



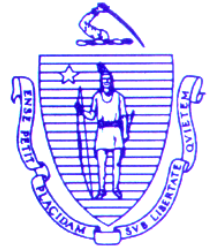
Paul J. Diodati  
Director

# Commonwealth of Massachusetts

## Division of Marine Fisheries

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Deval Patrick  
Governor  
Richard K. Sullivan, Jr.  
Secretary  
Mary B. Griffin  
Commissioner

May 28, 2014

### Notice of Public Hearings Scheduled for Wednesday, June 18, 2014

Under the provisions of M.G.L. c. 30A and pursuant to the authority found at M.G.L. c. 130 § 17A, 17C, 21, 52, 81 and 82, the Division of Marine Fisheries (DMF) and the Marine Fisheries Advisory Commission (MFC) have scheduled a public hearing and public comment period to accept comment on draft and emergency regulations at 322 CMR 6.00, 7.00 and 16.00.

**1. Shellfish Handling and Vibrio Management (322 CMR 16.00).**

DMF is proposing to codify recently promulgated emergency regulations that complement aspects of the National Shellfish Sanitation Program's (NSSP) Model Ordinance and the Massachusetts Vibrio (*Vp*) Control Plan.

- a. **NSSP Model Ordinance Requirements for Shellfish Harvest and Handling**
  - i. Require all commercially harvested shellfish be tagged with harvest and fisherman information at time of harvest; and
  - ii. Require all commercial shellfish harvesters to harvest molluscan shellfish only from shellfish growing areas classified as open for commercial shellfish harvest.
- b. **Seasonal (May 19 – October 19) *Vp* Control Plan Requirements for Commercial Oyster Harvesters and Aquaculturists**
  - i. Require oysters to be adequately shaded and adequately iced;
  - ii. Establish reporting and harvest restrictions on oysters taken from an aquaculture grant for the purpose of off-site culling, anti-fouling practices and wet storage; and
  - iii. Establish reporting and harvest restrictions for oysters harvested from an aquaculture grant and returned to the aquaculturist in the event of recall.

**2. 2014 Recreational Black Sea Bass Limits (322 CMR 6.28).**

DMF is proposing to codify recently promulgated emergency regulations that establish the 2014 recreational black sea bass limits described below.

- a. **Private Recreational Anglers and Anglers Onboard For-Hire Vessels**
  - i. May 17 – September 15 open recreational fishing season with an 8-fish bag limit and a 14 inch minimum size.
- b. **Special Access Program for Authorized For-Hire Vessels**
  - i. May 17 – May 31 open recreational fishing season with an 8-fish bag limit;
  - ii. June 1 – August 31 closed recreational fishing season; and
  - iii. September 1 – September 30 open recreational fishing season with a 20-fish bag limit.

**3. Recreational Southern New England Winter Flounder (322 CMR 6.03).**

In accordance with recent changes to the Atlantic States Marine Fisheries Commission's (ASMFC) Interstate Fishery Management Plan for Winter Flounder, DMF is proposing to codify recently promulgated emergency regulations that extend recreational fishing opportunities for southern New England winter flounder beyond the current 60-day season.

- a. Allow the recreational harvest of two winter flounder per day caught in the Southern New England Groundfish Management Area from March 1 – December 31; and
  - b. Close the Southern New England Groundfish Management to the recreational harvest of winter flounder during January and February.
4. **Display of Recreational Fishing Permits on Handheld Mobile Devices (322 CMR 7.01).**  
DMF is proposing to take comments on draft regulations that would allow recreational anglers to display their recreational saltwater fishing permit on their mobile device in lieu of a printed paper permit.
5. **Declaration Process for Atlantic Sea Herring Days-Out Specifications and Quota Closures for Management Areas 1A, 1B, 2 and 3 (322 CMR 9.00).**  
In accordance with recent changes to the ASMFC's Interstate Fishery Management Plan for Atlantic Sea Herring, DMF is proposing to codify recently promulgated emergency regulations that:
- a. Create a process for the Director to declare days-out specifications and other effort control measures for the commercial harvest of Atlantic sea herring in management areas 1A, 1B, 2 and 3, in accordance limits set by the ASMFC; and
  - b. Create a process for the Director to close specific Atlantic sea herring management areas or the commercial Atlantic sea herring fishery when commercial quota triggers have been reached.

**Public Hearing Schedule**  
**Start Time: 11:00 AM**  
**Wednesday, June 18, 2014**  
**John Curtis Free Library**  
**534 Hanover Street**  
**Hanover, MA 02339**

Written public comments will be accepted until the close of the public hearing on Wednesday, June 18, 2014. Please address all comments to Director Paul Diodati. Comments can be sent by e-mail to [marine.fish@state.ma.us](mailto:marine.fish@state.ma.us) or by mail to 251 Causeway Street, Suite 400, Boston, MA 02114.

To obtain a copy of the proposed regulations please visit our website ([www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)). For more information regarding the public hearing or the regulatory proposals, contact Jared Silva by phone (617-626-1534) or through e-mail ([jared.silva@state.ma.us](mailto:jared.silva@state.ma.us)).