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April 27, 2011

Marine Fisheries Advisory

**NOTICE OF PUBLIC HEARINGS:  
CODIFY EMERGENCY REGULATIONS AND CLARIFY CERTAIN SECTIONS OF  
THE CMR**

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Under the provisions of M.G.L. Ch 30A and pursuant to the authority found in M.G.L. Ch. 130 ss. 17A & 80, the Division of Marine Fisheries (DMF) and the Marine Fisheries Advisory Commission (MFC) have scheduled two public hearings to accept comments on the following DMF regulatory actions and proposed changes:

**Adopt Regulations Originally Promulgated on an Emergency Basis**

1. At 322 CMR 6.00, DMF implemented the open seasons, trip limits, bag limits, open fishing days and minimum sizes governing the commercial and recreational summer flounder, scup and black sea bass fisheries. This action was taken to comply with annual adjustments to recreational harvest levels and commercial quotas under the Atlantic States Marine Fisheries Commission's interstate fishery management plans for these species. The Commonwealth will hear comment on these items before formally codifying these regulations in 322 CMR;
2. At 322 CMR 8.00, DMF renewed the spring and winter Cod Conservation Zone closures and amend the spatial and temporal limits thereof. The Commonwealth will hear comment on these items before formally codifying these regulations in 322 CMR.

### **Additional Proposed Amendments to 322 CMR**

1. Take comments on amending 322 CMR 6.00 to clarify the taking of lobsters by collapsible traps, such as star traps, is prohibited as it is tantamount to “dipping” and in violation of M.G.L. c. 130 s. 37;
2. Take comments on amending 322 CMR 6.00 to clarify that trip limits for quota managed species apply to the vessel, regardless of how many commercial permit holders are aboard;
3. Take comments on revisions to multiple chapters of 322 CMR that eliminate out-dated reporting requirements and regulatory references to the address of the Division of Marine Fisheries.

#### **Two public hearings have been scheduled:**

**May 31, 2011 at 4 PM at the *Marine Fisheries* Annisquam River Station, 30 Emerson Avenue,**

**Gloucester, MA 01930.**

**May 31, 2011 at 4 PM at the Plymouth Public Library Otto Fehlow Room, 132 South Street  
Plymouth, MA 02360.**

Public comments will be received until 5PM on May 31, 2011. Please e-mail all public comments to [marine.fisheries@state.ma.us](mailto:marine.fisheries@state.ma.us) or send to 251 Causeway Street, Suite 400, Boston, MA 02114.

For further information please contact Jared Silva by phone (617-626-1534) or through e-mail ([jared.silva@state.ma.us](mailto:jared.silva@state.ma.us)), or visit our website ([www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)).