



Published quarterly by the Massachusetts Division of Marine Fisheries to inform and educate its constituents on matters relating to the conservation and sustainable use of the Commonwealth's marine resources

DMF NEWS

Volume 19

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DMF and Orvis Co. purchase access lands on Sandwich's Scorton Creek

Photo by Aimee Barrette



On May 26 DFWELE Commissioner David Peters and DMF Director Philip Coates hosted a ceremony to dedicate DMF's recent land acquisition at the mouth of Scorton Creek. This 5-acre parcel of land in Sandwich abuts Scorton Creek and one of its tributaries and is composed primarily of saltmarsh with a small sand beach. The site traditionally has been used by fishermen as a parking and access site for renowned light-tackle fishing in the creek and for convenient access to adjacent Cape Cod Bay. The creek and nearby Bay shoreline are renowned for striped bass, bluefish, and sea-run brown trout. Additionally, the site has been actively used for launching small craft such as kayaks, canoes, and skiffs.

Not only did the purchase of this property offer DMF a chance to preserve fishermen's access in perpetuity, but also the chance to preserve habitat. Salt marshes play a vital role in the overall biotic productivity of nearby waters and act as nursery grounds for juvenile life stages of many important finfish and shellfish.

This acquisition was a team effort with the Orvis Company of Manchester, Vermont, a well-known purveyor of quality fishing and hunting equipment. The company generously contributed two-thirds of the purchase price of \$15,000.

DMF is developing an access plan on this parcel to accommodate the public while protecting the fragile habitat. DMF is planning future purchases of similar lands. For more information on this parcel or if you have information about similar sites available for acquisition, contact biologist Paul Caruso at our Pocasset office at 508-563-1779 x107.

Photo by Dan McKiernan

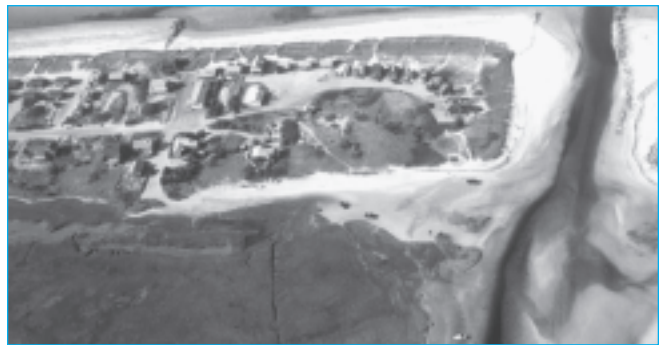


Photo by Aimee Barrette



Commissioner David Peters, left, and Director Phil Coates, right.

River Restore Program targets dam removals for fish restoration

Secretary Durand and Commissioner Peters have launched the River Restore Program to restore riverine habitats and improve fish movement and passage. This River Restore Program emerged last year through the leadership of DMF's Paul Diodati, working cooperatively with the Department's Riverways Program and a task force comprised of other state agencies and the public. To be successful, the program will require teamwork and cooperation among a long list of federal, state and private agencies -- and the public.

The River Restore Program will be led by Riverways Program Coordinator Karen Pelto with the assistance of DMF. This comprehensive approach puts Massachusetts in the lead as the first state government to take a river-by-river systematic approach. Each watershed will be examined for the inventory, evaluation, and removal of dams to improve aquatic habitats and protect public safety.

Releasing rivers from impoundments will rejuvenate such river functions as sediment transport and flow. It will return habitat to a natural state and help those species that rely on flowing waters for survival. In some cases, it will offer new recreational and community benefits. Additional benefits include improvement in water quality, particularly temperature and dissolved oxygen.

Many of Massachusetts' coastal rivers lost their native anadromous fish because of pollution and the construction of dams. With better water quality and the construction of fish ladders at dams, the stage has been set for the restoration of native fish such as blueback herring, alewives, American shad, and Atlantic salmon.

The restoration of anadromous fish in Massachusetts already involves a number of state agencies, private companies that operate dams, and volunteer groups. DMF has been active in constructing fishways on Massachusetts' rivers and stocking fish into rivers that can support anadromous fish for over 50 years. Today, nearly 150 passageways exist.

The Metropolitan District Commission and the Department of Environmental Management have played an important role in repairing and maintaining state-owned dams to allow fish passage. The Department's Riverways Program has coordinated volunteer efforts to stock fish, to keep fishways clear of debris, to conduct surveys on returning fish and to help DMF identify rivers that support anadromous fish.

The River Restore program will prioritize river systems by 1) conducting a comprehensive inventory of dams and fishery conditions; 2) developing biological, physical, and cultural criteria to evaluate removal candidates; and 3) integrating community and historic preservation with dam removal studies. The first major river system that is being studied is the Neponset River.

This state-wide program is part of a national trend to remove obsolete dams and other obstructions to restore anadromous fish habitat. High-profile stories around the country involve Pacific salmon on the west coast and Atlantic Salmon in Maine. Many of the dam removal projects receiving national attention are the result of contested permits or the initiative of advocacy groups.

The River Restore Program can hit the ground running thanks to some ongoing interest in specific watersheds:

- Crane & Company of Dalton, Massachusetts has approached the Housatonic Watershed Team, Housatonic Valley Association, Riverways, and others to assist them in addressing the feasibility of removing the "Old Berkshire Dam." The advisory group/task force could focus its expertise on this opportunity to achieve a dam decommissioning in 2000.

- The French/Quinebaug Watershed Team and DEM Office of Dam Safety will determine the hazard rating and repair needs of dams in this watershed. This will serve as a model for analyzing other dams throughout the state.

- Trout Unlimited has launched a national Small Dams Project, with an initial focus in Wisconsin. Karen will work with the Pioneer Valley and Boston Chapters of TU in Massachusetts to bring Trout Unlimited's attention and resources to Massachusetts as well.

