrew Walsh was curious if this proposed gear modification was a harbinger for ending minimum size management. He stated that it was difficult to sort clams in this high volume fishery and thought it may be appropriate for DMF to consider alternatives to minimum size management.

Dan McKiernan stated that DMF had not considered moving away from minimum size management. However, there were substantial minimum size violations in 2017 and industry members suggested that this gear modification may result in improved selectivity and therefore improved compliance.

Andrew then asked if DMF was still intending to hold a surf clam management meeting to discuss fishery access issues raised in recent petitions.

Dan stated that the meeting had not yet been scheduled. The purpose of the meeting would be to discuss access, habitat and gear conflict issues. Dan noted that Andrew would be invited to the meeting once a date was chosen.

Dan stated that he had heard similar comments from the Friends of Ellisville Harbor. DMF believed these dredge vessels were fishing in highly dynamic sand environments. However, the agency was keenly interested in keeping these dredge boats out of eel grass beds. There were also reported gear conflicts between these dredge vessels and lower Cape Cod Bay lobstermen.

Sooky Sawyer stated that lobstermen reported dredge boats fishing right outside the Canal and raised concerns about potential gear conflicts and habitat impacts.

Review of ASMFC Meeting *Climate Change Workshop*

Dr. Mike Armstrong remarked on the Climate Change Workshop. The ASMFC was preparing a white paper, which focused on changes in species distribution and productivity driven by climate change. The Policy Board would review this paper at an upcoming meeting and then task management boards with determining how to include this analysis into management plans. This could potentially result in future adjustments to state allocations for certain species. However, Mike did not anticipate that this would occur quickly and he expected it would be politically difficult to achieve.

Lobster

Dan McKiernan stated that the Lobster Management Board agreed to a 5% increase in egg production for the Southern New England (SNE) lobster stock. How this would be achieved would be determined by the Lobster Conservation Management Teams and implemented at a later date. One problem in managing the SNE fishery was that it had become a lobster and crab fishery. So any restrictions affecting the lobster trap fishing effort also impacted the cancer crab fishery.

Dan added that DMF Senior Biologist Robert Glenn received an award of excellence from the ASMFC for his work on stock assessments.

Striped Bass

Lastly, Director Pierce noted that a motion supported by the Chesapeake Bay states to marginally increase striped bass fishing mortality was not approved to move forward. DMF had objected to this proposal to increase fishing mortality, as the difference between estimated mortality and the fishing mortality threshold was too small to be realized and could be considered statistical noise.

Tautog

Deputy Director McKiernan stated that the ASMFC was scheduled to hold public hearings on a Draft Amendment 1 to the Tautog FMP. A hearing was scheduled for June 21 at MA Maritime Academy. The amendment proposed the implementation a regional management scheme and a coast-wide commercial tagging program.

The proposed regional management scheme would result in MA and RI forming one of several regions. Within the MA/RI region additional conservation would not be needed and the states would retain their commercial quotas and quota management regulations. However, there would be an opportunity to develop common recreational fishing limits between the states.

Dan supported developing common rules. However, he was concerned about proposed limits described in the amendment. These proposed limits would establish a summertime closure. While tautog are more difficult to catch during the summer, recreational harvest still occurs, often incidentally when fishing for other species. Accordingly, he was uncomfortable with closing the recreational fishery entirely during this peak recreational fishing period, as it may result in unintentional non-compliance. DMF was working with RI to find an alternative that would accommodate a nominal bag limit during the summer, while still providing ample spring and fall fishing opportunities.

Mike Pierdinock agreed with Dan's desire to see the fishery remain open during the summer. However, he noted his desire to also see a higher bag limit in the fall. Mike also supported having the same rules as RI. He believed that RI's higher fall bag limit provided their charter fleet with a competitive advantage over MA vessels. Common rules would even the regulatory landscape.

With regards to the tagging program, Dan stated it was being pursued to curb tautog poaching. The tagging would likely occur at point of harvest. Dan anticipated that administering a point of harvest tagging program with tautog should not be difficult given the size of the quota and number of participants. However, DMF felt it necessary to enact a control date prior to the start of the 2017 season. This could potentially be helpful in the future administration of the tagging program by limiting participations. It may also prevent an influx in new fishing activity this year in anticipation of future restrictions to access resulting from this Amendment.

Andrew Walsh stated that with the tautog season being moved to September, draggers no longer retained and landed tautog as bycatch in the spring and summer Nantucket Sound trawl fisheries. He was concerned that a control date and limited entry scheme may limit draggers from accessing this resource in the future.

Dan agreed to in principal, but noted this speculative loss of access would be due to a subsequent action to utilize the control date and not the implementation of the control date. In fact, depending on how the control date is utilized, certain draggers may have access to the fishery because it was inclusive of years when they had opportunities to retain and land tautog as bycatch. If DMF were to utilize the control date in the future, input from the MFAC would be sought on how best to utilize it.

Transfer of Limited Entry Permit Endorsements for Rod and Reel Fishermen

Dan McKiernan stated that DMF received a request from a rod and reel fisherman to allow the transfer of limited entry fluke and black sea bass permits among commercial anglers. Pursuant to DMF policy, these permits were currently considered non-transferable among rod and reel fishermen. Dan stated that DMF favored this proposal under two conditions: (1) the permit met at least moderate actively fished thresholds because they were quota managed species; and (2) the permit be transferred as a bundle and not split off.

