

## 6.22: Summer Flounder (Fluke) Restrictions

### (4) Recreational Fishery Season and Limit.

#### (a) Seasonal Possession and Landing Limits.

1. Closed Season. From September 24<sup>th</sup> through May 21<sup>st</sup>, it shall be unlawful for a recreational fisherman to possess or land any quantity of summer flounder;

2. Open Season. From May 22<sup>nd</sup> through September 23<sup>rd</sup>, it shall be unlawful for a recreational fisherman to possess or land in excess of **four five** summer flounder per calendar day.

(b) Minimum Size. It shall be unlawful for recreational fishermen to land or possess summer flounder less than **17 16** inches in total length.

## 6.28: Black Sea Bass Fishery Management

### (1) Definitions.

Black Sea Bass means that species of fish known as *Centropristis striata*.

Black Sea Bass Pot means any pot or trap that has six sides and at least two unobstructed escape vents or openings in the parlor section that are at least 2 ½ inches diameter, 2 inches square or 1 3/8 inch by 5 ¾ inch, and is set on the bottom of the ocean and designed to capture black sea bass.

Black Sea Bass Pot Regulated Fishery Endorsement means those limited entry regulated fishery permit endorsements, issued and managed pursuant to M.G.L. c. 130 §§ 2 and 80 and 322 CMR 7.01(4)(a) and 7.06, that authorize a named individual to use black sea bass pots for the taking of black sea bass for commercial purposes.

Black Sea Bass Regulated Fishery Endorsement means those limited entry regulated fishery permit endorsements, issued and managed pursuant to M.G.L. c. 130 §§ 2 and 80 and 322 CMR 7.01(4)(a) and 7.06, that authorize a named individual to harvest, possess and land black sea bass for commercial purposes.

Commercial Fishermen means any person fishing under the authority of a permit issued in accordance 322 CMR 7.01(2) for the purposes of sale, barter, or exchange, or to keep for personal use or family use any fish or shellfish caught under the authority of the commercial fisherman permit.

Commercial Black Sea Bass Quota means the allowable annual Massachusetts commercial harvest of black sea bass pursuant to the ASMFC Interstate Scup, Black Sea Bass and Summer Flounder Management Plan.

Dealer means any wholesale or retail seafood dealer permitted by the Director pursuant to M.G.L. c. 130 § 80 and 322 CMR 7.01(3).

Director means the Director of the Division of Marine Fisheries.

For-hire Vessel means any vessel that holds a for-hire permit, issued in accordance with M.G.L. c. 130 § 17C and 322 CMR 7.10(5), that is carrying paying customers for the purpose of recreational fishing.

Recreational Fishermen means any person who harvests or attempts to harvest fish for personal or family use, sport, pleasure and which are not sold, bartered or exchanged.

Total length means the greatest straight line length, in inches, measured on a fish with its mouth closed from the anterior most tip of the jaw or snout to the farthest extremity of the tail. For fish with a forked tail, the upper and lower fork may be squeezed together to measure the tail extremity.

## (2) Commercial Fishery Management

(a) Permit requirements. A regulated fishery black sea bass permit endorsement or black sea bass pot permit endorsement, issued by the Director pursuant to 322 CMR 7.01(4)(a): *Regulated Fishery*, is required to sell black sea bass or to fish for, retain, possess or land black sea bass in accordance with the black sea bass commercial fishery regulations at 322 CMR 6.28(2).

(b) Minimum Size. It is unlawful for any commercial fisherman or dealer to possess black sea bass less than 12 inches in total length, not including the tail tendril.

(c) Possession and Landing Limits.

1. Winter Catch Allowance. From January 1<sup>st</sup> through March 31<sup>st</sup> it shall be unlawful for a commercial fisherman to possess or land more than 100 pounds of black sea bass.

2. Closed Season. From April 1<sup>st</sup> through July 8<sup>th</sup> ~~the first Monday of August~~ it shall be unlawful for any commercial fisherman, other than weir fishermen, to possess or land black sea bass.

3. Weirs. From April 1 through December 31, commercial fisherman permitted in accordance with 322 CMR 7.01(4)(a) to operate a fish weir, shall not be subject to daily possession limits or closed commercial fishing days for black sea bass caught in fish weirs. The weir fishery shall close when all permitted weir fishermen have combined to land ~~10,000~~ 15,000 pounds of black sea bass.

4. Black Sea Bass Pots. From July 9<sup>th</sup> ~~the first Tuesday in August~~ until the annual quota is reached, commercial fishermen who hold a commercial black sea bass pot regulated fishery permit endorsement may fish for, possess and land black sea bass taken by black sea bass pots on Sundays, Tuesdays and Wednesdays and shall not possess or land more than 300 pounds of black sea bass per calendar day or trip, whichever is longer. During this open season, the possession and landing of black sea bass is prohibited on Mondays, Thursdays, Fridays and Saturdays.

5. All Other Gears. From July 9<sup>th</sup> ~~the first Tuesday in August~~ until the annual quota is reached, commercial fishermen who hold a commercial black sea bass regulated fishery permit endorsement may fish for, possess and land black sea bass on Sundays, Tuesdays and Wednesdays and shall not possess or land more than 150 pounds of black sea bass per calendar day or trip, whichever is longer. During this open season, the possession and landing of black sea bass is prohibited on Mondays, Thursdays, Fridays and Saturdays.

6. Quota Closure. It shall be unlawful for commercial fishermen to land or possess black sea bass once the Director has determined that 100% of the annual commercial black sea bass quota has been reached. The quota closure will be enacted and announced in accordance with the procedure set forth at 322 CMR 6.41(2)(c).

(3) Recreational Fishery Regulations

(a) Minimum Size. It is unlawful for any recreational fisherman to possess black sea bass less than 15 inches in total length not including the tail tendril.

(b) Seasonal Possession Restrictions.

1. Closed Season. From September 1 through May 20, it is unlawful for a recreational fisherman to possess or land any quantity of black sea bass.

2. Open Fishing Season. From May 20 ~~21~~ through August 29 ~~31~~, it is unlawful for a recreational fisherman to possess or land more than 5 black sea bass per calendar day.