- The Army Corps of Engineers is involved in habitat restoration projects involving dams on the Neponset, Deerfield, and Blackstone Rivers. Karen will work with these Team Leaders to increase the effectiveness of this approach and enhance public participation in the process.

When restoring our fish runs, we will continue to rely heavily on design and construction of fish ladders, but this new program's alternative of removing dams embraced by Secretary Durand and Commissioner Peters is clearly the primary choice for achieving anadromous fisheries restoration.



Photo by Paul Diodati

Commissioner Dave Peters and Aimee Barrette assisted DMF's Anadromous Fisheries crew on the Charles River in May. Commissioner Peters has made riverine habitat restoration one of his top five priorities.

Each spring DMF routinely collects river herring from the Charles River in Watertown to restore the anadromous fish in other river systems in the state. The Charles River has one of the largest herring runs in Massachusetts and is being used as a source of the fish for other river systems that formerly had populations. DMF's biologists use seines and dip nets to capture fish just below the M.D.C.'s Watertown Dam near Watertown Square and transfer the fish to the Neponset and Ipswich Rivers to help restore river herring in those systems.

DMF Honors Saltwater Derby Winners

The 1998 Massachusetts Saltwater Fishing Derby awards ceremony was held this year on April 17, 1999 at the New England Aquarium. Over 140 winners and guests attended the special Saturday evening event. Fish swimming in the Aquarium's large circular tank provided the backdrop for Director Philip Coates when he announced that this will be his last year officiating at the award ceremony. He plans to retire in the early part of 2000. Director Coates reviewed the history of the Derby since it began in 1983, when DMF took over the former Governor's Cup from the Division of Tourism.

For the first three years awards were given out at a small fishing show sponsored by Pete's Bait and Tackle of Salem. DMF then moved the award ceremony to the Eastern Fishing and Outdoor Expo in Worcester. From there it was moved to the Boston Sportsmen's Show and now to the Aquarium. Since DMF has run the program we have expanded the Derby year, added eight species to the list of fish eligible for an award, and began maintaining a list of state gamefish records.

After some brief remarks and staff introduction by Sportfish Program Director Paul Diodati, Director Coates presented engraved, silver-plated Paul Revere bowls to the 40 Derby winners. Winners and guests then enjoyed refreshments and were able to view the aquarium exhibits for the remainder of the evening. Each winner also received a distinctive print of seven fish species, signed by the artist John Rice.

The Massachusetts Saltwater Fishing Derby is held each year from March 1 through November 30. Fish entered must be caught on hook and line and must be measured and weighed at an official weigh station on a certified scale. At the end of the Derby year, awards are given to anglers who landed the heaviest fish in each species category. Winners are chosen in three divisions - men, women, and juniors (age 15 and younger). In addition a Skillful Skipper award is given to the party or charter boat captain who puts his clients onto the most derby-winning fish.

By Drew Kolek, Derby Coordinator

Here are the winning entries from 1998. Can you beat them this year?

Species	All-time State Record	1998 Winners		
		Men	Women	Junior
Bluefish	27 lb-4 oz	20 lb-9 oz	16 lb-12 oz	16 lb-12 oz
Bluefin tuna	1228 lbs	871 lbs		
Blue shark	454 lbs	406 lbs	274 lb-8 oz	
Bonito	12 lb-7 oz	9 lb-12 oz	9 lb-8 oz	10 lb-4 oz
Cod	92 lbs	88 lb-2 oz	45 lb-2 oz	31 lb-11 oz
False albacore	19 lb-5 oz	15 lbs		
Fluke	21 lb-8 oz	9 lb-12 oz	7 lb-10 oz	9 lb-2 oz
Haddock	20 lbs	12 lb-8 oz	10 lb-9 oz	8 lb-2 oz
Mako shark	960 lbs			130 lbs
Pollock	48 lb-2 oz	39 lb-8 oz	31 lb-8 oz	33 lb-8 oz
Scup	5 lb-14 oz	3 lb-12 oz	2 lb-3 oz	
Sea bass	8 lbs	4 lb-15 oz	4 lbs	
Striped bass	73 lbs	59 lb-4 oz	45 lbs	36 lb-10 oz
Tautog	22 lb-9 oz	14 lb-3 oz	11 lb-4 oz	11 lb
Winter flounder	8 lb-2 oz	4 lb-9 oz	2 lb-9 oz	
Yellowfin tuna	187	98 lbs		



Photo by Dan McKiernan

Fishermen & scientists find Gulf of Maine cod concentrated in Mass. Bay

Recent large catches of cod in Massachusetts Bay sparked acrimonious debates between fishery managers and commercial fishermen regarding the status of the Atlantic cod stock in the Gulf of Maine. Are cod rebounding unexpectedly or are cod on the verge of collapse? There's currently an enormous "disconnect" between commercial fishermen and the scientists responsible for the cod stock assessment.

When fishermen were finally allowed on inshore fishing grounds May 1 after a 3-month closure, they found an abundance of cod in Massachusetts Bay and near Stellwagen Bank. These large catches were problematic because federal and state rules allowed fishermen to retain just 200 lbs. (per day), so fishermen were discarding cod over the 200 lb. trip limit (or retaining up to 1,400 lbs. and taking up to 6 days off for the extra fish).

Stories of high cod discards were rampant along the waterfront. DMF received some calls from fishermen reporting catch and discards of thousands of pounds. Unfortunately, there was no sea sampling verification of the problem because the federal sea sampling program has not had sufficient resources to monitor groundfish catches adequately. Most trips sampled have focused on marine mammal by-catch.

