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DMF NEWS

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DMF Sets New Course

by Paul Diodati, *Director*

Time flies and it's been a year since taking over the helm at DMF. The challenges of the past year have been met, and I am pleased that the public can again access our senior staff, and licensing program at the new Boston office. Staff have worked diligently to complete the new commercial licensing system that brings DMF into the 21st century. Fishermen and seafood dealers have overwhelmingly supported this new format.

DMF has not undergone restructuring for over 30 years. While the cliché, "If it ain't broke, don't fix it," may hold true in many instances, it does not apply very well to administration of government agencies. Periodic evaluations and strategic changes are critical to overall effectiveness and contribute to longevity of professional organizations. For this reason I've devoted much of my first year as DMF's Director to an examination of our functions, services we provide, and our available resources relative to the agency's mission with reorganization in mind.

A new organizational structure for the Division has been completed. It will be highlighted at DMF's homepage after it is presented to our staff in April. Restructuring to make better use of existing resources have forced me to make some difficult decisions, including elimination and consolidation of programs. Most notably, I've recently announced elimination of our Analytical Laboratory Services, which in recent years has focused on evaluating levels of heavy metals and PCBs in fish tissue. Restructuring has also caused me to think more seriously about forming tactical partnerships with other institutions that will help build and optimize shared resources and improve our fishery management decisions.

Above all, we are a fisheries management agency. Accordingly, improving our ability to make fisheries decisions that will lead toward environmentally and economically sustainable fisheries are at the forefront of my FY2002 objectives. Emphasis will be placed on adding staff to assist our policy makers and stock assessment scientists, and to improve on fisheries statistics and conservation engineering programs.

The Massachusetts marine economy is a prominent worldwide industry and represents one of the Commonwealth's most valuable industrial sectors. Consequently, substantial public resources are needed to administer



and protect the living marine resources, environment, and fisheries that comprise it. The ex-vessel value of commercially-caught fish and direct expenditures related to recreational saltwater fishing exceed a half billion dollars per year. The marine economy in Massachusetts employed over 80,000 people who earned almost \$2 billion in 1997 according to a recent UMass study. DMF has an extensive role in this industry. We administer all Commonwealth laws relating to marine fisheries as appearing in chapter 130 of the Massachusetts General Laws and any other general or special laws, and we are responsible for the development and stewardship of marine fish and the fisheries.

In closing, I want to recognize the many dedicated individuals who work for DMF, especially those who work with me in headquarters on a day-to-day basis. Staff have provided me tremendous assistance, patience and understanding, helping to make my first year as Director of this agency one of the most rewarding of my career. In addition, the Commissioner, David Peters, his staff, and members of our Marine Fisheries Commission have contributed greatly to making my transition to Division Director a success. I also want to acknowledge the countless members of our commercial and recreational fishing industries that have shown me their strong support, as have many state and federal fishery officials from around the country.

DMF develops new automated licensing system

ORACLE based system brings licensing into 21st century

Last year, many of our constituents were introduced to the Department's new licensing system, Statewide Point-of-Sale Outdoor Recreation Transaction System (SPORT). SPORT made possible single-location purchases of many licenses issued by the three Divisions within the Department. This included hunting & fishing licenses issued through the Division of Fisheries & Wildlife, boat and ATV titles and registrations through Environmental Law Enforcement, and the non-commercial lobster permit issued by DMF. The other DMF permits, primarily for commercial fishing and seafood dealers, were not included in the roll-out of SPORT as the complexities involved in issuing most of these permits were well beyond the scope of what SPORT was designed to handle.

DMF and software developer and consultant ORACLE Corp., joined forces last year to build a new, state-of-the-art licensing system for commercial fishermen and seafood dealers. The new system, nicknamed FISH2000, was brought on-line for the 2001 renewal season, and it will benefit our in-house users, Environmental Law Enforcement officers, and our constituents.

For our in-house users, Fish2000 means a slick application that is much more powerful than our previous, ten-year-old system. Our licensing staff is able to access more information for our customers with unlimited query options. It also means that all permits are issued and entered into the licensing database "real-time." In our old system, permits were issued in winter months, but not entered into our database until summer. This meant that if someone purchased a license in January, and then lost their wallet in April, we would have hand-searched tens of thousands of permits already issued to confirm the permit was purchased. If we had to issue a duplicate permit, a couple of days was needed to find the original permit application. Now, if someone calls to see if a permit has been issued, we can provide that information immediately.

For Environmental Law Enforcement officers, it also means real-time access to permitting information. It allows officers to query the database from all their field stations. No longer will they need to contact the Boston office to ask if someone has a valid fishing or seafood dealer permit.

For our constituents, it means a consolidation of permits. For some fishermen, this may not seem like much of a benefit, but for others it is a vast improvement. Many of our commercial fishermen have as many as a dozen permits for a single vessel, possibly more. FISH2000 combines multiple permits into a single permit for that boat. With regulations constantly changing and new fisheries becoming regulated each season, it is far easier to look at a single piece of paper and determine all the fisheries a boat is authorized to participate in, then to try and shuffle through a handful of permits...especially if you are out on the water subjected to winds and rough seas.

FISH2000 came on-line the last week of January, 2001. That is why our permit holders received their renewal applications about two months later than usual. So far, the new consolidated permit has been well received. Our commercial fishermen are pleased with the reduction in paper.

Our licensing staff has been busy learning the new system and working out the quirks inherent in new software applications. The learning process has been slow, but steady.

All change brings questions, and we have been inundated with questions and comments on the new application process. We appreciate the patience our customers have shown as we work out the delays the change-over has caused. Please bear with us as we continue to work at bringing the new licensing system up to speed. Our goal is to serve the public in the most courteous and efficient way possible. Things are already looking great for the 2002 renewal season.

by Kevin Creighton



Photo by Ken Reback

New fishway technology works

For approximately 50 years DMF has staffed a fishway construction crew to create anadromous fish access to new spawning areas and to repair or replace old fish ladders. Work historically has been funded by municipalities with DMF providing labor and design expertise at no cost.

