

Draft Strikethrough Regulations Affecting Recreational Gulf of Maine Cod and Haddock

322 CMR 6.03 Regulated Multi-Species Groundfish

(2) Size Limits. Except as authorized at 322 CMR 6.03(13)(a), it shall be unlawful to retain, possess or land multispecies groundfish of a total length as set forth below:

(a) Commercial Fishing. For commercial fishers and dealers:

1. Cod: less than 19 inches;
2. Dabs: less than 12 inches;
3. Haddock: less than 16 inches;
4. Pollock: less than 19 inches;
5. Yellowtail Flounder: less than 12 inches;
6. Halibut: less than 41 inches;
7. Monkfish: less than 17 inches in total length or monkfish tails less than 11 inches in total length;
8. Windowpane Flounder: less than 12 inches;
9. Winter Flounder: less than 12 inches;
10. Witch Flounder: less than 13 inches; and
11. Redfish: less than seven inches.

(b) Recreational Fishing. For recreational fishers:

1. Cod:
 - a. less than 23 inches in the Southern New England Groundfish Management Area;
 - b. less than ~~22~~ 23 inches in the Gulf of Maine Groundfish Management Area.
2. Dabs: less than 14 inches;
3. Haddock:
 - a. less than 18 inches ~~for recreational fishers onboard a for-hire vessel~~ in the Gulf of Maine Groundfish Management Area;
 - ~~b. less than 17 inches for recreational fishers fishing from a private vessel or shore in the Gulf of Maine Groundfish Management Area;~~
 - ~~c.~~ b. less than 18 inches in the Southern New England Groundfish Management Area.
4. Yellowtail Flounder: less than 13 inches;
5. Halibut: less than 41 inches;
6. Windowpane Flounder: less than 12 inches; and
7. Winter Flounder: less than 12 inches.

(12) Haddock Fishery Limits.

(a) Recreational Fishery in Gulf of Maine Groundfish Management Area.

1. Open Season. During the period of April 1st through the last day of February it shall be unlawful for any recreational fisher to retain, possess, or land more than 15 haddock per day taken from the Gulf of Maine Groundfish Management Area.

~~a. For-hire. For recreational fishers onboard a for-hire vessel, during the period of April 1st through the last day of February it shall be unlawful to retain, possess, or land more than 15 haddock per day taken from the Gulf of Maine Groundfish Management Area.~~

~~b. Private Anglers. For recreational fishers fishing from a private vessel or from shore, during the period of April 1st through the last day of February it shall be unlawful to retain, possess, or land more than ten haddock per day taken from the Gulf of Maine Groundfish Management Area.~~

2. Closed Season. During the period of March 1st through March 31st, it shall be unlawful for any recreational fisher to retain, possess or land any haddock taken from the Gulf of Maine Groundfish Management Area.

(b) Exceptions. Customers aboard for-hire vessels fishing in federal waters may possess and land haddock in compliance with federal regulations.

Strikethrough Regulations for Emergency Adjustments to Recreational Striped Bass Filleting Rule

322 CMR 6.07 Striped Bass Fishery (*Morone Saxatilis*)

(1) Purpose and Scope. Since approximately October 1981 the Atlantic coastal states, through the auspices of the Atlantic States Marine Fisheries Commission (ASMFC), have been developing conservation and management measures for Atlantic striped bass through an interstate fishery management plan.

The following regulations represent the Commonwealth's response to this cooperative and joint coastal state conservation management effort. The objective of 322 CMR 6.07 is to allow controlled sustained recreational and commercial fishing for striped bass pursuant to the provisions of the ASMFC striped bass Fishery Management Plan.

322 CMR 6.07 is designed to identify the various user groups, implement conservation and management measures tailored to each group, and collect accurate statistics on striped bass catch levels. Persons intending to fish for striped bass have the option of classifying their activity as recreational or commercial. If a person intends to catch striped bass only for personal consumption and not for sale, that person must have a recreational saltwater fishing permit, and may fish year-round, and retain striped bass that measure between 28 inches and less than 31 inches, but may not retain more than one striped bass within any **calendar day 24-hour period**.

Any person intending to catch and possess striped bass for the purpose of sale, barter or exchange must be fishing under the authority of a commercial permit and a regulated fishery permit for striped bass. However, 322 CMR 6.07 establishes a commercial fishing season that closes upon reaching the commercial catch quota, establishes a minimum commercial size of 35 inches, and requires fish to be sold only to dealers licensed and authorized by the Commonwealth.

Finally, 322 CMR 6.07 allows wholesale and retail dealers to purchase and sell striped bass under certain conditions. To purchase striped bass directly from commercial fishers wholesale and retail dealers must be authorized as primary buyers of striped bass and must affix a Striped Bass ID Tag to all striped bass at the time of primary purchase from the commercial fisher. Striped bass imported into the Commonwealth must be marked with a numbered tag that identifies the state of origin and must be accompanied by documents that verify state of origin. Nonconforming (undersized) striped bass that were caught in the wild may be imported into the Commonwealth provided those fish were legally taken, shipped and meet documentation requirements of the state-of-origin.

