



The Commonwealth of Massachusetts

Division of Marine Fisheries

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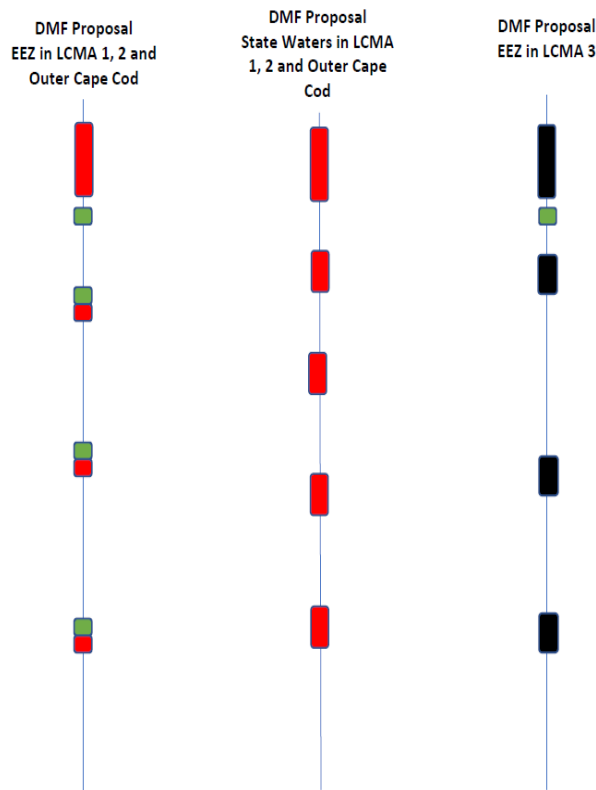
April 16, 2021

Notice of Virtual Public Hearing: New Buoy Line Marking Rules for Commercial Lobster and Crab Trap Fishery

Under the provisions of M.G.L. c. 30A and pursuant to the authority found at M.G.L. c. 130 §§ 17A and 104, the Division of Marine Fisheries (DMF) is taking public comment and holding a virtual public hearing on draft regulations to amend 322 CMR 4.00 and 12.00. These draft regulations will implement new protected species regulations affecting buoy line marking in the commercial lobster and crab trap fishery. The purpose of this detailed gear marking requirement is to effectively identify the geographic origin of any buoy lines that may be found on an entangled large whale or a sea turtle.

1. Buoy Line Marking (322 CMR 4.13 and 12.00). Effective February 1, 2022, the Division of Marine Fisheries is proposing to require new buoy line marking regulations affecting the commercial and lobster crab trap fishery. The proposed requirements are described in the bullets and image below:

- *State Waters*. Within the first 12 feet of the buoy line below the surface buoy, there is to be one solid (e.g., paint or tape) red mark that measures at least three feet in length. Then in the body of the buoy line there are to be at least four additional two foot solid (e.g., paint or tape) or non-solid (e.g., tracer) red marks. Two of these red marks are to be located in the top 50% of the buoy line and two of these red marks are to be located in the bottom 50% of the buoy line with no more than 60' between marks.
- *Federal Waters in LCMA 1, 2 and Outer Cape Cod*. Within the first 12 feet of the buoy line below the surface buoy, there is to be one solid red mark (e.g., paint or tape) that measures at least three feet in length followed by a one foot solid (e.g., paint or tape) green mark below the solid red



- mark. Then in the body of the buoy line there are to be three marks that measure at least two feet each and are comprised of one solid (e.g., paint or tape) or non-solid (e.g., tracer) red mark measuring at least one foot in length and one solid (e.g., paint or tape) or non-solid green mark measuring at least one foot in length. One mark is to be located in the top third of the buoy line, another mark in the middle third of the buoy line, and the third mark in the bottom third of the buoy line.
- *LCMA 3.* Within the first 12 feet of the buoy line below the surface buoy, there is to be one solid (e.g., paint or tape) black mark that measures at least three feet in length followed by a one foot solid (e.g., paint or tape) green mark below the solid black mark. Then in the body of the buoy line there are to be three solid (e.g., paint or tape) or non-solid (e.g., tracer) black marks that measure at least two feet in length. One mark is to be located in the top third of the buoy line, another mark in the middle third of the buoy line, and the third mark in the bottom third of the buoy line.

Public Comment Period and Public Hearing Schedule

Written public comment will be accepted through Friday, May 20, 2021. Please address written comments to Director Daniel McKiernan and submit it by e-mail to marine.fish@mass.gov or by post to the attention of Jared Silva at 251 Causeway Street, Suite 400, Boston, MA 02114.

DMF has also scheduled a virtual Zoom public hearing for 6PM on Tuesday, May 11, 2021. To attend this public hearing, you must register at in advance. A follow up e-mail will then be sent providing login and call in information. The pre-registration link is:

https://us02web.zoom.us/webinar/register/WN_SzlsGyaQiWx4Ejh-BMU9A

All materials, including the strikethrough regulatory language, may be found on [DMF's website](#) or may be acquired by contacting Jared Silva by e-mail at jared.silva@mass.gov. Recordings of the public hearings will be published to [DMF's YouTube channel](#).