To reduce costs, a design new to Massachusetts recently has been used in several locations. Called an Alaskan steep-pass, this fishway is prefabricated from aluminum in ten foot sections, transported to the work site, assembled and installed on location. This design is not appropriate for all sites, but in cases where it is, the steep-pass can offer a relatively economical solution. DMF's emphasis in recent years has been on upgrading existing fishways. The great majority of ladders in Massachusetts are of the weir-pool type that over time become inefficient due to erosion of baffles and leakage. On some coastal streams, DMF is using the aluminum steep-pass design to line deteriorated concrete ladders and eliminate both problems.

Aluminum steep-pass ladders have been installed at DMF's recommendation by the US Air Force on the Coonamesset River in Falmouth and by the Essex County Greenbelt on the Parker River. The first steep-pass insert was installed by DMF on the Agawam River in Wareham and two more are planned for the Jones River in Kingston and Town Brook in Plymouth.

by Ken Reback (Ken.Reback@state.ma.us), DMF's Anadromous Fisheries Project Leader.

2000 LICENSES WILL BE VALID THROUGH APRIL 15, 2001

Because of the extra time and effort needed to launch the new licensing system, DMF Director Paul Diodati has extended the expiration date on all 2000 licenses. 2000 licenses will remain valid until April 15, 2001.

Massachusetts Saltwater Fishing Derby 2000 Awards

Each year from March 1 through November 30 DMF conducts the Massachusetts Saltwater Fishing Derby. Fish entered must be caught on hook and line and must be measured at an official weigh station on a certified scale. At the end of each derby year, trophies are awarded to anglers who landed the heaviest fish in each species category. Winners are chosen in three divisions - men, women, and junior (age 15 and younger).

For 2000, 34 anglers were awarded engraved, silver-plated Paul Revere bowls and a distinctive striped bass print, signed by artist John Rice. Director Paul Diodati and DFWELE Commissioner David Peters presented the awards on February 6, 2001 during a special ceremony held for the winners and their guests at the Eastern Fishing and Outdoor Expo in Worcester.

We encourage all recreational anglers to participate in the 2001 Massachusetts Saltwater Fishing Derby. Entering the derby is free and no pre-registration is required. Minimum qualifying weights for each species are listed below. Weigh-masters can be found at most local marinas and tackle shops. Weigh-masters will provide the official entry form that should be mailed to DMF.

Entries must be received within 30 days of catch and postmarked no later than December 10th. All qualifying entrants will receive an enameled pin depicting DMF's codfish logo or the "Massachusetts Saltwater Fishing Derby" poster. All weigh-stations have been provided with a copy of the current list of state-record holders. When applying for a new state record, a clear photograph of your catch must accompany your affidavit with your name, address and

telephone number on the back. For more information contact Drew Kolek at (508) 563-1779 ext. 103. Good luck in the 2001 Derby!



Photo courtesy of Andrew Glovsky

State Record Wolf fish taken by Andrew Glovsky (in white sweatshirt) aboard the headboat Capt. John and Son.

2000 Winners

Species	Minimum Entry Weight (lbs.)	State Record	Division	Name	Winning Weight
Bluefish	10	27 lbs 4 oz	Men	Bill Suttie	21 lbs 2 oz
Bluefish	10		Women	Shawna Cobb	16 lbs 4 oz
Bluefish	10		Junior	Taylor Pierce	19 lbs 8 oz
Bluefin Tuna	300	1228 lbs	Junior	Charles MacLean	960 lbs
Blue Shark	150	454 lbs	Men	Terry Davis	302 lbs
Bonito	7	12 lbs 7 oz	Men	Mark Plante	10 lbs 5 oz
Bonito	7		Women	Terry Pothier	9lbs 3 oz
Cod	25	92 lbs	Men	Stephen Cook	71 lbs
Cod	25		Women	Lori Strawser	33 lbs
Cod	25		Junior	Eric Burkhead	38 lbs
False Albacore	10	19 lbs 5 oz	Men	John Schillinger	12 lbs 11 oz
Fluke	5	21 lbs 8 oz	Men	Howard Graham	12 lbs 6 oz
Fluke	5		Women	Annette Kennedy	9 lbs 6 oz
Fluke	5		Junior	Matt Vareika	8 lbs 12 oz
Mackerel	2	3 lbs 8 oz	Men	Mike Miller	2 lbs 9 oz
Mackerel	2		Women	Terri Owens	2 lbs
Mackerel	2		Junior	Andrew Tavares	2 lbs
Pollock	20	48 lbs 2 oz	Men	Mark Drayton	47 lbs 5 oz
Pollock	20		Women	Nicole Stanley	37 lbs
Pollock	20		Junior	Joshua Stanley	34 lbs 12 oz
Scup	2	5 lbs 14 oz	Men	Paul Osimo	3 lbs 7 oz
Scup	2		Women	Barbara Taylor	2 lbs 2 oz
Scup	2		Junior	Megan Diggs	2 lbs 4 oz
Black Sea Bass	3	8 lbs	Men	Joseph Scolaro	6 lbs 8 oz
Black Sea Bass	3		Women	Dianne Kelly	3 lbs 8 oz
Black Sea Bass	3		Junior	Barbara J. Audino	3 lbs 8 oz
Striped Bass	30	73 lbs	Men	Lev Wlodyka	52 lbs 5 oz
Striped Bass	30		Women	Nicole Bisson	39 lbs 8 oz
Striped Bass	30		Junior	Steve Virta	42 lbs 13 oz
Tautog	8	22 lbs 9 oz	Men	Paul Sullivan	15 lbs 5 oz
Tautog	8		Women	Grace Cameron	8 lbs 11 oz
Winter Flounder	2	8 lbs 2 oz	Men	Mark Bloom	5 lbs
Wolf fish	20	55 lbs New Record	Men	Andrew Glovsky	55 lbs
Wolf fish	20		Women	Pat Moore	20 lbs

Dogfish debate continues...

