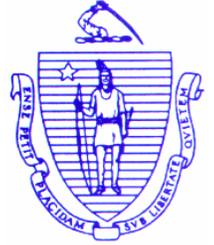




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Marine Fisheries Advisory

**MASSACHUSETTS MARINE FISHERIES ADVISORY COMMISSION
APPROVES NEW REGULATIONS**

At an April 7, 2005 business meeting, the Marine Fisheries Advisory Commission (MFAC) approved Division of Marine Fisheries (*Marine Fisheries*) proposals for new rules affecting recreational fishing for summer flounder (fluke), black sea bass, and scup. Rule changes were also approved for commercial fishing for striped bass, squid (trawling), sea herring, spiny dogfish and coastal sharks, scup, and groundfish. These issues were discussed at public hearings on March 21st, 22nd, and 29th.

Commercial striped bass fishery rules (322 CMR 6.07) regarding daily catch limits, season start date, and dealer requirements for imported fish, were amended. The four-day fishing week, (formerly Sunday through Wednesday) was shifted to Sunday, Tuesday, Wednesday and Thursday. The daily catch limit on Sunday was reduced to five fish but remains at 30 fish during Tuesday through Thursday. No-fishing days will be Monday, Fridays, & Saturdays. The commercial fishery will open on Tuesday, July 12th. Dealers will be allowed to import documented (tagged) non-conforming (legally caught in the state of origin but < 34”) whole striped bass prior to the July 12 season opening and again beginning five days after the close of the season. During the commercial season (and five days following the closure) all bass in the possession of dealers must meet the Commonwealth’s 34” minimum size.

These actions were taken to reduce the rate the overall quota will be consumed and to improve availability of fresh bass for weekend markets, retail outlets (retail dealers, restaurants), and consumers on a year-round basis.

Commercial fishing for groundfish while engaged in for-hire fishing will be prohibited (322 CMR 7.01). This regulation complements similar federal rules but will not impact any other species outside of the multispecies groundfish complex (including cod, haddock, and flounders), nor does it prohibit a properly permitted for-hire vessel from fishing commercially when it is not engaged in for-hire activity.

Commercial scup possession limits (322 CMR 6.28) were increased from 300 to 400 lbs. for trawlers during the period May through October period; and from 100 to 200 lbs. for all other gear types during the black sea bass open fishing days from May 1 through July 31. This rule is intended to allow retention of scup by-catch by potters and hook-and-line fishermen while fishing for black sea bass. On days the black sea bass fishery is closed, no directed scup fishing or retention is allowed by fishermen deploying these gears. Massachusetts’ commercial scup fishery during May – October is managed through state-by-state quotas allocated by the Atlantic States Marine Fisheries Commission.

Recreational fishing rules were amended for summer flounder (fluke), black sea bass and scup. Minimum size for fluke was increased from 16.5” to 17.” Black sea bass closed seasons (formerly Dec. 1 – May 9 & Sept. 8 – 21) were eliminated. Scup minimum size was increased from 10 to 10 ½”. The scup open fishing season (formerly Jan. 1- October 6) was shortened to a 4 month period from May 1 through August 31. Scup bag limits were reduced to 25 fish per angler, and 50 per vessel for private vessels with 2 or more anglers aboard. Anglers on for-hire vessels will be allowed 60 fish per angler during May and June only; otherwise 25-fish per angler. These actions were taken to comply with interstate plan mandates.

Commercial trawling regulations for waters south of Cape Cod and the islands were amended. The commercial squid season when small-mesh trawling is allowed, formerly ending on May 31, was extended through June 9th. The summer-time allowance for the use of 4 1/2” mesh during the June through October period in waters south of Cape Cod and the islands was eliminated (322 CMR 6.22, 8.07, & 8.08).

Area-specific commercial sea herring limits were adopted to comply with the interstate plan, and an annual specification process was established to enable adjustment of area-specific fishery limits as established by the Atlantic States Marine Fisheries Commission (322 CMR 9.00). While DMF previously had adopted regulations governing Management Area 1A, other area-specific regulations such as for Management Area 1B had not been adopted. The approved adjustment process will enable DMF to file notices with interested parties when NOAA Fisheries and ASMFC have approved changes to the commercial fishery.

The finning of spiny dogfish will be prohibited, consistent with mandates of the Interstate Fishery Management Plan for Spiny Dogfish. Additionally, a declaratory process was adopted for enacting annual specifications governing spiny dogfish as approved by the Atlantic States Marine Fisheries Commission (322 CMR 6.35). For purposes of this regulation, finning refers to the removal of fins and subsequent discarding of the remainder of the spiny dogfish to the sea. It does not affect normal processing of dogfish.

New prohibitions on the retention of certain coastal shark species (322 CMR 6.37): Basking sharks (*Cetorhinus maximus*), dusky sharks (*Carcharhinus obscurus*), sand tiger sharks (*Carcharias taurus*), and white sharks (*Carcharodon carcharias*). Any of these shark species caught incidental to fisheries directed toward other species must be released to ensure maximum probability of survival. This action was taken to complement similar federal conservation measures.

No action was taken on proposals to restrict river herring catch and sale. DMF and the MFAC will continue to develop changes to the recreational winter flounder regulations in compliance with the ASMFC approved plan. No changes were enacted to commercial summer flounder trip limits or seasons.

For further information please visit our website at www.mass.gov/marinefisheries.