During April and May federal and state scientists encountered these aggregations in and near the closed areas during the annual spring-time fish surveys aboard government research trawlers. The federal survey that covers the entire Gulf of Maine found substantial cod catches off the Massachusetts coast - yet found very little cod beyond Mass. Bay throughout the historic range in the Gulf of Maine. See

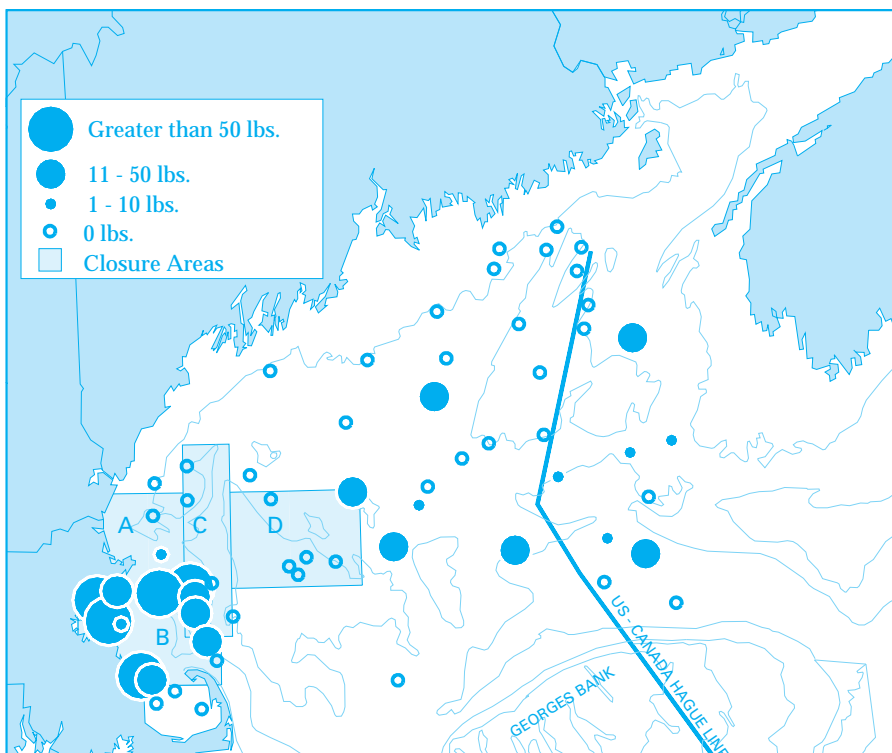
figure. The DMF state-waters survey in mid-May found similar results: the largest cod catches in nearly a decade. But catches were concentrated in nearshore locations closed to trawling, or in waters recently closed for May off Cape Ann.

National Marine Fisheries Service took action on May 28 to prevent the New England Fishery Management Council's annual cod target quota from being exceeded again by dropping the already unprecedented 200 lbs. trip limit to just 30 lbs! Frustrated fishermen lined the room at the May 26 Council meeting to protest the lowered trip limit, and they decried the waste of cod being discarded (dead) and unaccounted for.

The Council was sympathetic to the fishermen's arguments, and in a close vote asked the Secretary of Commerce to take emergency action to increase the trip limit up to 700 lbs. to allow cod to be landed instead of discarded. The Council hoped NMFS could determine the scope of the discard problem and increase limits accordingly. The low trip limits were enacted on the premise that fishermen could avoid cod - but in May that apparently was not possible.

Were the concentrations of cod unexpected? State and federal fisheries scientists countered that it was predictable. Cod were aggregated for spawning, concentrated in the center of historic spawning grounds - possibly the last remnant of the once abundant Gulf of Maine stock. Biological sampling during the surveys revealed the mature cod were reproducing, many ripe with spawn.

Fishermen were kept out of the inshore fishing grounds by the recent federally enacted spring-time "rolling closures" because these areas had historically yielded some of



Federal surveys during April showed Gulf of Maine cod aggregated off MA coast with very low catches throughout the rest of the range.

Note: map excludes stations from Georges Bank region.



Shaded areas show Spring 1999 closures: Areas A & D were closed April-May, Area B was closed Feb-April, and Area C is closed year-round.

the highest catch rates throughout the Gulf of Maine. For example, in 1997, about 4 million lbs. were landed from these areas during February-April. For over a century fishermen have documented these areas as prime spawning locations where cod predictably aggregate. Scientists, fishery managers, and fishermen all have their fingers crossed that the 1999 year class will be substantial and enhance stock recovery.

For over a century fishermen have documented these areas as prime spawning locations where cod predictably aggregate.

Finally, scientists also believe these fish remained aggregated and vulnerable because of the lack of fishing. Studies have documented fishing disperses cod making them more difficult to catch. Without disruption these schools remained intact and catchable when vessels resumed fishing in the areas.

Another complicating issue is stock delineation. Where does the Gulf of Maine stock end and the Georges Bank stock begin? Commercial fishermen, especially the “old-timers”, attending the May Council meeting claimed that cod occasionally migrate between western Georges Bank and Stellwagen Bank. They argued that spring aggregations of cod in Massachusetts Bay and on Stellwagen Bank were part of the Georges Bank stock that migrated along the backside of Cape Cod into Massachusetts Bay, and these fish can withstand harvest.

The Council’s Multispecies Monitoring Committee warned NMFS and the Council about the potential for stock collapse in its 1998 annual report. In light of the collapse of the Northern cod stock off Newfoundland (Canada), the Council and NMFS are understandably cautious - even nervous - about managing harvest in the Gulf of Maine. Like the Gulf of Maine population, the Northern cod stock contracted its range before it completely collapsed and today remains economically extinct. Canadian regulators have been blamed for relying on commercial catch rates to track status of northern cod in the mid 1980’s. According to the Monitoring Committee Report, the scientific literature is rich with examples of stable commercial catch rates that mask the actual declines just prior to complete collapse. Blame this on fish aggregating behavior and fishermen’s abilities to locate the remnant schools.