Management of the spiny dogfish fishery continues to be challenging. DMF has maintained a consistent position that a small-scale commercial directed fishery on dogfish can be justified on scientific and economic merits. We continue to promote this view with the Atlantic States Marine Fisheries Commission that will decide in April whether there will be any fishery for dogfish in state waters this year. ASMFC plans to hold public meetings sometime in March.

Recently, a letter was sent by a coalition of well-respected environmental and conservation organizations to the Atlantic states urging that Massachusetts' suggested approach for dogfish management this year be rejected. That approach includes an annual region-wide 4,000 mt (8.8 million lbs.) constant harvest strategy (quota). Director Paul Diodati's response to that letter is provided below. DMF continues to encourage productive working relationships with those organizations and an end to dogfish management discord.

February 16, 2001

Secretary Durand has referred your letter to the Division of Marine Fisheries. He continues to rely on DMF to act responsibly with management and conservation of spiny dogfish. There is absolutely no reason for him to suspect otherwise because all our actions on dogfish, approved by our state's Marine Fisheries Commission, have been carefully planned, considered, and supported by peer-reviewed DMF technical analyses.

We're well aware that Massachusetts is being carefully watched by many environmental and conservation organizations to see how we respond to the federal dogfish management plan and to ongoing efforts by the Atlantic States Marine Fisheries Commission to manage state waters' dogfish fisheries cooperatively with the management councils. Your vigilance is understandable and appreciated by DMF and we value your organization's views on a wide range of issues.

Nevertheless, being a state with a long and respected track record for proactive and significant actions to protect and conserve our marine fisheries resources, we continue to be disappointed with those who stridently condemn our position on spiny dogfish management without first discussing with us the reasons why we continue to promote the harvesting strategy we adopted in 2000. We're particularly concerned that our position continues to be misunderstood and the technical basis for our actions downplayed, if referred to at all. An adversarial relationship on dogfish management is unnecessary and unproductive, and it is being encouraged for reasons that are still not entirely clear to us.

The strategy we advocate allows low-level directed fishing that would support existing processing capabilities and markets, while achieving all resource protection objectives of the dogfish FMP. It is exactly this type of balanced approach that should be at the forefront of environmentally and economically sustainable fisheries management.

We are working with our ASMFC colleagues to adopt the 4,000 mt constant harvest strategy for 2001. There will be public hearings on this and other approaches, and ASMFC will decide what to do at its April meeting. We encourage you and your membership to follow those hearings closely and to be open-minded. By doing so you will appreciate that the constant harvest strategy allowing small-scale directed fisheries for spiny dogfish not to exceed a total of 4,000 mt region-wide is justifiable and warranted. It is a reasonable compromise between New England and Mid-Atlantic Council positions on dogfish quotas and represents a tremendous reduction in landings that over the last 10 years or so have proven, with no surprise, to be unsustainable.

DMF's approach for dogfish management region-wide (not just in Massachusetts) is precautionary. We rebuild to the same female spawning stock biomass target in about the same time as the federal plan. Overfishing is immediately eliminated. Mortality rates generated with our approach are always less than the natural mortality rate (0.092). In fact, over the rebuilding period 14% fewer dogfish will be harvested in contrast to the federal plan. The tradeoff is that we allow somewhat more landings initially than later, but hopefully this will reduce the potential for regulatory discards.

Regarding your letter, we continue to insist Massachusetts is not "seriously undermining federal dogfish rebuilding efforts." Our limits were not "grossly excessive." We did not "defy" federal management. We adopted a sensible and defensible approach for our state waters. In fact, we limited landings to 7 million lbs. and not to the full 8.8 million lbs. (4,000 mt).

Our dogfish minimum size has been the source of much controversy. You've criticized DMF for "ensuring retention of only large, mature female dogfish - the targeted segment that is most depleted and most important for stock rebuilding." Our reason for establishing the minimum size was to prevent fishermen from targeting smaller female dogfish thereby taking pressure off the pulse of intermediate-age females needed for dogfish rebuilding. It seemed to be a reasonable approach. For this year we're proposing to remove the minimum size restriction.

Finally, the constant quota approach may not be as Draconian a measure as the federal plan, but to characterize it as "risk prone" is completely inaccurate. Both the constant harvest and federal plan are extremely precautionary. We refer you to the attached figure with female biomass rebuilding projections. The constant harvest projection was made with the same assumptions and data as the constant fishing mortality projection of the federal plan. The difference between the two is small, and for all practical purposes is indistinguishable.