Andrew Walsh and Ray Kane supported this initiative.

Lou Williams agreed with this initiative. However, he also expressed his desire to see DMF end the moratorium on the transfer of gillnet permits or explain why gillnet permits may not be transferred. Lou stated that there was a belief among fishermen that DMF had a long standing desire to end the state-waters gillnet fishery, but that the agency refused to be direct in its intentions to do so and instead opted to wait it out until the active gillnet fleet retired.

Kalil Boghdan asked about the state of the state-waters gillnet fishery. Lou stated it was an aging fleet and many participants turning more to the lobster fishery because limits and closures have made it difficult to make ends meet as a full-time gillnetter. He did not expect there would be much of a demand for the permit given, but it could help add a little value to permit portfolios and diversify the permit portfolios of younger fishermen.

Andrew Walsh supported Lou's position. Bill Doyle added that he would like to see DMF adopt a single standard for the transfer of all permits.

Dan stated that the fluke and black sea bass permits were non-transferable under an agency policy. DMF could simply end these transfer moratoriums simply by deleting these existing policies and implementing new transfer policies. The gillnet permit transfer moratorium was implemented by regulation. So, it would require a rule change and public hearings. For the sake of addressing the request at hand, Dan suggested that the transfer of fluke and black sea bass permits be dealt with separately from Lou's request.

Director Pierce agreed with Dan. He stated that he would move forward potential policy changes to end the moratorium on the transfer of actively fished fluke and black sea bass permits for rod and reel fishermen. David also committed to reviewing the gillnet permit moratorium. He stated that he would provide the MFAC with a formal agency position on this issue at a future meeting.

Whelk

Dan McKiernan stated that DMF had received a feedback from Martha's Vineyard fishermen stating that the new whelk gauging rules have produced a 30-60% loss of harvest. DMF had projected an approximate 10% reduction in harvest and was very confident in this analysis. Dan suggested that the loss seen by these island fishermen may have been a result of improper use of the gauge in the past or the product of a stock collapse. However, to address these concerns, DMF will be sending sea samplers over to the island to work with the fishermen to better understand their loss of harvest in 2017.

Chairman Ray Kane thanked DMF for promptly addressing this issue. He asked when the results of this sampling work could be analyzed and made available. Dan expected preliminary results would be available by the end of the summer.

Sooky Sawyer stated that he had received calls to this effect. He felt some of the complaints coming from island fishermen were exaggerated. Among fishermen he spoke with, one of the biggest concerns remained consistent enforcement of the minimum size.

Dan expected that minimum size enforcement should improve with the new gauging technique. DMF had also put together a YouTube video demonstrating how the gauge should be used and advisories were issued to the fleet.

Sooky and Ray noted there was some speculation that certain MA fishermen were selling undersized product to out of state dealers and then that product was being legally sold back to MA dealers as product of that state. Dan suggested that any intelligence should be forwarded to Law Enforcement and expressed his concern about the long-standing lack of conservation ethic in this fishery.

OTHER ISSUES AND COMMISSIONER'S COMMENTS

Ray Kane noted that MFAC members should submit reimbursement forms to the Jared Silva for their travel by the end of June for Fiscal Year 2017. This could include reimbursement for all meetings attended dating back to July 1, 2016.

Charles Quinn stated that Ron Smallowicz and Kevin Stokesbury were conducting survey work on the Gulf of Maine sea scallop resource. He was optimistic that this work would improve the understanding of this resource.

Mike Pierdinock asked about the timing of the next MFAC meeting. Jared Silva stated that he would have a schedule of meetings for the second half of the year pinned down by early July.

Sooky Sawyer asked if DMF could develop a fillable electronic gear conflict report form. Story Reed indicated that this could be done in the near future.

Andre Walsh stated that DMF has a 20 tote sea scallop limit in state-waters. This applies to any federally permitted vessel that is not transiting. One of the intentions of this rule was to address a loophole about shucking. However, some federally permitted vessels may come into state-waters in compliance with the federal limit but not the state limit to ride out a storm. Andrew asked if DMF could look into allowing this activity.

David stated that he would have staff review the request and he would provide the analysis to the MFAC at a future meeting.

COMMENTS FROM PUBLIC

There were no comments from the public.

No further comments were made. **Kalil Boghdan made a motion to adjourn the June 15, 2017 MFAC business meeting. Bill Doyle seconded the motion. The meeting was adjourned.**

Meeting Documents

- June 15, 2017 MFAC Business Meeting Agenda
- May 4, 2017 MFAC Draft Business Meeting Minutes
- Recommendation on Commercial Black Sea Bass Limits
- Recommendation on Recreational Black Sea Bass and Fluke Limits
- Memo on the Use of Net Strengtheners in the Squid Fishery
- Memo on Bar Spacing in the Surf Clam Dredge Fishery
- Memo on the ASMFC Tautog Amendment
- Letter from Martha's Vineyard Fisherman's Preservation Trust to DMF Regarding New Whelk Gauging Method
- DMF's Public Comment to MAFMC on Squid Capacity Amendment
- DMF's Public Comment to NMFS on Recreational Gulf of Maine Cod and Haddock Limits

Next Meetings

October 3, 2017

November 2, 2017

**DFW Field Headquarters
1 Rabbit Hill Road, Westborough**

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**December 14, 2017
DFW Field Headquarters
1 Rabbit Hill Road, Westborough**