Too often scientists don’t see what the fishermen see. But this time both sides saw the same thing: concentrated cod catches off our coast. It’s the interpretation that’s different. Fishery managers are determined to prevent a collapse. Fishermen feeling the pain of the extensive closures see the benefits of increased cod catches and want relief from the restrictive regulations - or at least the opportunity to land fish that would already be killed as discards. NMFS and the Council next will be devising methods to curtail by-catch to conserve Gulf of Maine cod.

By Dan McKiernan with contributions from Arnold Howe and Steven Correia

Looking for an informative summer read about cod? Try [Cod, a biography of the fish that changed the world](#) by Mark Kurlansky, 1997, Penguin Books. This book is a favorite among DMF’s biologists.

DMF & CMAST propose Strategic Plan for fisheries research

DMF and the Center for Marine Science and Technology (CMAST) at UMASS Dartmouth have released their Proposed Fisheries Research Strategic Plan developed in support of the Massachusetts Fisheries Recovery Commission (MFRC). Created in 1997, the MFRC has been developing scientific and socioeconomic research to recover the state’s commercial fishing industry by stopping the Commonwealth’s loss of fishing revenue, preserve fishing opportunities, and support sound management strategies.

This Plan describes research that gets to the heart of MFRC goals and dovetails with the National Marine Fisheries Service’s plan to assist the commercial fishing industry. NMFS has \$5 million to spend in federal fisheries disaster assistance. This assistance to commercial fishermen most affected by the groundfish collapse in the Gulf of Maine is tied to fishermen’s commitments to participate in research programs addressing scientific needs of the New England Fishery Management Council, states, and NMFS.

The Plan includes ways to involve the commercial fishing industry in: (1) collecting data for use in fish stock assessments; (2) monitoring effectiveness of fisheries management decisions; and (3) gaining greater fishermen’s input in management decisions. The Plan also provides strategies to reduce bycatch and discard (waste) in fisheries. The categories of research are conservation engineering, fish stock delineation (identification), fisheries resource surveys, and fisheries monitoring.

This Plan was described by DMF’s Dr. David Pierce at the annual breakfast of Gloucester United, a most appropriate setting because the MFRC concept had its roots with Gloucester United, a 200-member grassroots organization. Speaking to an audience of Gloucester United and MFRC members, Dr. Pierce said, “We see the fishing industry as an asset to be used for its knowledge of the ocean and fisheries.” He also emphasized inadequate monitoring of management plans’ effectiveness. He made the point, “The best available data should not be poor or no data. The best available data must be robust and reliable.” His remarks were framed in the context of the controversy surrounding the status of Gulf of Maine cod (see previous article).

The audience also heard remarks from Senator Bruce Tarr, and Secretary Bob Durand (MFRC co-chairmen) as well as Brian Rothschild (Director CMAST), Dave Peters (Commissioner Dept. FWELE), and NMFS’s Kevin Chu. In his statement Dr. Brian Rothschild reminded everyone that to fully meet Commission goals: “All parties must be brought together to affect full implementation of the plan.” He noted that the Plan was dynamic and evolving because it could be added to at any time especially by fishermen with ideas compatible with Recovery Commission goals and objectives.

Anyone wishing to receive a copy of the Research Strategic Plan should call DMF’s Boston office or CMAST located in New Bedford on Clark’s Cove.

Right Whales: DMF & CCS completes second annual Bay Surveillance Program

DMF and the Center for Coastal Studies (CCS) have completed the second annual Cape Cod Bay Right Whale Surveillance and Monitoring Program, the cornerstone of the Commonwealth's Right Whale Conservation Plan. This past season will be remembered for the large number of whales, DMF's first-ever "Speed Advisory" for vessels, and the unfortunate death of a female right whale, nicknamed "Staccato."

The program was accomplished through 36 flights and 24 vessel trips and was again very successful in locating and identifying right whales and warning mariners about their locations through the federal Right Whale Sighting Advisory System. Unfortunately, routine warnings to mariners can't completely eliminate the risk of a ship strike (see next page).

By early May, right whales all departed Cape Cod Bay for offshore feeding grounds. This departure was later than during the past two years when they departed in mid-March (1997) and early April (1998).

Preliminary results are in from the photo-id lab at the New England Aquarium: 80 individuals were identified in the bay, and 42 of these were repeat visitors from the 1998 survey. These 80 whales represent 28% of the known population of right whales.

The surveys began early this year when a pre-season flight was launched on December 13, and five whales were photographed. During January through May 1 the 36 twice-weekly flights were conducted on "good weather days" and right whales were identified during every flight.

The survey team found groups of deep-feeding right whales through March, requiring patience and lots of circling time to get a photo opportunity for whale identification. Dive times of 20 minutes and longer were common. By mid-March whales were observed feeding just below the surface.

Sightings peaked on March 31st when 29 individuals were photographed. According to Marilyn Marx, aerial survey team leader, some interesting behavior was also seen. "Many of the whales we observed were feeding 'in echelon,' that is, two or more whales slightly behind and to the side of a lead whale, like a flock of geese in flight. The whales were feeding on dense zooplankton patches that were visible from an altitude of 750 feet!" The team averaged about 15 whales per flight through April 25, but within a week, only two were sighted, and then none after May 2.

The aerial survey team and the Center's Habitat Monitoring Project teamed up to study a late season aggregation of whales in the southern bay just a few miles off the beaches of Barnstable, Yarmouthport and Dennis. These whales were foraging, often surface "skim" feeding, on a discrete patch of zooplankton about 6 square miles in size identified by the CCS scientists aboard the R/V SHEARWATER. This work is the Center's long-term habitat research led by Dr. 'Stormy' Mayo (winner of DMF's 1998 Belding Award) currently funded by DMF and the Mass. Environmental Trust.

