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August 9, 2019

Fall 2019 Fisheries Public Hearing Notice

Under the provisions of M.G.L. c. 30A and pursuant to the authority found at M.G.L. c. 130 §§ 2, 17A, 80 and 104, the Division of Marine Fisheries (DMF) is proposing the draft regulatory amendments to 322 CMR §§5.00, 6.00 and 7.00 listed below.

1. **Commercial Tautog Permitting and Tagging Program (322 CMR 6.40 and 7.00).** DMF is proposing to implement a commercial point-of-harvest tagging program affecting commercial fishermen and dealers beginning in 2020. This tagging program is mandatory to comply with Amendment 1 to the Interstate Fishery Management Plan for Tautog. To administer this program, DMF is also proposing to limit entry into this fishery and reduce the number of commercial tautog regulated fishery permit endorsement holders through use of the existing control date and new eligibility criteria. DMF has published a [detailed tautog tagging program proposal document](#) to further explain these measures.
2. **Lobster Control Date for LCMA1 (322 CMR 7.04)** DMF is proposing to establish an April 29, 2019 control date for the LCMA1 lobster trap fishery. This serves to notify current and future permit holders that their participation in this fishery may be affected by their ability to document prior landings, effort, and gear configuration. This is consistent with action taken by the Atlantic States Marine Fisheries Commission's Lobster Management Board in response to ongoing deliberations by the Board and the federal Atlantic Large Whale Take Reduction Team.
3. **Coastal Sharks.** DMF is proposing a suite of regulations to comply with recent amendments to the Interstate Coastal Shark Fishery Management Plan and federal regulations. This includes adopting sex specific recreational minimum size limits for shortfin mako sharks (71" for males and 83" for females); mandating the use of inline corrodible circle hooks when recreationally fishing with natural baits; requiring that shortfin mako sharks caught in commercial fishing gear be immediately released if alive at haul-back; allow coastal sharks legally caught by longlines outside of state-waters to be landed in MA ports; and implement federal rules regarding the retention of certain coastal shark species while in possession of tunas, swordfish, and billfish.
4. **Period I Fluke Trip Limits (322 CMR 6.22).** DMF is proposing to increase the Period I (February 1 – April 22) fluke trip limits from 500 pounds to 1,000 pounds per trip, and to potentially allow the possession and landing of fluke at this 1,000 pound limit during the month of January.
5. **Ocean Quahog Trip Limit (322 CMR 6.08).** DMF is proposing to take public comment on a public petition to reduce the state-waters ocean quahog trip limit from 26 cages to 8 cages.
6. **Retail Farmer's Market Permit (322 CMR 7.01).** DMF is proposing to establish a new category of retail dealer permits to better accommodate the retail sale of seafood at farmer's markets. This will not result in a new fee.

7. **Housekeeping (322 CMR 5.00, 6.33, 6.34 and 6.35).** DMF is proposing to codify into regulation three-longstanding measures adopted by Declaration as a means to improve compliance and enforcement with the measures. This includes the commercial moratorium on northern shrimp; the commercial horseshoe crab bait harvest closure within Pleasant Bay; and the 6,000-pound commercial spiny dogfish trip limit. Additionally, DMF is proposing to adopt consistent terminology throughout the state's lobster regulations by using only the term Lobster Conservation Management Area and its acronym LCMA.

Public Hearing Schedule

The Division of Marine Fisheries has scheduled one public hearing to take comment on these proposals. The public hearing is scheduled for:

6 PM
September 11, 2019
Admiral's Hall
MA Maritime Academy
101 Academy Drive
Buzzards Bay, MA 02532

Public Comment Instructions

The Division of Marine Fisheries will also accept public comment through 5PM on Thursday, September 12, 2019. Please address all written comments to Director Pierce and submit to DMF by e-mail at marine.fish@state.ma.us or by post to 251 Causeway Street, Suite 400, Boston, MA 02114.

A copy of the [strikethrough regulatory text](#) and the [detailed tautog tagging proposal document](#) are available [online](#) or you may acquire by contacting Jared Silva (jared.silva@state.ma.us; 617-626-1534).