

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: less than 23 inches in the Western Gulf of Maine Cod Stock Area
2. Dabs: less than 14 inches;
3. Haddock:
 - a. less than [Deleted] ~~18~~ [Inserted] **17** inches in the Gulf of Maine Groundfish Management Area;
 - 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.

322 CMR 6.28: Black Sea Bass Fishery Management

(3) Recreational Fishery Regulations.

(a) Minimum Size. It shall be unlawful for any recreational fisher to retain, possess, or land black sea bass measuring less than [Deleted] ~~16.5~~ [Inserted] **16** inches in total length not including the tail tendril.

(b) Open Season [Inserted] and Bag Limits. [Deleted] ~~During the period of May 17th through September 1st, it shall be unlawful for any recreational fisher to retain, possess, or land more than four black sea bass per day.~~

[Inserted] **1. During the period of May 16th through August 31st, it shall be unlawful for any recreational fisher to retain, possess, or land more than four black sea bass per day.**

[Inserted] **2. During the period of September 1st through October 14th, it shall be unlawful for any recreational fisher to retain, possess, or land more than two black sea bass per day.**

(c) Closed Season. During the period of [Deleted] ~~September 2nd through May 16th,~~ [Inserted] **October 15th through May 15th,** it shall be unlawful for any recreational fisher to retain, possess, or land any black sea bass.

322 CMR 6.44: Atlantic Mackerel Management

(1) Definitions. For the purposes of 322 CMR [6.44](#), the following terms shall have the following meanings:

Atlantic mackerel means that species known as *Scomber scombrus*.

Commercial Fisher means any person who retains, possess, or lands Atlantic mackerel for the purpose of sale, barter, or exchange or keeps for personal or family use Atlantic mackerel taken under the authority of a commercial fishing permit and regulated fishery permit for Atlantic mackerel issued in accordance with M.G.L. c. 130, § 80 and 322 CMR [7.01](#): *Form, Use and Contents of Permits*.

Director means the Director of the Division of Marine Fisheries

Division means the Division of Marine Fisheries

[Inserted] **For-Hire Vessel** means any vessel that holds a for-hire permit, issued in accordance with G.L. c. 130, §17C and 322 CMR 7.01(5) that is carrying paying customers for the purpose of recreational fishing.

Quota means the annual coastwide commercial quota for Atlantic mackerel set by the Mid-Atlantic Fishery Management Council and monitored by NOAA Fisheries.

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

Recreational Fishing means the non-commercial harvest or attempted harvest of fish for personal or family use, sport or pleasure, and which are not sold, traded, or bartered.

(2) Recreational Fishing Limit. [Deleted] ~~It shall be unlawful for any recreational fisher to harvest more than 20 Atlantic mackerel per calendar day or to possess more than 20 Atlantic mackerel while recreationally fishing.~~

[Inserted] (a) **It shall be unlawful for any recreational fisher fishing from a private vessel or shore to harvest more than 25 Atlantic mackerel per calendar day or possess more than 25 Atlantic mackerel while recreationally fishing.**

[Inserted] (b) **It shall be unlawful for any recreational fisher fishing onboard a for-hire vessel during a for-hire trip to harvest more than 50 Atlantic mackerel per calendar day or possess more than 50 Atlantic mackerel while recreationally fishing.**

(3) Commercial Fishing.

(a) Permit Requirement. To retain, possess, or land Atlantic mackerel in excess of the recreational fishing limit set forth at 322 CMR 6.44(2), a person shall obtain a commercial fishing permit and regulated fishery permit endorsement for Atlantic mackerel.

(b) Commercial fishers may retain, possess, and land Atlantic mackerel for use as bait in other commercial fisheries in quantities that exceed the recreational fishing limit set forth at 322 CMR 6.44(2).

(c) If a commercial fisher is recreationally fishing from shore, a private vessel, or charter vessel, it shall be unlawful to retain, possess, or land Atlantic mackerel in quantities exceeding the recreational fishing limit set forth at 322 CMR 6.44(2).

(d) State Waters Trip Limit. Within the waters under the jurisdiction of the Commonwealth, it shall be unlawful for any commercial fisher to retain, possess, or land more than [Deleted] ~~5,000~~ [Inserted] **20,000** pounds of Atlantic mackerel during any trip or calendar day, whichever period of time is longer. [Deleted] ~~Once NOAA Fisheries determines 80% of the quota has been taken, it shall be unlawful for any commercial fisher fishing in the waters under the jurisdiction of the Commonwealth to retain, possess, or land more than 2,500 pounds of Atlantic mackerel.~~

[Inserted] **Once NOAA Fisheries determines 1,100 metric tons of the annual domestic harvest limit remains, it shall be unlawful for any commercial fisher fishing in the waters under the jurisdiction of the Commonwealth to retain, possess, or land more than 5,000 pounds of Atlantic mackerel.**

[Inserted] **Once NOAA Fisheries determines 220 metric tons of the annual domestic harvest limit remains, it shall be unlawful for any commercial fisher fishing in the waters under the jurisdiction of the Commonwealth to retain, possess, or land more than 2,500 pounds of Atlantic mackerel.**

1. Exemptions to State Waters Trip Limit.

a. Federal Permit Holders. Vessels permitted by NOAA Fisheries to commercially harvest and land Atlantic mackerel may possess and land more than the state waters trip limit in Massachusetts provided the fish was lawfully caught outside of the waters under the jurisdiction of the Commonwealth; the vessel transits directly through the waters under the jurisdiction of the Commonwealth for the

purposes of landing Atlantic mackerel; the vessel's gear is out of the water and stowed properly onboard while within the waters under the jurisdiction of the Commonwealth; and the vessel makes no stops upon entering the waters under the jurisdiction of the Commonwealth prior to landing unless so directed by law enforcement or authorized in writing by the Division.

b. Fish Wiers. Commercial fishers permitted in accordance with 322 CMR [7.01](#): *Form, Use and Contents of Permit* and M.G.L. c. 130, § 29 to operate a fish weir are exempt from this trip limit when retaining, possessing, or landing Atlantic mackerel caught in their permitted fish weirs.