



The Commonwealth of Massachusetts

Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114
 p: (617) 626-1520 | f: (617) 626-1509
www.mass.gov/marinefisheries



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

KATHLEEN A. THEOHARIDES
Secretary

RONALD S. AMIDON
Commissioner

DANIEL J. MCKIERNAN
Director

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Marine Fisheries Advisory

CHANGES TO COMMERCIAL SUMMER FLOUNDER LIMITS

DMF is amending the state’s commercial summer flounder regulations in response to increased quota availability, as well as recent fishery performance. The new regulations described below will go into effect on Friday, May 13, 2022; status quo regulations apply through May 12, 2022. The state’s 2022 commercial quota of 1.39 million pounds represents a 37% increase from 2021. This quota increase is being driven by an upward trend in stock biomass estimated by the 2021 stock assessment coupled with a greater share of the coastwide commercial quota for Massachusetts based on recent revisions to the state-by-state allocation formula.

Period	Allocation	Season	Trip Limits	Open Days	Min Size
Period I	30%	Jan 1 – Apr 22 [^]	3,000 pounds, reduced to 100 pounds at 30% quota use	Sun – Sat	14”
Period II	70%	Apr 23 – Aug 31 ^{^^}	500 pounds* (nets) 300 pounds (hook and line)	Sun – Sat	14”
		Sept 1 – Sept 30 ^{^^}	800 pounds (all gears) if >20% of quota remains; status quo if ≤ 20% quota remains		
		Oct 1 – Dec 31 [^]	3,000 pounds (all gears) if > 5% of quota remains; 800 pounds if ≤5% of quota remains.		

[^] Multi-State Possession Limit Program applies for authorized vessels during Period I and the October 1–December 31 season in Period II.

^{^^} Consecutive Daily Trip Limit Pilot Program applies for authorized vessels during the April 23–August 31 and September 1–September 30 seasons in Period II.

* A 100-pound limit applies if more than 250 pounds of squid are in possession or if fishing with small mesh (<6.5” in cod end).

Period I Fishery

Access to the Period I fishery’s 30% quota allocation will be enhanced by a modified trip limit beginning next year. For 2023, the trip limit will be set at 3,000 pounds for all gear types. This trip limit will be reduced to 100 pounds if 30% of the quota is taken prior to April 22. This replaces a 1,000-pound trip limit that was reduced to 100 pounds at 25% quota use.

Multi-State Possession Limit Program

Since 2020, DMF has run a pilot program during the Period I fishery in cooperation with the states of New York, Connecticut, and Rhode Island. This pilot program authorizes vessels permitted to land summer flounder in multiple states to possess quantities of summer flounder that exceed the state's trip limit provided only a lawful limit is offloaded in Massachusetts and the non-conforming fish remains on the vessel until it is offloaded in another state where the vessel is permitted. This pilot program is being adopted in regulation and will apply during Period I, as well as the fall fishing season of October 1–December 31. Participating vessels will be required to annually obtain a Letter of Authorization from the Director. More details on how to enroll in this program will be made available during September 2022.

Period II Fishery

The directed fishery start date during Period II is being moved up (May 13 this year and April 23 in future years). During the directed fishery, the trip limits and open days increased. The trip limit will be set at 500 pounds for trawlers and 300 pounds for hook and line fishermen, seven days per week. Trawlers fishing with small mesh (<6.5" in the cod end) or in possession of more than 250 pounds of squid are prohibited from possessing more than 100 pounds of summer flounder. Previously, there was a bycatch- only fishery for net gears and longlines only (100-pound limit, Sunday–Saturday) through June 9, and 400-pound and 250-pound limits on Sunday–Thursday beginning on June 10. (Note that DMF is similarly eliminating closed fishing days for trawlers retaining horseshoe crabs, scup, and black sea bass while the Period II fishery is open.)

If on September 1 more than 20% of the quota remains unharvested, the trip limit will increase to 800 pounds for all gear types; otherwise, status quo trip limits apply. Then on October 1, the trip limit will increase to 3,000 pounds if more than 5% of the quota remains unharvested or 800 pounds if 5% or less of the quota remains unharvested. Previously, the trip limits did not increase automatically until November 1 based on the remaining quota use (1,000 pounds if $\geq 5\%$ quota remained, otherwise 500 pounds).

Consecutive Daily Trip Limit Pilot Program

Since 2019, DMF has run a pilot program during the Period II fishery that allows commercial trawlers to land two daily limits of summer flounder lawfully caught and retained over consecutive open fishing days. This program was designed to increase regulatory flexibility and address fisherman safety given spatial changes in where the fishery is occurring.

DMF will renew this program for 2022. Participating vessels will be authorized to possess consecutive daily limits of summer flounder, as well as black sea bass and whelk if properly permitted, provided catch from the first day is segregated in a sealed container from catch taken on the second day. This will allow fishermen to lay up overnight in ports on the islands south of Cape Cod or at-sea closer to the fishing grounds and fish consecutive days before having to return to port and land their retained catch.

The pilot program will be implemented through a Letter of Authorization from the Director (LOA). To be eligible to participate, an applicant must hold a commercial fisherman permit in good standing with a regulated fishery permit endorsement for summer flounder and mobile gear (Coastal Access Permit). A black sea bass and shellfish regulated fishery permit endorsement are similarly required to retain and land black sea bass and whelk taken in this program.

To apply for a LOA, fishermen are required to complete a Declaration to Participate Form and return it by e-mail to Julia Kaplan (julia.kaplan@mass.gov). Once received and processed, an LOA, daily logbook, and sequentially numbered plastic seal tags will be provided to the permit holder.

For more information regarding the management of summer flounder, please visit our website (www.mass.gov/marinefisheries) or call DMF at 617-626-1520.