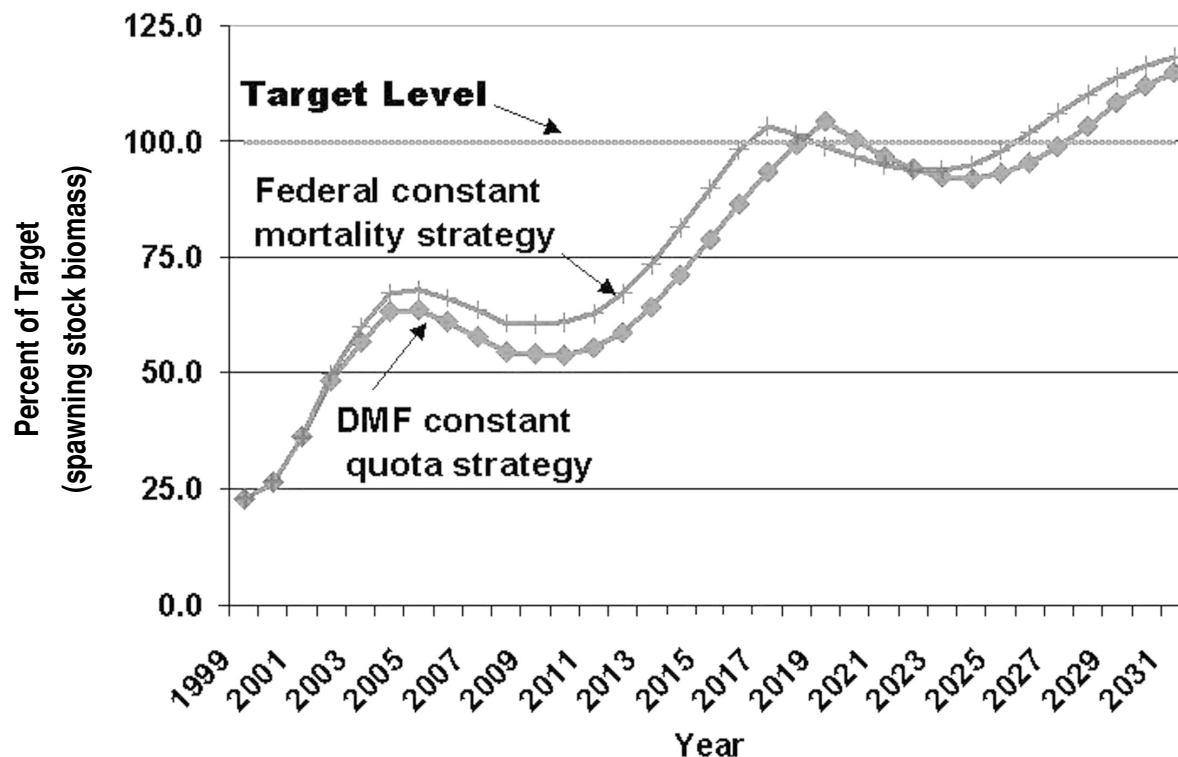
Understanding and compromise are cornerstones for consensus building, which I doubt will be achieved by my responding to derisive letters sent to our Governor and his administration. A more productive working relationship between my organization and yours should be developed. To that end, I encourage a dialogue with you as to how dogfish management should proceed and how it can be improved.

Sincerely yours,



Paul Diodati, Director

Dogfish Rebuilding Projections



Negligible differences exist in projected stock rebuilding between state and federal strategies. Either plan will reach the goals of restoring biomass of mature females by 2018. While both strategies achieve the goal, DMF's strategy provides a small sustained fishery, improved data collection, and greater economic benefits.

Striped Bass 2000 tagging at 10-year high

DMF completed its tenth year of striped bass tagging in 2000. This DMF program is part of the Cooperative State-Federal Coastwide Striped Bass Tagging Study which seeks to provide information on mortality rates and migration patterns.

Other states began tagging striped bass in 1986, but the majority of fish were 18 to 28 inches. Since Atlantic coastal fisheries had minimum sizes of 28-36 inches, resulting mortality estimates from these tagging data may have underestimated the effects fishing has had on larger striped bass.

The Massachusetts tagging effort began in 1991 and concentrated on tagging larger legal-size fish. Each year we contracted skilled charter boat captains to assist DMF personnel to capture bass for tag and release. Prior to 2000 we tagged an average of 465 fish per year. Number of trips per year ranged from 9 to 29 utilizing 2-4 boats.

Last year was our best tagging effort ever. We tagged 1,019 bass on 24 trips by two boats fishing eastern Cape Cod and Nantucket and one boat fishing the Elizabeth Islands and Martha's Vineyard. We will continue the program in 2001. We have contracted the same three boats and plan 16 fishing trips this fall.

Whenever you catch a striper, look for the orange or pink tag in the fish's abdominal area. The tag will be printed with a serial number and a toll-free phone number. If the tag is covered with algae, clean it by rubbing it with your fingers.



Photo by Ed Clark

Beware that scraping the algae off with a knife will scrape the numbers off the tag. Record that information or clip off the tag close to the belly. When you call the toll-free number, you will be asked where, when, and how the fish was caught. Total length is desirable but not necessary. You will be sent a certificate indicating where and when the fish was first tagged and its length when tagged. As a reward you will receive a souvenir hat for the first fish and \$5.00 for all subsequent fish.

by Drew Kolek, at Pocasset (Drew.Kolek@state.ma.us)

The Year of the scup: DMF to conduct intensive scup studies this year



Photo by David Pierce

Call 2001: the “Year of the Scup.” When scup arrive in Buzzards Bay and in Nantucket and Vineyard Sounds this spring, they will be sampled, measured, and monitored like never before. DMF has planned an intensive 1-year study to describe scup catches in our recreational and commercial fisheries.

Funded through a grant from the Atlantic Coastal Cooperative Statistics Program (ACCSP), this study will serve as a model for sampling scup and other species. ACCSP has invested almost \$72,000 in a DMF proposal entitled: “Biological characterization of the Massachusetts commercial and recreational scup (*Stenotomus chrysops*) fisheries.”

One objective of this proposal is to obtain biological information from scup catches in Massachusetts commercial fisheries – information not currently being collected by the National Marine Fisheries Service. These commercial data will: (1) characterize landings and discards by length and age and provide ratios of discards to landings, and (2) be used for scup assessments and improved management of the fishery.

For state and federal fishery scientists recommending annual commercial catch levels and recreational fishery targets, scup has been a very difficult species. Fisheries data are lacking. Bottom trawl survey scup catches used for assessments of abundance show high variability primarily because scup are a migratory fish travelling in large, densely compacted schools. Its catchability changes greatly with time of day resulting in highly variable survey catch rates that may not accurately track annual biomass changes.

Scup assessments are handicapped by major and growing data gaps. Although scup are managed coastwide by a quota system, an analytical assessment necessary for proper quota-setting has repeatedly been rejected by the Northeast Fisheries Science Center Stock Assessment Review Committee (SARC) due to input data inadequacies, primarily the inability to characterize commercial and recreational catches by length and age. Over the last decade there has been a gradual decline in shore-based sampling efforts to determine age and size of landed scup. A shift in federal priorities has diminished the shore-side biological data collection. Today, federal efforts focus primarily on processing fishermen’s logbook data and dealers’ reports for quota monitoring.

