



The Commonwealth of Massachusetts

Division of Marine Fisheries

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Marine Fisheries Advisory

UPDATE ON 2024 COMMERCIAL MENHADEN FISHERY MANAGEMENT

The Division of Marine Fisheries (DMF) has made several changes to its regulations affecting the directed commercial menhaden fishery's season and trip limits. These changes respond to recent fishery performance and are designed to achieve the state's allowable quota (10,838,902 pounds) under a variety of resource availability conditions. Additionally, several requirements adopted last year concerning vessel fish storage and seine net certification and daily electronic harvester reporting take effect this year. This advisory also serves to remind fishery participants about other ongoing requirements.

New Management Measures for 2024

Purse Seining Season and Open Days

Beginning this year, the directed purse seine fishery will open on May 15, rather than June 15. Accordingly, purse seining for menhaden in state waters or landing purse seine caught fish in Massachusetts is prohibited prior to May 15 and after 100% of the state's quota is taken and the directed fishery closed. This earlier season start date will allow seiners to target these fish in offshore and coastal waters as they migrate north. The inshore harbors and embayments (so-called "inshore net areas") where purse seining is authorized will remain closed to this fishing activity until June 1. To start the season, purse seining in state waters may only occur Monday–Thursday. If more than 50% of the quota is taken before September 1, Friday will be added as an open fishing day (concurrent with a decrease in the limited entry trip limit).

Purse Seine Net Certification

As adopted in 2023 to take effect this year, certain commercial seiners must annually have their nets inspected and certified for compliance with relevant net size restrictions prior to commencing seining activity. This new requirement applies to seiners who fish inside inshore net areas and under the 6,000-pound trip limit. Seines fished inside inshore net areas are limited to 600' length and seines fished under a 6,000-pound trip limit are subject to a 450' length by 48' depth seine size restriction.

DMF will be available to conduct net inspections beginning in late April/early May. Please contact Brad Schondelmeier at 978-491-6218 or brad.schondelmeier@mass.gov to schedule an inspection time and location. Inspections and certifications from states with similar programs are also valid in Massachusetts. If a net is subsequently altered with regards to its overall dimensions, it must be reinspected and recertified prior to use.

Limited Entry Fishery Trip Limits

In 2023, the limited entry fishery opened with a 120,000-pound trip limit that would be reduced to 25,000 pounds once 50% of the quota was taken, and 6,000 pounds once 90% of the quota was taken. This was designed to avoid an early season quota closure to meet local bait demand. However, changes in the spatial distribution of menhaden, likely driven by environmental conditions, impacted catch rates and

greatly reduced quota use last year. To address this, DMF is refining the limited entry trip limit management scheme for 2024 to include several new provisional adjustments:

- If 50% of the quota is not used until after August 31, the 120,000-pound trip limit applies through 90% quota use. As in 2023, if 90% of the quota is not used until after August 31, the 25,000-pound trip limit applies for the remaining 10% of quota, including the scenario above.
- If more than 10% of the quota remains on October 15, the trip limit will increase to 360,000 pounds and remain at that level until 100% of the quota is taken. This will allow vessels, after the fish depart our waters and should sufficient quota remain, to carry large amounts of menhaden caught in other jurisdictions and land them in Massachusetts. To accurately monitor the quota, vessels participating in the fishery at this time will be required to call DMF 48-hours prior to landing.

Vessel Fish Storage Certification

As adopted in 2023 to take effect this year, fishery participants are reminded that any harvester or carrier vessel holding and landing menhaden in quantities that exceed 6,000 pounds must be annually assessed by a certified marine surveyor and marked to demonstrate volumetric capacity of 120,000 pounds and 25,000 pounds of menhaden prior to commencing activity. As in prior years, when a harvester is operating at the 6,000-pound trip limit (whether limited entry or open access), the fish must be stored in barrels or totes upon retention. A level filled fish tote equates to 117 pounds of menhaden and a level filled barrel equates to 350 pounds of menhaden.

Daily Electronic Catch Reporting for Limited Entry Harvesters

As adopted in 2023 to take effect this year, all limited entry menhaden permit holders are reminded of the new requirement to report their commercial catch electronically to DMF on a daily basis and prior to landing. This applies not just to their menhaden catch, but all other commercial catch they may land under the authority of their commercial fishing permit. (Federal permits may trigger additional reporting requirements, e.g., VTR.) This does not eliminate the requirement for limited entry menhaden permit holders to also obtain a Bait Dealer permit and report their menhaden catch and sales on a daily basis as a dealer. Open access menhaden fishers remain required to report their commercial catch to DMF via monthly trip level catch reports, and if directly selling or exchanging fish as bait, to obtain a Bait Dealer permit and report these sales on a weekly basis.

Reminder of Ongoing Management Measures

Fishing Activity Other than Limited Access Seining

The open access fishery trip limit will remain at 6,000 pounds and seining under this open access trip limit will be allowed beginning on May 15. A 6,000-pound limit, harvested from state waters only, also applies to any non-purse seine gears fishing prior to May 15 and after 100% of the state's quota is taken and the directed fishery closed. There is an exemption for weir fishers with a limited entry menhaden permit to take up to 120,000 pounds per day prior to May 15.

Use of Carrier Vessels

The use of carrier vessels is constrained to limited entry fishery participants during the directed fishery. The use of carrier vessels is prohibited year-round within Boston Harbor, and throughout Massachusetts when a 6,000-pound trip limit applies to the limited entry fishery. Carrier vessels may receive, possess, transport and land menhaden from only a single harvester vessel during any calendar day, provided the calendar day is open to purse seining. A carrier vessel may not receive, possess, or land menhaden in quantities that exceed the applicable trip limit or land more than once per day. A harvester vessel may

employ multiple carrier vessels during the same calendar day, provided the trip limit is not exceeded in aggregate, but may not also carry or land fish on a day that it is utilizing a carrier(s).

User Group Conflicts

There are persistent user group conflicts over the extraction of menhaden for commercial purposes. These conflicts tend to be exacerbated in years like last year when there is reduced availability in our waters. However, this is a shared resource. Menhaden are an important local forage base for valuable recreational fisheries like bluefin tuna and striped bass. The purse seine fishery is also a historic commercial fishing activity and our local commercial catch provides bait for our lobster industry, as well as other local fishers and tackle shops. The commercial menhaden fishery is annually allocated a quota from the Atlantic States Marine Fisheries Commission. On a coastwide basis, this quota accounts for the role menhaden play in the ecosystem as forage. DMF has also adopted a series of controls to constrain commercial harvest and effort in Massachusetts to ameliorate potential conflicts with recreational anglers. DMF strongly encourages a de-escalation of on the water conflicts through increased communication on the water. Additionally, commercial seiners should avoid setting their gear in concentrations of recreational fishers, just as recreational fishers should avoid interfering with commercial seining operations.

For more information, please visit our website: www.mass.gov/marinefisheries.
DMF's menhaden regulations can be found at 322 CMR 6.43.