



MA Marine Fisheries Advisory Commission

March 14, 2019 Meeting Summary

This document serves as a brief summary of the March 14, 2019 Marine Fisheries Advisory Commission (MFAC) business meeting. Further details are available in the supplemental meeting materials and MFAC business meeting minutes.

Action Items

Suspending the April 2019 Commercial Groundfish Closure in Massachusetts Bay

DMF's recommendation to suspend the April state-waters commercial groundfish closure in Massachusetts Bay (between 42°00' north latitude and 42°30' north latitude that are west of 70°30' west longitude) was approved by the MFAC. This closure was recently implemented to constrain the state-waters groundfish fishery to its federally allocated state-waters set-asides for multi-species groundfish stocks and to ensure the state-waters fishery did not undermine federal conservation management objectives. However, the Director was given discretion to annually suspend the closure if landings data demonstrated these objectives would not be compromised.

For Fishing Year 2018, DMF anticipated that the state-waters fishery would not take the set-aside for Gulf of Maine cod, and while the state-waters fishery had already harvested more than the set-aside for Gulf of Maine winter flounder there was sufficient underutilization of the federal quota to buffer against an overage of the annual catch limit. Based on these data, DMF recommended and the MFAC approved suspending this closure for April 2019.

Striped Bass Conservation and Release Mortality Reduction

The MFAC approved two DMF recommendations to reduce release mortality and enhance striped bass conservation. The first measure will prohibit the gaffing of any undersized striped bass by any commercial or recreational angler. The second measure, effective in 2020, will mandate the use of circle hooks by private (not for-hire) recreational anglers fishing with whole or cut live baits that are not attached to an artificial lure (e.g., tube and worm) or weighted treble hook (e.g., snag and drop). The most recent stock assessment for striped bass demonstrates that the stock is overfished and is experiencing overfishing. While the ASMFC is expected to develop and implement coast-wide conservation measures this year, DMF recommended that additional conservation measures should be immediately implemented to address release mortality. The stock assessment shows that release mortality, specifically recreational release mortality, is now the primary source of fishing mortality in this fishery.

Commercial Striped Bass Management

The MFAC approved DMF's recommendation to allow the year-round importation of whole non-conforming sized striped bass lawfully caught and properly tagged in other jurisdictions. Since 2012, the ASMFC has mandated a coast-wide commercial striped bass tagging program that is the gold standard in accountability and addressing poaching. Accordingly, a remnant rule prohibiting the importation of non-conforming striped bass during MA's commercial striped bass season provides nominal enforcement and conservation benefits while impeding commerce. For these reasons, DMF sought to liberalize commerce to allow the year-round importation of whole non-conforming sized striped bass lawfully

caught and properly tagged in other jurisdictions. Some members of the MFAC reiterated market concerns cited by commercial fishermen at public hearings and in public comment. DMF did not share these concerns noting the seasonality of the fishery, that fillets from non-conforming fish may already enter commerce, and that this out-of-state product competes with aquaculture raised hybrid bass rather than MA wild-caught striped bass.

Based on public comment, DMF did not move forward any recommendation to change the commercial striped bass season start date or open fishing days. DMF may reconsider management for 2020 and beyond in response to a potential reduction in the state's quota in response to the most recent stock assessment.

Commercial Bycatch Limits for Scup

The MFAC approved DMF's recommendation to allow small mesh trawlers (<5" diamond mesh) to possess and land up to 2,000 pounds of scup taken during the period of April 15–June 15. This is consistent with recent actions taken by the MAFMC and ASMFC to adjust federal and interstate scup management. DMF and RI DEM advocated for these changes in order to reduce regulatory discarding in the springtime inshore small mesh squid fishery and better utilize the available scup quotas.

Regulatory Housekeeping Items

The MFAC approved four minor regulatory housekeeping recommendations provided by DMF. These amendments tighten up rules regarding the initial sale of fish by commercial fishermen to a primary buyer (required); commercial fishing on for-hire recreational fishing trips (prohibited); the at-sea transfer of trip limit managed species (prohibited except with Bait Dealer Permit); and the use of buy boats by dealers to transport and exceed limits for trip limit managed species (allowed with authorization).