Both the latest ASMFC prioritized research needs document (ASMFC, special report # 64) and the SARC Consensus Summary (31st SAW) strongly recommend expanded age sampling of scup from commercial and recreational catches and the collection of discard information. Regarding discards, scientists need reliable estimates of the amount of scup killed due to fishing, especially discarding of juvenile scup caught in small-nets and adult scup thrown back over the side due to very restrictive trips limits. Scientists believe more scup (in number) are killed by commercial

fishery discards than are landed for markets. This problem has become more acute as scup begins to recover, but commercial quotas remain low.

In fact, every year, rough estimates of discard and the mortality of that discard for the coming year are subtracted from allowable landings to produce commercial quotas. For example, 2001 total allowable commercial catch is about 6.5 million pounds. An estimate of dead discard of about 2.1 million pounds subtracted from this total leaves a quota of just 4.4 million pounds.

The magnitude of by-catch of other managed species (e.g. tautog, black sea bass, summer flounder) from the scup fisheries will be provided, and these will be useful in the assessment and management of these species. Furthermore, this study will provide estimates of variability in the biological parameters examined that can be used to refine future sampling estimates. As the data will be compatible with ACCSP protocol, this study will serve as a first implementation of the Biological Sampling and Sea Sampling/Discard Modules.

Up to 126 trips are planned in fisheries that target scup or catch scup as by-catch.

Gear	Period	Trips
Weirs	Late April-May	3
Small-mesh Trawl (inshore)	Late April-May	16
Small-mesh Trawl (offshore)	November	5
Commercial Hand-line	July-August	32
Fish Pot	July-August	10
Party/charter boat	May-October	60

In addition, scup will be monitored shore-side at wholesale dealers. DMF’s sea samplers will make scup sampling their #1 priority during the short commercial season that will open on July 17. The fishery is expected to close after only a few weeks because our commercial quota is so small.

DMF will seek volunteer vessels to accommodate our sea samplers. If necessary, we will mandate some commercial fishermen to accommodate DMF observers upon request. These samplers will work with a sector rarely sampled: commercial hook fishermen. This sector now accounts for the majority of Massachusetts commercial landings.

While this study will only provide a one-year “snapshot” of the scup fisheries, the results will be used to refine future sampling efforts with the ultimate goal of establishing a long-term monitoring program similar to DMF’s lobster sampling program. Long-term monitoring is critical for accurate stock assessments. And a reliable assessment is the key ingredient for providing sensible, effective management supported by recreational and commercial fishermen.

by Dan McKiernan and Michael Armstrong

Scup recreational fishery faces cuts

Thirty-three percent! That's the required cut in Massachusetts and other states' scup recreational fisheries landings this year. It could have been worse. The decrease could have been as high as 66% if the Atlantic States Marine Fisheries Commission (ASMFC) had chosen to conform with the Mid-Atlantic Fishery Management Council that last month decided to prohibit recreational fishing in federal waters (EEZ) from May 1 through mid-August and to set a 50-fish possession limit.

These Council actions were opposed by those states responsible for almost all scup recreational landings: Massachusetts, Rhode Island, Connecticut, and New York. If a May through mid-August closure had been enacted, most of the state's charter and party boat fleet working primarily in Buzzards Bay and Nantucket/Vineyard Sounds would have been put out of business. Among the young or inexperienced anglers, scup is the most catchable fish in the sea and consequently the most popular. Fishermen fishing for scup to put fish in the pan and on the table would have lost most of their prime season for subsistence and recreational fishing.

The need for a drastic cut was a surprise to many states' officials and certainly to the Council. The reason becomes obvious when estimates of year 2000 recreational landings from the annual Marine Recreational Fisheries Statistics Survey (MRFS) are compared to the target. The 2000 target was 1,238,000 pounds. Total landings spiked to about 5,140,000 lbs. Much of this "overage" was caused by New York landings. Contrasted with New York landings of 540,000 scup (individual fish) in 1999, the Empire State's landings rose to 3,040,000 scup in 2000 with about 1,720,000 being landed in September and October alone. New York's minimum size was 7" total length. Massachusetts minimum size is a much more conservative 9" total length. New York must increase its size limit this year as part of the overall ASMFC conservation strategy.

The previous year (1999) the same target was exceeded, but not by such a dramatic amount. Total region-wide scup recreational landings were estimated to be 1,886,000 pounds in 1999. In 1997 and 1998, landings fell far short of targets. So what happened in 2000? We suspect that the strong 1997 year-class was responsible for a dramatic increase in scup

abundance. There's another strong year class (1999) that will be seen on the grounds this year.

According to MRFS, Massachusetts enjoyed increased catches in 2000 as well. Our landings rose from 605,000 scup in 1999 to about 938,000 fish in 2000. Connecticut also was a beneficiary: 138,000 fish in 1999 compared to 859,000 in 2000.

The consequence of this excellent fishing is a requirement that recreational fishermen must be prevented from exceeding the target again in 2001. That new target is 1,771,000 pounds. Otherwise, the ASMFC and Council scup rebuilding efforts will be set back. There could be huge consequences for next year when the Council and ASMFC plans have a scheduled cut in the exploitation target from 33% to 19% (percent removed by fishing). This very large decrease means more restrictions are in store for all scup recreational fisheries.

Both the Council and ASMFC realize that to achieve this 2001 target, the recreational fishery will be faced with major economic losses in comparison to 1999 and 2000 revenues. Unfortunately, there is no plan requirement for state-specific measures accounting for differences in state landings and contributions to the overage. Therefore, we all must share an equal burden, which in this case is a 33% reduction in scup landings (pounds).

