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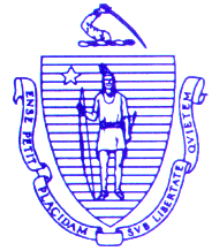
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Marine Fisheries Advisory

Regulations Affecting Commercial Menhaden Management: Quota Management, Trip Limits and Permitting

This past winter, the Atlantic States Marine Fisheries Commission approved Amendment 2 to the Interstate Fishery Management Plan for Atlantic Menhaden. This Amendment implemented the first ever coast-wide commercial menhaden quota. The Commonwealth of Massachusetts has been allocated 0.84% of the overall quota. For 2013, Massachusetts' commercial menhaden quota is 3,126,019 pounds. To ensure that bait can be harvested locally and is available to commercial and recreational fishermen throughout the summer and fall, *Marine Fisheries* has filed emergency regulations implementing a quota management system.

Massachusetts' commercial Atlantic menhaden fishery will be managed as a two-tiered fishery. The first tier is an open access fishery; the second tier is a limited access fishery. In the open access fishery, any commercial permit holder will be authorized to possess and land up to 6,000 pounds of menhaden. In the limited access fishery, participants will be authorized to possess and land menhaden in quantities that exceed 6,000 pounds. Specifically, until 50% of the quota is landed there shall be no trip limit for limited access fishery participants; from the time when 50% of the quota is landed until 85% of the quota is landed, a 200,000 pound possession and landing limit will apply; once 85% of the quota is landed, the possession and landing limit will drop to 6,000 pounds. **As Massachusetts fishermen have already landed 50% of the quota, the 200,000 pound trip limit is now in effect for limited access fishermen.**

Both the open access and the limited access commercial menhaden fisheries will close when *Marine Fisheries* projects that 100% of the quota has been taken. A 1,000 pound menhaden bycatch tolerance will be allowed during the closed period provided the weight of the menhaden bycatch does not exceed 5% of the weight of the entire commercial catch being landed.

Marine Fisheries will notify commercial fishermen if they qualify to participate in the limited access fishery. Under the rules as proposed, entry would be limited to only those commercial fishermen who have dealer recorded sales transactions demonstrating they landed more than 6,000 pounds of menhaden during any trip in 2009, 2010 or 2011, or hold an limited entry regulated inshore net permit endorsement authorizing the use of purse seine gear to harvest menhaden. For 2013, access will be authorized through a Letter of Authorization. However, in all subsequent years the commercial permit holder must renew their limited entry menhaden permit endorsement.

All commercial menhaden landings must be reported on trip-level harvester reports – either through the *Marine Fisheries*' issued reports or federal vessel trip reports. This includes menhaden kept for personal use. In addition to harvester reporting requirements, all limited entry participants must hold a commercial bait dealer permit and report their commercial landings on a nightly basis – participation in this fishery is contingent upon this reporting requirement. This will ensure that large scale landings are reported in a timely fashion.

A public hearing to codify these emergency rules is scheduled for July 29. For more information about commercial menhaden regulations and management please visit our website

(www.mass.gov/marinefisheries). For a copy of the Atlantic menhaden regulations, please contact Jared Silva (jared.silva@state.ma.us; 617-626-1534).