CCS researchers used the plankton count data to forecast and advise DMF whether these whales would remain in the area for as long as the plankton "patch" was available to the whales. Samples collected on May 1 showed zooplankton concentrations in this discrete "patch" dropped, and the predominant species composition shifted from right whale's

presumed favorite forage, copepod *Calanus finmarchicus*, to another species, *Pseudocalanus minutus*. As expected the whales scattered and departed the Bay. Plankton samples collected during May led to a subsequent prediction that the whales would not return to the Bay. DMF was preparing to extend the fixed gear restrictions beyond May 16 in Cape Cod Bay Critical Habitat when gillnetters are allowed to set their nets and lobstermen are allowed to set single pots and trawls with "floating" groundline. However this was not necessary when the whales abruptly departed. In the final analysis, it was re-assuring for DMF's fishery managers to have the habitat data to explain the whale's departure and to be confident that the whales were unlikely to return back soon to the feeding site.

Since the end of the survey, the Surveillance Program has shifted its focus on waters east of Cape Cod to assist federal offshore efforts and to assist in the location of two right whales entangled with fishing lines wrapped on their bodies. These whales did not appear in danger during the last sighting in the Great South Channel, but all eyes will be on the lookout for these whales for future disentanglement attempts - or for confirmation that the gear was shed on its own.

By Dan McKiernan



From left to right: CCS's Stormy Mayo, Moira Brown and Commissioner David Peters aboard R/V SHEARWATER. Peters joined the research team on a full-day survey of right whales in Cape Cod Bay on April 3, and saw first-hand 20 right whales and their unique and vulnerable surface feeding behaviors.



Photo by Aimee Barrette

Staccato, 1969 (?) – 1999

The 1999 Cape Cod Bay season will long be remembered for the death and discovery of a well-known female right whale nicknamed ‘Staccato.’ At least 30 years old, this whale was first photographed in 1974 and has been a regular visitor to Cape Cod Bay. She has produced 6 known calves which ranked her as one of the most successful mothers in this reproductively challenged population.

During the 1999 field season, Staccato was photographed on eight different days beginning on January 17 up through April 15, just five days prior to when her carcass was spotted floating in eastern Cape Cod Bay by the aerial survey team. DMF’s Rob Johnston, spotting the carcass from the plane said “I thought it was a large boulder, but then realized there are no boulders visible 3 miles offshore.” (Right whales were named the “right whale” to hunt by early whalers because they float when killed.)

CCS worked with New England Aquarium, NMFS, the Cape Cod Stranding Network and others to secure the whale and tow it to shore in Wellfleet where it was dissected. A necropsy was performed over the next three days by a team of veterinarians, biologists and volunteers. Preliminary evidence of five broken vertebrae and a broken jaw on the left side suggest ship strike was the cause of death. Vessel collisions are the #1 known cause of right whale mortalities blamed for at least 16 deaths, 8 of these during the 1990’s.

The carcass was dissected for examination and further study and the skeleton was saved for the UMASS Amherst Museum. The remaining soft tissues (blubber & organs) were transported to a local landfill courtesy of Mass. Highway Department. The salvaged skeleton weighed about 10 tons and discarded soft tissues weighed another 47 tons. Factoring in about 20% fluid loss, Staccato probably weighed about 66 tons! Anytime a 66 ton whale comes ashore, it’s a big problem.

Ironically, DMF Director Phil Coates and Commissioner David Peters had issued a first-ever “Speed Advisory” to all vessel operators on April 14, near the time of the suspected collision. DMF and CCS staff feared whales’ surface feeding behavior and the increased seasonal vessel traffic would increase the risk of a collision. Local media were alerted and NMFS, the Coast Guard and the Army Corps of Engineers all broadcasted the alert through their normal channels. Two days later, on April 16, two right whales entered the east end of the Cape Cod Canal at Sandwich prompting the Army Corps of Engineers and Coast Guard to shut down the Cape Cod Canal for a few hours. But in the end, researchers do not know where in the bay - or outside the bay - the whale was struck.

Surface-feeding right whales are difficult to see, but sub-surface feeding right whales are impossible to see. Furthermore, right whales focused on plankton foraging may be unaware and possibly oblivious to their surroundings and may fail to avoid an oncoming vessel.

Solving the right whale ship strike problem is a top priority of the Atlantic Large Whale Implementation Team all along the east coast. There is some ongoing local research on this issue. The Mass. Environmental Trust is funding a study by Peter Tyack of Woods Hole Oceanographic to determine right whales’ responses to approaching vessels. More work is needed in this area to prevent future losses to this critically endangered population.

D.McK.

Photo by Peter Hanlon, DLE



(Above) CCS crew and US Coast Guard secure the whale for towing to shore.

Photo by Marilyn Marx, CCS



(Below) Necropsy was a team effort over three days.

Photo by Dan McKiernan



Massachusetts' striped bass recreational fishery # 1 in on east coast

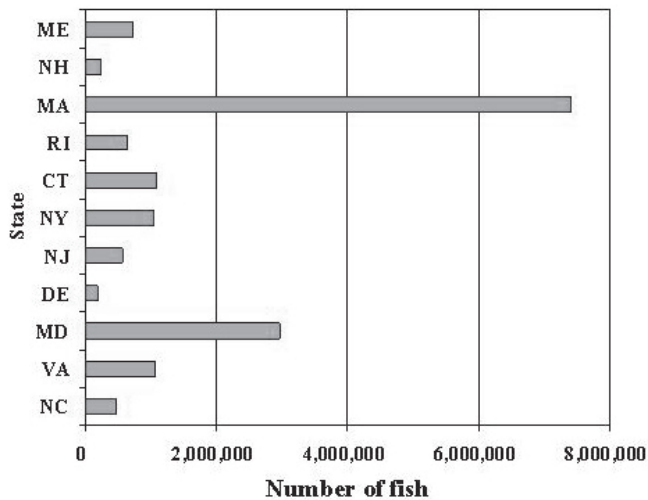
Recently published statistics from the National Marine Fisheries Service (NMFS) places the Commonwealth's recreational striped bass fishery squarely on top of all Atlantic Coastal states' striped bass fisheries. Massachusetts' total striper catch of over 7 million fish (includes bass harvested and those released) in 1998 represents nearly half of the year's Atlantic coastwide total.