Importantly, this 33% is a reduction in average 1998-2000 landings versus the 2001 target. It does not represent a reduction from year 2000 landings. By using 2,000 data only, the reduction would have been 66%. ASMFC decided to average three years because the dramatic increase in landings from 1999 to 2000 cast doubt on the accuracy of 2000 survey; therefore, to dampen the effect of 2000 results, the 3-year average was used.

Massachusetts' attempt to achieve the 33% reduction involves three options being brought to our March public hearings. Those options, described in the Notice of Public Hearing (see page 10) involve combinations of size limits, seasonal closures, and possession limits. For the first time, DMF is proposing a bag limit for anglers aboard party and charter boats (75 fish).

We now turn to the scup recreational fishery participants, including those involved with the party and charter boats, to advise us on the best option to minimize the impact of the 33% reduction.

by David Pierce, Assistant Director

Photo by David Pierce





Photos by Arne Carr

The crew of the F/V Nauset working with DMF staff on scup selectivity. Clockwise starting from upper left: 1.) Richie rigs a square mesh window on the extension. 2.) Richie and Billie rig the tunnel that is placed behind the square mesh window. 3.) Billie and Richie securing the tunnel onto the net. 4.) Captain Joe Francis (right) and Richie checking the net and tunnel. 5.) Adriane, an MCCS sea sampler, with a representative of the catch. 6.) Richie hauling in the cod end.

DMF & MMCS scup bycatch reduction investigations continue

DMF's Conservation Engineering Program, in partnership with the Manomet Center for Conservation Sciences (MCCS), will again be investigating methods to reduce bycatch of scup taken when commercial trawlers target the inshore, spring run of squid. This work will continue in the summer and early fall with cooperating fishing vessels. DMF will enlist vessels and crews having the experience and interest to test net modifications that show promise for reducing scup by-catch.

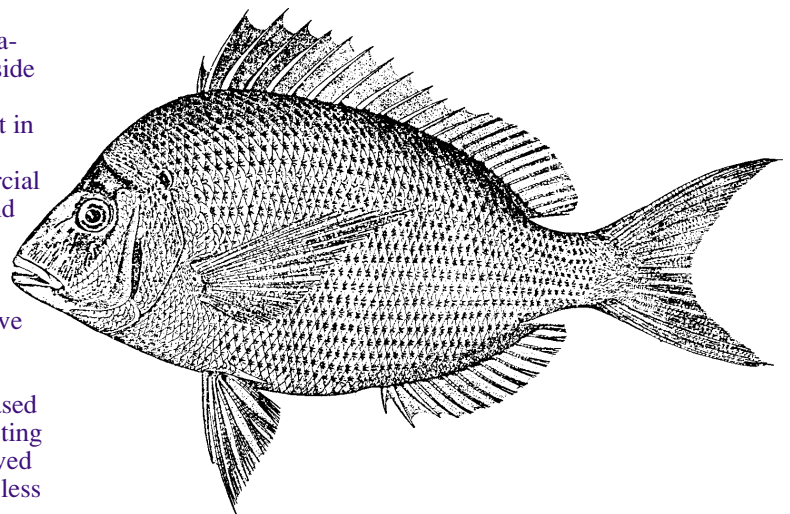
ASMFC has provided DMF with a separate scup allocation of 50,000 lbs. to be used for gear research. This set-aside will reduce regulatory discards by allowing participating vessels to keep more than DMF's restrictive scup trip limit in place during the squid season. It also will allow some retention of scup during gear work when the scup commercial fishery is closed. Otherwise, all scup must be discarded and wasted.

DMF and MCCS already have experimented with net modifications such as the raised footrope trawl and square mesh panels in the extension pieces. Several fishermen have suggested refinements and other methods; these are under consideration.

All modifications have been and will continue to be based on previously observed behavior of scup and squid interacting with trawls. DMF's underwater video systems have observed the behavior of scup and squid in inshore waters although less so in deeper waters.

Fisheries responsible for much of the discard of scup are fisheries targeting *Loligo* squid, scup, butterfish, or whiting, especially offshore during winter months. With any luck successful bycatch reduction strategies applicable for fishing inshore will be useful for fishing offshore as well.

by Arne Carr, Conservation Engineering Project Leader



Public petitions and state fisheries management

At March public hearings the Marine Fisheries Commission will accept comments on an unprecedented number of petitions from the public to amend state fishing regulations. Six petitions will be considered along with five DMF proposals. The variety and complexity of these issues surely will make the public hearings lively and well-attended.

State law allows the right of free petition. Chapter 130, section 17A states:

Upon petition signed by any interested party or upon his own motion, the director shall submit to the marine fisheries advisory commission proposals relating to the management of the marine fisheries. After public hearing, notice of which shall be published in a newspaper of general distribution in the areas affected, the commission shall in writing approve or disapprove such proposals. If any proposal is so approved, the director shall in accordance with such approval adopt, amend or repeal rules and regulations, subject to the approval of the commissioner...

This law was approved back in 1962 - the same year the Marine Fisheries Commission was established.

During the past four decades the complexity of fisheries management has become overwhelming. Regulations changes are mandated by the proliferation of single-species management plans. However, as seen in this quarterly public hearing agenda, there are many requests for changes to mitigate impacts on local fisheries, as well as requests from concerned citizens about conservation issues.

Prior to 1987 many public hearings were scheduled for the purpose of airing a single petition. However with increasing number of regulation changes, the process was streamlined. A quarterly public hearing schedule policy was adopted by the Marine Fisheries Commission in 1987.

Unlike the much-publicized initiative petitions that appear on elections ballots where over 100,000 signatures are required, a petition to DMF needs only one signature to be valid. DMF simply requires the petitioner to use DMF-supplied forms to describe the requested regulatory change and facts supporting the action.

