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April 29, 2009
Marine Fisheries Advisory

**NOTICE OF PUBLIC HEARING
SCHEDULED FOR JUNE 2, 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 (MFC) have scheduled a hearing on emergency regulations affecting the commercial scup and black sea bass fisheries as well as the recreational fishery for black sea bass and summer flounder.

These emergency regulations are identical to the ones that were approved by the MFC at the April 2, 2009 business meeting after a public hearing held on March 23, 2009.

The Regulations Division in the Office of the Secretary of State declined to accept the filing of the final regulations because, due to a clerical oversight, notice of the March 23, 2009 public hearing was not published in the Massachusetts Register. Therefore, these DMF regulations have been re-filed as emergency regulations with the Secretary of State in order to comply with interstate plan requirements.

Regulations include:

- increase of the recreational minimum size for sea bass to 12 ½”;
- increase of the recreational minimum size for summer flounder to 18 ½” and establish the open season as July 1 – August 13;
- establish a May 1 – May 24 spring sea bass commercial fishery during open-fishing days of Sunday, Tuesday & Thursday and a provision to have the Director establish the summer-time (August 1st and beyond) trip limits based on available quota;

- decrease of the spring season black sea bass trip limit from 200 to 100-lbs. for fishermen using hook and line or lobster pots;
- amendment of the open-fishing days as Sundays, Tuesdays and Thursdays for the May scup directed fishery;
- amendment of the open-fishing days as Monday through Thursday for the directed summer-fall scup fishery beginning August 1st; and
- increase of the commercial scup allocation to the weir sector to 177,000-lbs.

Contact DMF for a copy of the regulations at 251 Causeway St. Suite 400, Boston , MA 02114.

Comments received by e-mail (marine.fish@state.ma.us), fax (617.626.1509), or mail will be accepted until 5PM on

Monday, June 1st or in person at the June 2nd public hearing beginning at 9:30 am at the DMF office at 1213 Purchase St., (3rd floor) in New Bedford , MA 02740.