The extraordinarily high catch can be attributed to a number of factors that combine to make Massachusetts a prime striped bass fishing haven. These factors include thousands of square miles of productive bays, estuaries and coastal waters that harbor a large and varied forage base for these seasonal migrants. Numerous boat launching facilities and shore fishing access points to the resource along 2000 miles of coastline are also important factors. But of course, the most important ingredient is Massachusetts playing host

DMF encourages all striped bass anglers to enjoy the benefits offered by this important resource. But we urge you to be conservative by not harvesting what you don't need, to reduce release mortality by learning more about fishing and fish-handling techniques from veteran fishermen, and to learn and obey the laws that govern your sport. Also, remember that both recreational and commercial striped bass harvest from federal waters, outside of three miles from our shore, is currently prohibited. Information regarding this federal prohibition of striped bass harvest can be obtained by calling the National Marine Fisheries Service at 978-281-9300.

By Paul Diodati

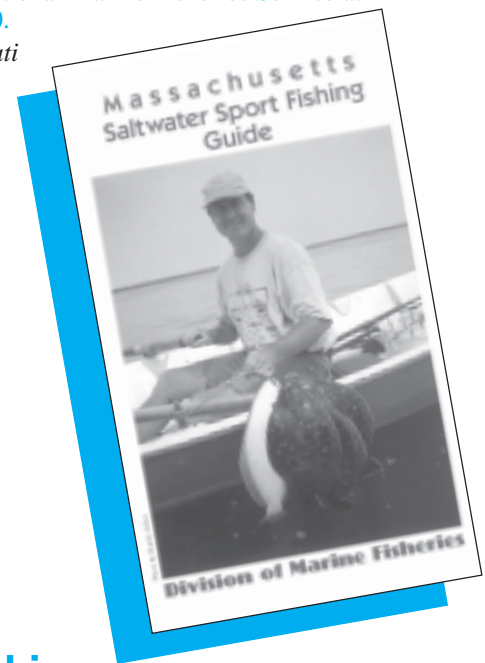
1998 Recreational Striped Bass Catch



to several hundred thousand residents and non residents who participate in striped bass fishing each year.

The question of how long the current wave of high abundance of stripers will continue lingers on the minds of those that are watchful of resource conditions and the actions of regional fishery managers. The Massachusetts recreational fishery, with a one fish daily limit per angler and 28-inch minimum size limit, is conservatively regulated when viewed in the context of the regional FMP for striped bass, which allows up to two fish per day.

Later this summer, the ASMFC Striped Bass Technical Committee will release findings of its 1999 striped bass stock assessment. Any number of factors could lead to harvest rates that exceed the management targets set by the FMP, which would then likely result in recommendations to reduce fishing effort. If and when such a situation occurs, DMF will act diligently to protect and conserve striped bass stocks by working to achieve fishing effort reductions that are equitable, effective and sensible. Since recreational fishing for striped bass in Massachusetts has attracted nationwide, if not world wide attention in the 1990s, with nearly half our recreational fishing participants being non-residents, DMF will also seek management decisions which recognize our being a global host to resource users and our current conservative position regarding the utilization of striped bass.



1999 Sportfishing Guide and poster now available

DMF's Sport Fisheries Program has produced the 1999 "Massachusetts Saltwater Fishing Guide." As in previous years, the guide contains current information on launching sites, tackle shops, charter and party boats, fish profiles, and fishing tournaments to assist you in enjoying our spectacular array of fishing opportunities from shore or by boat.

The guide is arranged geographically starting from Salisbury (NH border) following the coastline south and west to the towns of Swansea and Somerset along Mount Hope Bay. The guide then takes you east to Cape Cod and the Islands. Look for the coastal map centerfold for orientation.

A copy of the guide can be obtained at most bait and tackle shops, or by mail from one of our offices: Boston (617-727-3193), Gloucester (978-282-0308), Pocasset (508-563-1779), or Martha's Vineyard (508-693-4372).

A new color poster depicting 25 species of Massachusetts fish also has been produced by the Sport Fisheries Program. A limited number of this attractive poster was printed for distribution to bait and tackle shops. The remainder are available to the fishing public on a first come first serve basis. To obtain a poster you must come to one of our offices. None will be mailed, one poster per person. Call one of the above numbers for directions to the offices.



**NOTICE OF PUBLIC HEARINGS
Scheduled for July 19-21, 1999
Please note early hearing starting times**

Under the provisions of G.L. C. 30A and pursuant to the authority found in G.L. c 130 ss. 17A, 80, 100A, and 104, the Division of Marine Fisheries (DMF) and the Marine Fisheries Commission (MFC) have scheduled hearings on the following proposals. Contact the Division of Marine Fisheries for draft regulations and details.

The following items are proposed regulation changes presented for public comment. After public hearings, the Commission and DMF will consider all oral and written comments through Friday, July 30, and votes on these proposals will be taken at the August 12 business meeting of the Commission. **If specific changes are not approved, current regulations will remain in effect.**

(1) MFC proposal to create (beginning in 2000) commercial fluke permits (322 CMR 6.22) that are specific to gear types (e.g. hook-and-line vs. net).