(5) Recreational Management Measures. For purposes of conservation and management of the resource, the following measures shall apply to recreational fishers who harvest, catch, take or possess or attempt to harvest, catch, take or possess any striped bass:

(a) Only striped bass measuring at least 28 inches and less than 31 inches in total length may be retained. Striped bass measuring less than 28 inches or 31 inches or greater in total length shall be released immediately to the waters from which taken. **Retained striped bass shall have head and tail intact and be otherwise kept whole except for evisceration, bleeding, or descaling while on the waters under the jurisdiction of the Commonwealth or any adjacent parcel of land, structure, portion of roadway, or parking lot, except if being prepared for immediate consumption. ~~Recreational fishers shall not mutilate any striped bass in a manner that prevents the accurate measurement of the fish.~~**

(b) Recreational fishers may retain no more than:

1. one striped bass per day; and

2. may possess no more than one striped bass at any one time.

(c) Recreational fishers may not sell, barter or exchange any striped bass.

(d) Recreational fishers may not discard dead striped bass that measure between at least 28 inches, but less than 31 inches in total length.

(e) To prohibit the practice of high-grading as defined in 322 CMR 6.07(2), recreational fishers may not retain legal-sized striped bass and release said fish in favor of another larger legal-sized striped bass captured subsequently. Any legal-sized fish not immediately released into the water and held by stringer, live-well or another means shall be considered intent to high-grade.

(f) Mandatory Use of Circle Hooks. Recreational fishers shall use circle hooks when fishing for striped bass with whole or cut natural baits. This shall not apply to any artificial lure. Striped bass caught on any unapproved method of take must be returned to the water immediately without unnecessary injury.

(g) Rules Specific to For-hire Vessels.

1. Filleting of Striped Bass. Operators and crew of for-hire vessels, permitted under the authority of 322 CMR 7.10(5), may fillet striped bass under the following conditions:

a. Striped bass may be filleted for customers only.

b. Only striped bass which are lawfully possessed may be filleted.

c. Striped bass are filleted prior to customers departing the vessel.

d. Two square inches or more of skin is to remain affixed to each fillet.

e. Not more than two fillets of striped bass, representing the equivalent of one fish per angler, are in possession of each customer on that trip.

f. All striped bass carcasses are to be retained in a manner that does not interfere with species identification or total length measurement until such a time as the vessel has docked and all customers from that trip have departed the vessel.

~~**At-sea Filleting. Operators and crew onboard for-hire vessels permitted under the authority of 322 CMR 7.10(5): *Permit Requirements Applicable to For-hire Vessels* may fillet or process legal sized striped bass for their recreational customers at sea provided that:**~~

~~**1. The skin is left on the fillet; and**~~

~~**2. Not more than two fillets taken from legal striped bass are in the possession of each customer of that trip, representing the equivalent of one fish per angler.**~~

Strikethrough Emergency Regulations Implementing Recreational Summer Flounder Limits

322 CMR 6.22: Summer Flounder Restrictions

(4) Recreational Fishery Season and Limits.

(a) Minimum Size. It **shall** be unlawful for any recreational fisher to retain, possess, or land a summer flounder **measuring less than: ~~with a total length of less than 16.5 inches.~~**

1. 17.5 inches total length when fishing from a vessel.

2. 16.5 inches total length when fishing from shore.

(b) Open Season. During the period of ~~May 21st through September 29th~~ **May 24th through September 23rd**, it shall be unlawful for any recreational fisher to retain, possess, or land more than five summer flounder per day.

(c) Closed Season. From ~~September 30th through May 20th~~ **September 24th through May 23rd**, it shall be unlawful for any fisher to retain, possess, or land any summer flounder.

Strikethrough Emergency Regulations Implementing Recreational Scup Limits

322 CMR 6.27 Scup Fishery Management

(3) Recreational Fishery Regulations.

(a) Minimum Size. It is unlawful for any recreational **fisher to retain, possess, or land a scup measuring less than:** ~~fisherman to possess scup less than:~~

1. ~~10.5~~ 11 inches in total length when fishing from a vessel.
2. Nine and one-half inches total length when fishing from shore.

(b) Possession and Landing Limits. From May 1st through December 31st, it shall be unlawful for any recreational fisher~~man~~ to retain, possess or land more than 30 scup per day. If there are six or more recreational **fishers fishermen** onboard any vessel, the aggregate number of scup possessed by all recreational **fishers fishermen** onboard the vessel shall not exceed 150 fish.

(c) Exemptions for For-hire Vessels. For-hire vessels carrying patrons are provided the following exemptions to the possession and landing limits set forth at 322 CMR 6.27(3)(b):

1. Bonus Season. During the period of May 1st through June 30th, any recreational **fishers fishermen** fishing as a patron onboard a for-hire vessel may retain up to 40 scup per day.
2. Vessel Limit. The vessel limit of 150 scup per day shall not apply.

(d) Closed Season. During the period of January 1st through April 30th, it shall be unlawful for any recreational **fishers fishermen** to retain, possess, or land any scup.

Strikethrough Emergency Regulations Implementing Recreational Black Sea Bass Limits

322 CMR 6.28 Black Sea Bass Fishery Management

(3) Recreational Fishery Regulations.

- (a) Minimum Size. It shall be unlawful for any recreational **fisher fisherman** to retain, possess, or land black sea bass measuring less than 16.5 inches in total length not including the tail tendril.
- (b) Open Season. During the period of ~~May 20th through September 7th~~ **May 18th through September 3rd**, it shall be unlawful for any **recreational fisher fisherman** to retain, possess, or land more than four black sea bass per day.
- (c) Closed Season. During the period of ~~September 8th through May 19th~~ **September 4th through May 17th**, it shall be unlawful for any recreational **fisher fisherman** to retain, possess, or land any black sea bass.