Discussion Items

Improving Compliance in Springtime Head Boat Fishery for Black Sea Bass and Scup

DMF did not provide the MFAC with any recommendations to implement regulations to address compliance in the May and June head boat fishery for black sea bass and scup. DMF will instead meet with party boat operators in mid-April 2019 to discuss enforcement, compliance and accommodating MRIP data collection.

Recent MAFMC Meeting

DMF staff provided a brief summary of the recent MAFMC/ASMFC Board meeting. Discussion focused on fluke management. The recent fluke stock assessment demonstrated that the stock is not overfished and overfishing is not occurring. As a result, the coast-wide commercial quota and recreational harvest limit will be set at 11.53 and 7.69 million pounds, respectively, during 2019–2021. DMF anticipated MA's commercial quota for 2019 being set at around 730,000 pounds once overages were accounted for, amounting to an approximate 80% increase to our commercial quota from 2018. MA's commercial quota is expected to increase further in either 2020 or 2021 due to final action taken on commercial fluke reallocation options. The MAFMC and ASMFC Board supported a management option that would allow for redistribution of coast-wide quota above a trigger level of 9.55 million pounds. Pending approval of the FMP Amendment by NOAA Fisheries and the full ASMFC, this would result in MA receiving 12.4% of the coast-wide quota above 9.55 million pounds, coupled with its status quo share (6.8%) of coast-wide quota below the trigger level.

2019 Recreational Fishing Limits

DMF provided updates on the 2019 recreational fishing limits for a number of popular species. The 2019 limits for black sea bass, scup, and fluke are expected to be implemented in April 2019, whereas the limits for Gulf of Maine cod and Gulf of Maine haddock are still in development at the federal level.

- Black sea bass: The bag limit and minimum size limit will remain status quo at 5-fish and 15". However, DMF will adjust the season to move the start date from May 19 to May 18 (to open on a

Saturday); per an interstate requirement to not increase harvest, the season will close on September 8 rather than September 12. Emergency regulations are being prepared to implement the rule-change by mid-April.

- Scup: The January 1–April 30 closure will be rescinded and the recreational fishing season will be open year-round. This primarily allows for some inshore fishing when the fish migrate into our waters in late-April. The bag limit aboard for-hire vessels during the May and June “bonus season” will also increase from 45-fish to 50-fish. Emergency regulations are being prepared to implement the rule-change by mid-April.
- Fluke: Recreational fluke limits will remain status quo. The open season will occur from May 23–October 9 with a 5-fish bag limit and 17” minimum size. While the recreational harvest limit has been increased to 7.69 million pounds for 2019, harvest data demonstrates that the recreational fishery is already operating at this level.
- Gulf of Maine Cod and Haddock: NMFS is currently in the process of developing these recreational fishing limits and DMF intends to mirror the federal regulations. More details will be provided at the April MFAC meeting.

DMF’s Port Profile Project

DMF’s Seafood Marketing Program is funding a comprehensive report on each coastal community and their commercial and for-hire fishing activities, commercial fishing infrastructure and physical attributes of the port. This report should help our coastal communities better understand the needs of their working waterfront and obtain funding for enhancements.

MA Shellfish Initiative

DMF provided a high-level overview of the MA Shellfish Initiative (MSI). The purpose of the MSI is for there to be a working group that is able to strategically address local shellfish issues to improve technical assistance and management.

Upcoming Meetings

The MFAC is currently scheduled to meet on April 11, May 9, and June 13. All meetings begin at 9AM and are held at DFW’s Field Headquarters located at 1 Rabbit Hill Road in Westborough, MA.

If you would like to obtain any materials regarding past or upcoming MFAC business meetings, please contact Jared Silva at DMF (617-626-1534 or jared.silva@state.ma.us).