(2) DMF proposal to amend 322 CMR 7:00 (Permits) to accommodate the upcoming electronic automated permitting system.

(3) DMF proposals to amend urchin fishery regulations (322 CMR 6.24) to delay the open season dates and enact last season's dredge specifications as a final rule.

(4) DMF proposal to enact groundfish measures, 322 CMR 8.00, to complement recent federal actions including seasonal area "rolling" closures; drop in cod limit from 200 lbs. to 30 lbs., increase in trawl square mesh opening from 6" to 6 1/2"; lower the trawl roller and rockhopper size limit to 12" diameter, and further restrict the current Massachusetts 25 lb. fillet limit aboard commercial vessels.

(5) DMF proposals to amend sea herring regulations (322 CMR 9:00) to comply with the new state/federal sea herring management plan. New spawning closure rules, regional quota monitoring, and reporting requirements are proposed.

(6) DMF will accept comments on a recently enacted emergency action to clarify lobster trap limits (322 CMR 6.13). The 800 pot limit per permit recently was re-defined as per vessel to comply with the interstate lobster management plan.

(7) DMF will accept comments on a recently enacted emergency action that lowered the commercial scup trip limits (322 CMR 6.28) for scup during the summer/fall fishery, and proposed no-fishing days beginning July 1.

Three hearings have been scheduled:

Monday July 19, 1999 at the Martha's Vineyard Commission office at Oak Bluffs from 3-5 p.m.;
Tuesday July 20, 1999 at the Plymouth Library on South St. Plymouth from 6-9 p.m.; and
Wednesday, July 21, 1999 at the Gloucester Sawyer Free Public Library from 6-9 p.m.

Regulatory UPDATE



During the period March through June, the following actions were taken by DMF and the MFC:

Striped Bass Commercial Fishery changes:

Licensing changes: Commercial anglers will be allowed to purchase a commercial boat permit and a single striped bass "regulated fishery permit" to cover the activities of all unlicensed commercial anglers aboard a fishing vessel. This means it is no longer necessary to purchase \$10 bass permits for every angler aboard, and negates the need for the so-called "John Doe" bass permit sold to charter operators. This license change is expected to result in a substantial drop in sale of commercial bass permits that totaled over 5,000 last year. The cost of the regulated fishery permit for striped bass will be \$30 and \$60 for non-residents.

Closed fishing periods: The 3-week open/1-week closed schedule was replaced with specific no-fishing days each week. Thursday, Friday, and Saturday of each week will be no-fishing days for commercial fishermen. During these no-fishing days, commercial anglers must abide by the recreational possession limit of one fish per angler. Fishermen are strictly prohibited from selling bass during these three days of the week.

Commercial bag limit of 40 fish: This limit was enacted to address the practice of illegal stockpiling bass by hook-and-line fishermen on no-fishing days and to reduce the incentive for poaching by unauthorized gear types (nets) but was not meant to constrain legitimate rod and reel fishing. The 40 fish possession limit is per vessel and shall apply regardless of the number of licensed fishermen on board the vessel.



Opening Date and Quota: the commercial striped bass fishing season will open on July 5, 1999 ending when the 795,000-lbs. quota is reached. This quota is the ASMFC-approved quota of 802,000 lbs. - minus a 7,000-lbs. 1998 overage - and represents a small increase from the past three years' quota of 750,000 per year.

Note: the commercial minimum size will remain at 34" (no change from last year). Also, all anglers are reminded that bass in taken by vessels fishing commercially must be 34" or greater. This means environmental police will assume that a vessel is commercially fishing if the number of bass aboard exceeds the number of anglers, and then all bass must meet the commercial minimum size of 34" or greater. Simply put, it is prohibited for some in the party fish recreationally on smaller fish (28"-34") while others fish commercially.

The Marine Fisheries Commission rejected the proposal to prohibit sale of striped bass by charter-boats when conducting trips with paying customers.

Summer Flounder

Commercial regulations changes:

After extensive debate the Commission opted not to allocate specific shares of the summer/fall quota to various gear types. Instead, the Commission voted to constrain the commercial hook and line fishery in a number of *indirect* ways: (A) fluke regulated fishery permit moratorium was enacted as a permanent regulation; (B) commercial hook-and-line landings were prohibited during the period April 23 through July 4; (C) commercial hook-and-line trip limit of 200 lbs. was enacted (lower than the netters' 300 lbs. limit) beginning July 5 until the state's overall quota is reached.

Commercial netters were regulated through the following: (A) 100 lb. trip limit during April 23 through the end of the squid season (June 15); (B) a prohibition on landings during June 16- July 4; (C) trip limit of 300 lbs. beginning July 5 until the states' overall quota is reached.

Recreational fishing changes:

To comply with the ASMFC management plan for 1999, the 15" minimum size limit and 8 fish bag limit was maintained but a closed season was enacted from September 12 through May 28 (open May 29 through September 11).

Cod limits for commercial fishermen: Commercial possession limit in the Gulf of Maine (all of cape Cod Bay and waters north of 42 degrees) from 400 lbs. to 200 lbs. effective May 1 for fishermen who hold only state permits to complement federal action, framework 27.

New "total length" definition approved for most finfish species to improve compliance with minimum size regulations. Total length shall be "*the greatest straight line length in inches as measured on a fish with its mouth closed from the anterior most tip of the jaw or snout to the farthest extremity of the tail.* For fish with forked tails, the upper and lower fork may be squeezed together to measure the tail extremity."