Prior to accepting a petition for public hearing, DMF usually requests the petitioner to meet with DMF staff or the Commission to discuss the merits of the request and possible alternatives. DMF and MFC make every attempt to schedule the petitions for public hearing on a timely basis. However, sometimes necessary fact-finding investigations by DMF staff or back-log of petitions can postpone the issue for a few months or more.

In addition to the six petitions scheduled for March 26-27, the Commission received a seventh petition to prohibit bluefin tuna purse seining in Cape Cod Bay. This petition will be aired at late spring/early summer public hearings.

For more information on DMF's public hearings and regulatory policies, contact Jeanne Shaw or Dan McKiernan at the Boston office.

Comings ...

Vito Calomo, long-time Executive Director of the Gloucester Fisheries Commission, has been appointed as Executive Director of the Massachusetts Fisheries Recovery Commission (MFRC). The MFRC was created by the Legislature in 1997 to conduct scientific and socio-economic studies to facilitate the recovery of the Commonwealth's commercial fishing industry.

Vito brings vast knowledge and experience to his new position. A former commercial fisherman for over 20 years, he focuses much of his energy on fisheries management as an active member of the state's Marine Fisheries Commission, New England Fisheries Management Council and an active participant in the Atlantic States Marine Fisheries Commission.

DMF Director Paul Diodati anticipates an excellent working relationship with Vito, stating, "Vito has always demonstrated total commitment to improving the status of the state's fisheries."

DMF's Dr. Michael Armstrong has been promoted to lead DMF's Recreational Fisheries Program. Armstrong has served as DMF's population dynamics specialist for the last seven years.

Dr. Gary Nelson of the Florida Marine Fisheries Commission has been recruited by DMF to head special fisheries research projects working under Dr. Armstrong. Gary is highly trained in survey design and statistics and is a native Baystater.

DMF's licensing program welcomes two new staff:

Kerry Faugno and Sandra Downing. Kerry and Sandra have worked for other state agencies and bring strong customer service experience to DMF.

... and Goings

Buell Hollister, former DMF Information Officer and manager of the Department's Clean Vessel Act Program retired at the end of 2000. Buell was a past editor of the DMF News and created the annual David L. Belding Award. We wish Buell well as he navigates his 40-foot sailing craft into retirement.

David McCarron, DMF's Fisheries Economist, has left for the private sector. He will be Program Manager for the Environmental Information Systems group of Technology Planning and Management Corp., Inc. He will also serve as Executive Director of the Gulf of Maine Lobster Foundation, a new non-profit organization to fund and maintain long-term cooperative research programs. We wish David the best in his new endeavors. He can be reached via e-mail at Gomlf@gwi.net.

Karen Cannell has also left the employ of the Division. Karen was lead programmer for DMF for the past several years, and was critical to the success of FISH2000, DMF's new licensing system (see related article). Karen brought 20 years of programming experience, a work history at NMFS and, as an avid fisherman, a tremendous knowledge of DMF's needs. She has been lured away by the private sector, and will be missed.

DMF Rules UPDATE

Public Hearings • Regulations • Legislation

Notice of Public Hearings Scheduled for March 26 & 27, 2001

Under the provisions of G.L. Ch. 30A and pursuant to the authority found in G.L. Ch. 130 ss. 17A, 80, and 104, the Division of Marine Fisheries (DMF) and the Marine Fisheries Commission (MFC) have scheduled hearings on the following proposals. Contact the Division of Marine Fisheries for draft regulations and further details.

01. DMF proposal to amend horseshoe crab management (322 CMR 6.34) establishing distinct permit categories and dealer rules for crab harvest destined for biomedical vs. bait purposes. DMF will accept comments on Interstate Plan Addendum II that proposes transfers of unused quotas between states.

02. Accept public comment on a public petition to further restrict horseshoe crab harvest. The petition calls for a number of changes including:

- during May-July, prohibit night-time harvest and prohibit harvest for bait purposes during the 96-hour periods around new and full moons;
- a cap on licenses to harvest crabs;
- require conch fishermen using crabs as bait to quarter the crabs and use bait bags;
- require all crabs used in the lysate industry to be returned to the waters within town boundaries they were harvested.

03. DMF proposal to amend trap tag regulations (322 CMR 6.31) to change the deadline for placing current year's tags on traps. The current deadline of March 1 would be changed to May 1.

04. DMF proposal to amend black sea bass recreational regulations (322 CMR 6.28) to comply with the interstate management plan. Size limit and bag limit would be unchanged but the fishery would be closed in the early spring with a May 10 opening date.

05. DMF proposal to allocate the ASMFC-approved 794,100 lbs. fluke (summer flounder) commercial quota in 2001 between net gear (85%) and hook gear (15%) (322 CMR 6.22). To administer these gear-type quotas, DMF could establish separate, consecutive (non-overlapping) open seasons for each gear. For example, the net fishery could open on June 15 and close when the net-quota is taken; the hook fishery then could open until the hook-quota is reached.

06. DMF proposal to amend scup recreational regulations (322 CMR 6.28) to comply with the ASMFC management plan's mandate to reduce harvest by 33%.

Three options are proposed:

(a) **Size limit option:** Increase the minimum size from 9" to 10" for all recreational anglers and maintain certain rules on bag limits: 25 fish per angler and 100 fish per vessel bag limit for private boaters and shore fishermen. A 75-fish per person bag limit is proposed for anglers aboard party and charter vessels;

(b) **Season closure option:** Maintain the 9" minimum size and adopt all current bag limit rules as listed above in (a) but close the recreational fishery during October 7-December 31;

(c) **Possession limit option:** Maintain the 9" minimum size with no closed season but reduce the bag limit from 25 to 12 fish for all including those on party/charters vessels.

07. Accept public comment on a public petition to further restrict trawling for squid out to 1/2 mile from shore off the Falmouth shoreline in Vineyard Sound to protect bay scallops and eel grass habitat.

