



**MA Marine Fisheries Advisory Commission
November 17, 2023 Meeting Summary**

This document serves as a brief summary of the November 17, 2023 Marine Fisheries Advisory Commission (MFAC) business meeting. This business meeting was held virtually via Zoom. All meeting materials are available on the [MFAC's past meeting website](#).

Action Items.

Recreational Cod and Haddock Limits. The MFAC voted unanimously in favor of DMF filing final regulations to maintain the existing emergency regulations establishing recreational cod and haddock limits for Fishing Year 2023 (May 1, 2023 – April 30, 2024) consistent with those rules adopted by NOAA Fisheries. For Gulf of Maine Cod, this results in an open season of September 1 – October 31 with a 1-fish bag limit and 22" minimum size; for Georges Bank (or Southern New England) cod, this results in an open season of September 1 – May 31 with a 5-fish bag limit and 23" minimum size; and for Gulf of Maine haddock, this results in an open season of April 1 – February 28 with a 15-fish bag limit and 18" minimum size for for-hire anglers and a 10-fish bag limit and 17" minimum size for all other anglers.

Period I Summer Flounder Trip Limit. The MFAC voted unanimously in favor of an in-season adjustment to reduce the Period I (January 1 – April 22) summer flounder trip from 10,000 pounds to 5,000 pounds for the 2024 fishing season. This timely responds to an anticipated 56% summer flounder quota from 2023 for 2024 and 2025. DMF will also propose to codify this trip limit reduction in regulation this winter for 2025.

Items for Future Public Hearing. DMF will proceed to public hearing with several adjustments to its regulations for 2024.

Shellfish Sanitation, Harvest, Handling, and Management Regulations. DMF is proposing a series of modifications to its shellfish regulations. Substantively, this includes two updates to the state's Vibrio management regulations. The first proposal would modify the icing regulations to be less prescriptive and consistent with the language *Vp Control Plan*. The second proposal would create a mechanism to adjust the timing *Vp Control Season* should it need to be extended beyond October 19 due to continued illness risks. DMF is also proposing several other technical corrections to ensure state regulations are clear and consistent and conform precisely with the National Shellfish Sanitation Program's Model Ordinance and : (1) require commercial fishers tag their shellfish with the most precise shellfish growing area; (2) adopt a state-wide night closure regulation on shellfish fishing; (3) require that any ice used in the storage or cooling of shellfish be made from a potable source; and (4) codify a longstanding permit condition requiring Master Diggers involved in the moderately contaminated shellfish fishery to adhere to DMF's Shellfish Depuration Plan Digging schedule.

Permitting. DMF is proposing three adjustments to its commercial regulated fishery permit endorsement transfer regulations. First, DMF intends to broaden the definition of the term "immediate family" to be more inclusive of modern familial structures. Second, DMF seeks to allow the transfer of latent but otherwise transferable regulated fishery permit endorsements among immediate family. Lastly, DMF wants to liberalize the performance criteria governing the transfer of Fluke, Black Sea Bass,

and Tautog regulated fishery permit endorsements so that they only need to be actively fished for two out of the past five years rather than four out of the past five years to be transferable. These proposals are designed to reduce the barrier of entry into the commercial fishing industry and to allow existing participants to diversify their permit portfolio.

Lobster Addendum XXVII. At the August 2023 MFAC business meeting, DMF described a future public hearing proposal to adopt new rules consistent with Addendum XXVII to the Interstate Fishery Management Plan for American Lobster. This included measures to be immediately adopted for 2024 affecting the maximum gauge size and v-notch rules for the Outer Cape Cod Lobster Conservation Management Area and trap tag issuance rules affecting Lobster Conservation Management Areas 1 and 3. DMF also described a five-year schedule to amend gauge sizes and escape vent rules should the addendum's recruitment-based management trigger be fired. The Atlantic States Marine Fisheries Commission (ASMFC) Lobster Board met in October 2023 and the Technical Committee reported that the recruitment-based management trigger had been fired requiring the five-year schedule begin in 2024. Maine successfully argued for implementation to be delayed to coordinate trade implications with Canada and provide gauge makers and harvesters sufficient time to prepare. As a result, all aspects of Addendum XXVII now do not go into effect until January 1, 2025.

Discussion Items

Atlantic States Marine Fisheries Commission. DMF staff provided the MFAC with updates pertaining to the October 2023 ASMFC meeting. Discussion focused on Addendum II to the Interstate Fishery Management Plan for Striped Bass, which seeks to reduce removals by 14.5% to achieve the fishing mortality target. The ASMFC will host public hearings on this in November and December 2023 for a final action at their January 2024 meeting. Massachusetts will host a public hearing on December 5 at the Massachusetts Maritime Academy and on December 19 at DMF's Annisquam River Field Station in Gloucester. DMF also provided updates on the Jonah crab stock assessment; a failed initiative to suspend the commercial tautog tagging program; as well as actions affecting other jurisdictions pertaining to menhaden and horseshoe crabs.

New England Fishery Management Council Update. DMF staff provided the MFAC with updates pertaining to the New England Fishery Management Council (NEFMC). This included a brief summary of the September 2023 NEFMC meeting focused on red crab specifications, monkfish research set-asides, and the sea scallop survey. Staff then reviewed the December NEFMC agenda and focused on specifications for skate, whiting, sea scallops, and groundfish.

Quota Managed Species Update. DMF staff provided a brief presentation on the performance of the commercial quota managed fisheries for black sea bass; bluefish; summer flounder; tautog; scup; and menhaden.

Update on Commercial Surf Clam Fishery Management. DMF provided a two-pronged update to the MFAC regarding surf clam management. First, DMF reviewed an ongoing pilot program to modernize the spatial management of the surf clam fishery through the use of geo-spatial monitoring devices. Second, DMF summarized its memorandum to the MFAC regarding legal challenges related to the application of the Wetlands Protection Act to this dredge fishing activity.

Law Enforcement Focus Group. The MFAC's Law Enforcement Focus Group met on November 7. DMF staff provided a brief summary of this meeting. This summary focused on: (1) the efficacy of the Interstate Wildlife Violators Compact; (2) the sale of seized non-conforming sized fish by the

Massachusetts Environmental Police; and (3) enforcement and compliance challenges in the state's commercial menhaden and striped bass fisheries.

Upcoming Meetings

The MFAC will meet virtually via Zoom at 9AM on December 19, 2023.