The MFC rejected a petition from the Mass. Chapter of the Coastal Conservation Association to regulate the use of gillnets to minimize by-catch of striped bass. This petition called for a prohibition on the overnight setting of gillnets during the months of May through October in state waters. DMF studied the issue and determined that most sink gillnetting during these months off Massachusetts occurs in federal waters. DMF recommended that since the petition was designed to address the dogfish sink gillnet fishery, the issue should be addressed after the upcoming federal dogfish management plan is enacted. The upcoming plan is expected to drastically affect dogfish harvesting, and could even curtail all directed harvest. At that time (this upcoming winter?) DMF can convene fishery participants to determine "common sense" ways to prevent bass by-catch in state waters and can recommend to NMFS appropriate action in federal waters as well.

The MFC rejected a petition from Martha's Vineyard scup pot fishery permit holders to: (a) allow scup pot fishermen to possess and sell black sea bass by-catch provided bass are caught in compliance with sea bass pot fishery regulations, and (b) if the scup commercial fishery is closed, allow a directed sea bass pot fishery by scup pot

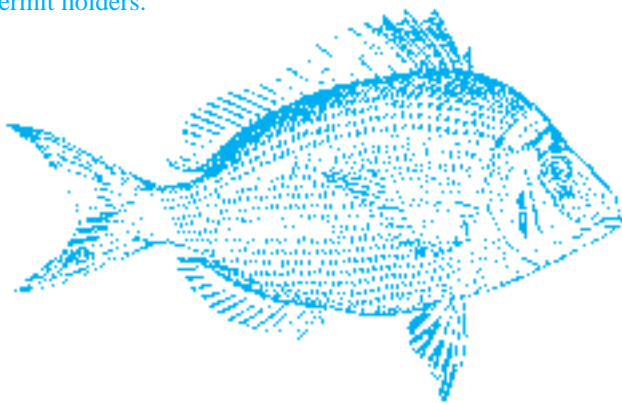
permit holders with a maximum of 50 pots. The Commission cited the overfished condition of both scup and sea bass stocks and was reluctant to increase fishing mortality on these fish. Furthermore, a lack of definition of these various pots makes the second proposal difficult to implement.

Horseshoe crab fishery permits and catch reports required. New regulations enacted to comply with the interstate fishery management plan. All states are required to license all harvesters of horseshoe crabs including biomedical companies. Contact DMF for details.

Commercial seasonal closures for tautog enacted during November 1-April 15 and May 16 - July 10. These closed fishing periods accomplish the reduction in commercial fishing mortality required of Massachusetts to comply with the interstate plan. The commercial bag limit of 40 fish and the 16" size limit were unchanged. Note: recreational rules were not changed and remain at 6 fish and 16" minimum size.

Scup possession limits reduced on June. Commercial fishery closed for the summer on June 28. After convening a meeting with scup fishermen and dealers, DMF implemented an emergency action to reduce the rate of landings. For potters and hook-and-line fishermen the limit was dropped from 500 lbs. to 100 lbs. For draggers the limit was dropped from 1,500 lbs. to 500 lbs. DMF also announced that as of July 1, **hook-and-line** trip limit would have increased up to 300 lbs. and Saturday and Sunday would become no-fishing days for all commercial scup harvesters through the summer/fall period that ends on October 31.

However, the commercial landings among all states combined reached the summer quota and NMFS announced a June 28 closure of the summer fishery for federal permit holders. DMF enacted a complementary closure for state permit holders.



DMF has urged Atlantic States Marine Fisheries Commission and NMFS to increase the summer quota based on an analysis of scup discards and survival. Because scup discard estimates are deducted from the available quota, DMF has argued that states with more benign fisheries should be credited. In Massachusetts, the predominant scup harvesting gear types are hook-and-line and fish traps that release many fish alive compared to other trawl fisheries where the discard mortality estimate is 100%.

MFC approved new regulations governing the transfer of limited entry permits. Many of DMF's

regulated fisheries are subject to permit moratoria (freeze on any new entrants) as well as a prohibition on the transfer of the permit to another fisherman. DMF does allow the transfer of coastal lobster permits and for mobile gear (Coastal Access Permit)

The Commission held a public hearing on May 4 and based on public input voted to enact new regulations regarding the transfer of permits for other limited entry fishery permits. These include permits for the following fisheries: fish pots, conch pots, gillnets, surf clams/ocean quahogs, and summer flounder, as well as any future fishery that might become limited access. Final regulations are expected at the end of July. For details contact DMF's Boston office. The next quarterly DMF News will publish the specific criteria for permit transfers.



Photo by Aimee Barrette

At the ceremony were (from left) Captain Kathleen Dolan, Major Phil McMann, Director Richard Murray, Lt. Chausse, DFW&ELE Commissioner David Peters and Lt. Col. Bill McKeon.

E.P.O. Bob Chausse Honored

Lieutenant Robert Chausse of Falmouth was honored by the Shikar-Safari Club International as Wildlife Officer of the Year in Massachusetts at a ceremony held at the Waquoit Bay National Estuarine Research Reserve. Chausse, a Lieutenant with the Massachusetts Environmental Police, works in the outer Cape Cod region and in the towns of Provincetown, Truro, Wellfleet, and Eastham. He has served as an environmental police officer since 1987 and recently was promoted to lieutenant status. Since the award was given, Lt. Chausse and his supporting officers were involved in a high profile case of a Cape Cod commercial lobsterman "scrubbing" eggs off a female lobster.

The Shikar-Safari Wildlife Officer of the Year Award is presented annually to one conservation officer in each state, as well as each Province and Territory in Canada. Department Commissioner David Peters presented Chausse with a pewter plate, a hand-painted certificate, and a commemorative pin provided by the Shikar-Safari Club in recognition of his achievements.

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at our Web Site!

[HTTP://www.state.ma.us//DFWELE/DPT_TOC.HTM](http://www.state.ma.us//DFWELE/DPT_TOC.HTM)

DMF NEWS

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Comments and suggestions for the newsletter are welcome. Please contact the Editors at (617) 727-3193, or write to DMF, 100 Cambridge St., Boston, MA 02202.

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