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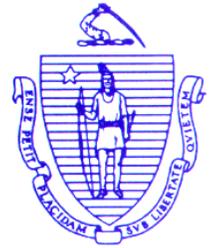
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April 30, 2014

Marine Fisheries Advisory

COMMERCIAL SALE OF STRIPED BASS CAUGHT DURING FOR-HIRE TRIPS

The Massachusetts Marine Fisheries Advisory Commission has approved new regulations affecting the commercial sale of striped bass caught during for-hire trips. The following regulations are scheduled for implementation prior to the start of the 2014 season:

- Permitted for-hire vessels may sell any striped bass caught during a for-hire trip, provided:
 1. The for-hire vessel holds a commercial striped bass regulated fishery permit endorsement;
 2. All catch complies with the recreational fishing management measures; and
 3. The striped bass sold complies with the commercial fishing management measures.

What does this mean?

Any vessel carrying for-hire patrons must abide by all recreational regulations. For-hire patrons cannot be designated as the vessel's "crew" in order to claim the vessel is conducting a commercial trip. Accordingly, a dually-permitted vessel (holding both a for-hire permit and commercial boat permit with a striped bass endorsement) on a for-hire trip is limited to the amount of striped bass that corresponds to the number of persons times the recreational bag limit. All fish must meet the recreational size limit. At the end of trip, should any passengers not want to keep the recreational bag limit, the remaining striped bass – provided all commercial rules are met – could be sold by the permit holder to an authorized primary buyer.

For example, under the current recreational and commercial rules, if a for-hire captain and his mate take out three patrons on a for-hire trip, the maximum amount of striped bass that may be harvested during the trip is 10 fish, at 28" or more. If the maximum is harvested and each patron takes home two fish (six total), the for-hire captain may sell the remaining four fish if they meet the commercial requirements (e.g., 34" or more, open commercial fishing day). Alternatively, if each patron took home one fish (three total), the for-hire captain could sell the remaining seven fish if they meet the commercial requirements. Regardless of the number of trips taken in a day, no more than 15 fish could be sold under the authority of the vessel's commercial striped bass endorsement in a day. (Note: the 15-fish limit applies to striped bass endorsements of Commercial Lobster or Boat Permits; Individual and Rod & Reel Permit holders with a striped bass endorsement are limited to two fish in a day).

How does this differ from past practice?

In prior years, a for-hire vessel with a commercial permit and striped bass endorsement could take a for-hire trip and fish under the commercial rules for striped bass. The vessel could take the commercial limit (30 fish in prior years), patrons could leave with up to two fish each, and the for-hire captain could sell the remaining fish. Once the number of striped bass aboard the vessel was greater than twice the number of fishermen, the trip was considered to be exclusively commercial, and all striped bass in

possession had to be greater than the commercial size limit, 34". All other rules pertaining to commercial trips also applied, both in relation to striped bass and other species.

Under the new regulations for 2014 and beyond, a for-hire vessel on a for-hire trip is considered to be exclusively recreational, and all recreational rules pertaining to striped bass and other species must be followed. However, after the trip is over, if some of the striped bass catch is unwanted by the for-hire patrons and these fish meet the commercial requirements, these fish can be sold by the for-hire captain if properly permitted (up to the daily commercial limit).

Why was this change made?

This and other rule changes for the 2014 commercial striped bass season were made to extend the season, strengthen supply and market conditions, and improve the collection of data documenting both commercial and recreational catch.

Can patrons of for-hire trips sell the striped bass they keep?

No, it is prohibited for recreational fishermen to sell, barter, or exchange or offer to sell, barter or exchange any striped bass. Patrons on a for-hire vessel are fishing under the authority of the for-hire vessel's permit and are considered recreational fishermen; they must abide by all recreational rules. This is true even if a patron had a commercial striped bass endorsement in his name.

If my for-hire patrons harvest but don't want to keep their two-fish limit on a trip on a closed commercial day, what can I do with those fish?

The open commercial fishing days are Monday and Thursday. On any other day of the week, striped bass may not be harvested for commercial purposes or sold. On a closed commercial day, any unwanted fish would have to be discarded (unless the for-hire captain and mate can take them as part of their recreational limit). On a closed commercial day, for-hire patrons should be reminded during a trip to release any striped bass they don't want to take home, so as to avoid unnecessary waste.

How should I report the sale of striped bass caught during for-hire trips?

Any striped bass caught during a for-hire trip and sold must be reported on commercial harvester trip-level reporting forms, either state or federal. State-reporting harvesters (those who do not report trip-level data to NOAA Fisheries) must report electronically, using the SAFIS eTrips application. The eTrips application will have a new option to designate a trip as for-hire; this option should be selected to report any striped bass sold from a for-hire trip. Federal-reporting harvesters can continue to use their current mode of reporting, either paper or electronic, being sure to report such striped bass sales as occurring from a for-hire trip. To set up an eTrips account, contact the Division's Statistics Project by email at dmf.stats@state.ma.us or by phone at (978) 282-0308 ext.101.

These reporting procedures are different from past practice when these for-hire trips were considered to be commercial. Fish kept by for-hire patrons should not be reported on commercial harvester trip level forms, even when a portion of the striped bass catch is sold. For-hire patrons' catch of striped bass (and any other species) will be estimated through MRIP (the Marine Recreational Information Program). Harvest from traditional commercial trips can still be reported via the eTrips application, but using the "commercial" trip type instead.

How does this affect at-sea filleting?

In the past, a for-hire vessel fishing under the commercial striped bass rules could not fillet the harvest of its patrons because processing of commercially harvested striped bass in any way other than evisceration is prohibited. Now, all for-hire vessels will be fishing exclusively under the recreational

rules, thus a for-hire captain or mate may fillet striped bass legally harvested by for-hire patrons, provided the skin is left on and no more than four fillets are in the possession of each patron.

For-hire permit holders are reminded that it is unlawful to sell, barter, or exchange any fillets. Only whole fish may be commercially transacted by harvesters.

For Additional Information:

Refer to *Marine Fisheries*' website for complete regulations: www.mass.gov/marinefisheries. If you have additional questions, please contact *Marine Fisheries* staff in Boston (617-626-1520), Gloucester (978-282-0308), or New Bedford (508-990-2860).