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March 23, 2009
Marine Fisheries Advisory

NOTICE OF PUBLIC HEARINGS
SCHEDULED FOR **March 23, 2009**

Under the provisions of M.G.L. Ch 30A and pursuant to the authority found in M.G.L. Ch. 130 ss. 17, 17A, and 80, Division of Marine Fisheries (DMF) and the Marine Fisheries Advisory Commission (MFAC) have scheduled hearings on proposed regulations affecting the commercial and recreational scup and black sea bass fisheries as well as the recreational fishery for summer flounder:

1. Accept comments on DMF proposal to reduce recreational harvest of black sea bass as required by ASMFC for the 2009 fishery by increasing the minimum size by ½" to 12.5" (322 CMR 6.28).
2. Accept comments on a DMF proposal (322 CMR 6.22) to reduce the recreational harvest of summer flounder (fluke) by 24% compared to 2008 levels as required by ASMFC. The reduction would be accomplished by choosing one or more measures including: a reduction in days of the open season, an increase in the minimum size, and a reduction in the bag limit. The current rules allow 5 fish at 17.5" and a season of 67 days (June 10 – Aug 15). DMF has crafted a set of regulatory options to accomplish the required catch reduction. These options could raise the minimum size as high as 18", reduce the season length to a minimum of 32 days and reduce the daily bag limit to as few as 2 fish. For a list of potential combinations of changes to season, bag, and size limits, contact DMF.
3. Accept comments on DMF proposals to amend commercial harvest rules pertaining to scup and black sea bass for the 2009 fisheries (322 CMR 6.28 & 8.06). The amendments to the sea bass rules are designed to accommodate the 46% reduction in commercial quota enacted for 2009 by ASMFC.
 - a. Prohibition on sea bass landings from May 1 through August 16. This would eliminate the spring and early summer black sea bass fishery for all gear types. DMF will accept comments regarding how to accommodate a limited spring black sea bass fishery;
 - b. Creation of a limited directed scup spring fishery for hook and pot gears between May 16 th & 31 st during open-fishing days of Sunday, Tuesday and Thursday with a 200-lb trip limit per 24-hour day;

- c. Establish an August 17th opening of the summer scup fisheries for hook and pot gear to be prosecuted on open-fishing days of Sunday, Tuesday and Thursday under a 200-lb. scup trip limit per 24-hour day.
- d. Establish an August 17th opening of the sea bass fishery to be prosecuted on open-fishing days of Sunday, Tuesday and Thursday (same as above) and establish trip limits of 300-lbs. for pots and traps, and 200-lbs. for hook gear and trawlers; and
- e. Maintain existing scup trip limits of 400 lbs. for trawlers fishing the squid fishery (April 23- June 9 and into the summer flounder fishery (June 10-October 31).
- f. Increase the weir set-aside by 71% to 208,009-lbs. commensurate with the increase in the state's overall scup quota for the summer/fall period.
- g. Require fish pots be removed permanently from the water from June 1 through the start of the summer directed fishing season, August 17.

**A public hearing has been scheduled for
Monday, March 23rd (6PM) at the Best Western Hotel – Bourne
(100 Trowbridge Rd. , Buzzards Bay , MA 02532)**

Comments received by e-mail (marine.fish@state.ma.us), fax (617.626.1509), or mail (251 Causeway St., Suite 400; Boston, MA 02114) will be accepted until 5PM on Friday, March 27, 2009.

Contact DMF for regulations and further details or visit our website at www.mass.gov/marinefisheries.