08. Accept public comment on a public petition to prohibit commercial fluke landings during Fridays and Saturdays during the directed fishery season. The directed fishery season currently begins July 5. MFC will accept comments on any other choices of no-fishing days.

09. Accept public comments on a public petition to increase the weakfish minimum size from 16" to 18" and enact a recreational bag limit (322 CMR 8.06) of 12 fish.

10. Accept public comment on a public petition to establish new regulations on the recreational harvest of white perch including a 25 fish bag limit and an 8" minimum size.

11. Accept public comment on a public petition to amend surf clam regulations (322 CMR 6.08) to allow commercial hand-raking of surf clams in those waters closed to dredging yet not accessible to recreational harvesters.

Two hearings have been scheduled:

Monday, March 26, 2001 (7-11 p.m.) at Mass Maritime Academy Auditorium on Buzzards Bay and Tuesday, March 27, 2001 (2-5 p.m.) at the Katherine Cornell Theatre in Tisbury (Martha's Vineyard).

Written comments (by mail or fax) will be accepted until 5 PM on Friday, March 30, 2001.

Regulatory Update

During the period November 2000 through March 2001, DMF and the Marine Fisheries Commission enacted the following changes.

Striped bass minimum size lowered for recreational fishermen from 30 inches to 28 inches

DMF recommended this change given that there are limited conservation benefits associated with maintaining a 30-inch minimum size. Updated assessment data indicate fishery performance is within FMP guidelines and there is favorable support from some large Massachusetts sporting organizations. This size limit is expected to remain in place for two years (through 2002) until Striped Bass Amendment 6 is completed.

Final regulations prohibiting striped bass “high-grading” approved in September were filed. “High-grading” occurs when smaller legal-sized fish previously captured are retained and then discarded in favor of another larger legal-sized fish. Recreational fishermen may not retain a legal-sized striped bass and release said fish in favor of another larger legal-sized striped bass captured subsequently. Any legal-sized fish not immediately released into the water, but are kept alive by stringer, live-well or another means shall be considered intent to high-grade.

Scup and Black Sea Bass changes: Scup recreational possession limit lowered from 50 fish/angler and 200/vessel to 25/angler and 100/vessel. More restrictions are proposed at March 26-27 public hearings. See Notice.

Commercial scup quotas and trip limits for this upcoming inshore spring/summer/fall season are similar to last year. For fish weirs, the landings will be capped at 75,000 lbs.; draggers will be allowed 100 lbs. by-catch during the squid season (April 23-May 31 or early June if extended). For all commercial gear the directed fishery will open on July 17 with a 200 lb. limit and no possession of scup allowed on weekends. The summer/fall scup quota shared by all states is low: just 1,731,018 lbs. for 2001. Massachusetts will receive 362,849 lbs., 21.6% of the overall quota. Fishermen and dealers should expect closures similar to last year. The directed fishery is unlikely to last more than a few weeks, so once the Massachusetts directed fishery opens on July 17, it will likely close by mid-August and will remain closed through Oct. 31.

New winter-time commercial trip limits were enacted to comply with the interstate management plan. For scup, January 1 – April 30 scup commercial trip limit of 10,000 pounds was approved with a provision that when 75% of the quota is projected to be landed, the possession limit will be dropped to 1,000 pounds. That trigger was reached so DMF dropped the scup limit to 1,000 lbs. on January 30. The entire quota for the Winter I period was projected to be reached by March 1 so DMF closed the scup commercial fishery for the period March 1 - April 22. For the November-December period, the trip limit will be 2,000 pounds.

For black sea bass, four different seasonal trip limits were adopted: 1st quarter - 9,000 lbs; 2nd quarter - 1,500 lbs; 3rd quarter - 1,000 lbs; and 4th quarter - 2,000 lbs. Furthermore, DMF will reduce the possession limit during each quarter by half when 75% of the quarterly quota is projected to be reached. The entire quota for the Winter I period was projected to be reached by March 6 so DMF closed the black sea bass commercial fishery during March 7 - March 31.

For black sea bass, the fishery will be re-opened on April 1 with a daily possession limit of 1,500 lbs. and the possession limit will be cut in half to 750 lbs. once 75% of the quarterly quota is reached. However, ASMFC may take action in the weeks ahead to lower the trip limits sooner to prevent a premature closure of the spring fishery. If ASMFC takes such action, DMF will notify all permit holders and dealers. Fishermen should note that the spring quota is quite low: 656,040 lbs. If landings are strong in the spring, the fishery could be closed sometime during the month of May and all of June.

Groundfish closure extended and hooking exempted. The January groundfish closure in upper Cape Cod Bay and Massachusetts Bay that was enacted by federal regulators was approved by DMF for state waters license holders (draggers and gillnetters). Commercial codfish hooking was exempted from this closure during the month of January provided that fishermen applied for authorization from DMF, did not hold a valid federal multi-species permit, used hook-and-line, and circle hooks were mandated for any bait fishing. The 400 lbs. trip limit was maintained. Catch reports had to be submitted by February 28, 2001.

Right Whale Conservation Rules Amended. Rules were clarified regarding fishing or abandoning of fixed gear that does not comply with the modifications to reduce risk of entanglement. These changes will enhance the compliance with the existing rules and facilitate the “ghost gear” cleanup program in Cape Cod Bay.

Decision regarding “Whiting Area” closure to fixed gear postponed. DMF took emergency action in late September to prevent lobstermen from displacing trawlers in a portion of the Cape Cod Bay whiting area. The MFC postponed final action pending a meeting among fishery officials, lobstermen and draggers.

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Joining the list is as easy as sending one message and you will begin to receive by e-mail: fishery openings and closings, regulatory updates, public hearing announcements and other special information and advisories. Soon, the use of our listserv will save us thousands of dollars in postage and will ensure that our constituents receive information as soon as it becomes available.

To join the list, send an email to:
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http://www.state.ma.us/dfwele/dpt_toc.htm

DMF NEWS

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