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Marine Fisheries Advisory

**MFC APPROVES REGULATORY CHANGES FOR 2008
Commercial Black Sea Bass, Scup & Fluke, Recreational Scup, Commercial
Monkfish & Hook Gear Control Date**

On March 6, 2008 the Massachusetts Marine Fisheries Advisory Commission approved new regulations for the recreational scup fishery & commercial black sea bass, scup and summer flounder (fluke) fisheries in light of quota cuts approved by the Atlantic States Marine Fisheries Commission (ASMFC) and NOAA Fisheries for the 2008 fishing year: -35% for black sea bass, -8% for fluke, -46% for commercial scup and -53% for recreational scup. Due to differing trends in the commercial and recreational scup fisheries, such as growth in effort, the reductions in harvest for the recreational and commercial sector are determined separately. The Commission also approved final regulations governing commercial harvest of monkfish and a control date for all hook fisheries, excluding striped bass. The Division of Marine Fisheries (*Marine Fisheries*) will be implementing these regulations as final for the current 2008 fishing year.

1. Commercial Black Sea Bass Fishery

The 2008 commercial black sea bass fishery will operate under the *status quo* annual quota split with 50% of the quota allocated to the spring period (May – July) and 50% allocated to the fall period (August – December). The fishery will operate under *status quo* gear-specific possession limits (Table 1), however additional no-fishing days now apply. Authorized commercial fishermen may fish for black sea bass during the spring period on Sunday, Monday and Wednesday only and during the fall period on Sunday, Monday, Wednesday and Thursday only.

Table 1. Commercial black sea bass possession limits

Season (quota dependent)	Gear Type	Possession Limit
Jan - April	All authorized gear types	100 lb
May - July	Fish pot & weir	500 lb
	Lobster traps	100 lb
	All other authorized gear types	200 lb
August - December	Fish pot & weir	500 lb
	Lobster traps	100 lb
	All other authorized gear types	200 lb

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With two additional days off in the spring fishery and one additional day off in the fall fishery, *Marine Fisheries* hopes to mitigate the impacts of a shortened season. This decision to maintain a limited spring fishery addresses a concern heard at public hearings to maintain product availability in the markets during traditional seasons.

3. Commercial Scup Fishery

The 2008 commercial scup quota set-aside for weir fishermen has been established at 121,500-lbs. This is commensurate with a 46% cut in commercial harvest mandated by the Atlantic States Marine Fisheries Commission. Commercial pot fishermen and hook and line fishermen are allowed nominal amounts of scup during the spring sea bass fishery on “open” sea bass fishing days. Since *Marine Fisheries* has decreased these “open” sea bass fishing days, commercial pot and hook & line fishermen are allowed to land and possess scup on Monday, Wednesday & Sunday during May – July, or until 50% of the quota has been harvested, and on Monday, Wednesday, Thursday & Sunday during August through December, or until 100% of the quota has been harvested. The fishery will operate under *status quo* gear-specific possession limits (Table 2).

Table 2. Commercial scup possession limits

Season (quota dependent)	Gear Type	Possession Limit
January - April	All authorized gear types	30,000 lb, dropped to 1,000-lbs. on March 16th
January - December	Fish Weir	none
April 23 - July	Trawlers	400 lb
May - July	Fish pot & hook-and-line	200 lb
August - October		400 lb
November - December	All authorized gear types	2,000 lb

4.

5. Recreational Scup Fishery

Recreational fishermen are subject to the following minimum sizes, open season and

possession limits when recreationally fishing for scup:

Table 3. 2008 recreational scup regulations

Recreational Sector	Minimum Size	Open Season	Possession Limit
Private	10.5" (no change)	May 24 – Sep. 26 (new)	10 fish (new)
For-hire	11" (new)	May 15 – Jun 28: 45-days (new)	45 fish (new)
		Jun 29 – Sep 17: 81-days (new)	10 fish (new)

6. These regulations implement regional measures approved by states from (Massachusetts through New York) through an interstate agreement.
7. Commercial Summer Flounder (Fluke) Fishery
Marine Fisheries took emergency action to open the 2008 commercial fluke fishery on February 1st under a 500-lb. daily possession limit. The Commission approved this regulation as final as well as finalizing additional amendments to commercial fluke fishery sub-periods.

In the past few years, there has been a winter fishery beginning on Jan 1 with 30% of the annual quota and a summer fishery beginning on Apr 23 that was allocated the remainder. For 2007, we altered our rule to further split the winter fishery into two sub-quotas: Winter I (15% - starting Jan 1) and Winter II (15% - starting Nov 1). The goal was to constrain landings to prevent an inadvertent reduction in the summer sub-quota. However, due to the high catch rates and volume of landings in January 2007, over 10% of the quota was harvested during the first five days of the Winter I fishery. The February start date for the winter period should markedly reduce the rate of quota consumption and fluke landings to the Commonwealth.

New regulations revise the sub-periods. Instead of Winter I/II and Summer sub-periods the February – April 22 sub-period is now referred to as Period I. The Period I fishery possession limit drops to 100-lbs. when 25% of the annual quota has been reached.

Period II opens on April 23rd and runs through December 31st or the quota is harvested, whichever comes first. The Period II possession limits remain the same as the traditional summer period limits (Table 4).

Table 4. Period II commercial fluke gear-specific possession limits.

Gear Type	April 23 - June 9	June 10 - December 31, or quota is harvested
Net	100-lbs.	300-lbs.
Longlines	100-lbs.	200-lbs.
Handlines or Rod & Reel	Landing & Possession Prohibited	200-lbs.

8. Commercial Monkfish Limits

Commercial fishermen authorized to fish for monkfish may land and possess no more than 470-lbs. of monkfish tails or 1,560-lbs. of whole weight monkfish. Previously, fishermen with only state permits were unconstrained by monkfish possession limits. This limit maintains a limited fishery that has been conducted in waters under the jurisdiction of the Commonwealth.

9. Hook Gear Control Date

As of March 6, 2008 persons issued a new commercial permit authorizing use of hook gear in a fishery, excluding striped bass, may be subject to future management restrictions. At this time, no management restrictions have been proposed and any future regulatory proposals would go to public hearing. Previously, a November 4, 2004 hook gear control date was in effect, but expired in 2006 when no management measures were adopted in conjunction with the control date.