



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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Director

May 28, 2020

### **2020 Statement of Permit Conditions** **Use of Purse Seines in Inshore Net Areas**

You are receiving this letter because you hold an Inshore Net regulated fishery permit endorsement with the Commonwealth of Massachusetts and have indicated purse seine as a gear type. In accordance with 322 CMR §§4.02(6) and (7), this **Statement of Conditions** allows the use of purse seine gear in the inshore restricted waters established at 322 CMR §4.02(2). Additionally, it sets forth restrictions necessary for the conservation and management of inshore bait fisheries.

Pursuant to the authority of G.L. c. 130 § 80 and 322 CMR §§4.02(6) and 7.01(7), the Director of the Division of Marine Fisheries has determined that the **Statement of Conditions** enumerated below shall apply to all 2020 Inshore Net regulated fishery permit endorsements.

#### **General Provisions**

1. In accordance with G.L. c. 130 §31, fixed gear shall be avoided.
2. Only species named on the permit may be taken and retained by the permit holder. All other species shall be immediately released alive. Dead fish shall not be discarded.
3. In accordance with G.L. c. 130 §§4A and 9, and 322 CMR 7.01(13), the Director or his agent may board a vessel for the purpose of administrative inspection or sea sampling.
4. The Harbormasters of any of the towns or cities bordering the regulated fishing areas listed on the permit shall have the right to board and inspect purse seiners in the listed areas after consultation with the Director, and may with his approval, suspend fishing operation if warranted.
5. This statement of permit conditions shall be onboard the named vessel when any purse seine fishing activity is occurring.

#### **Reporting Requirements**

1. Notwithstanding any other requirements set forth by the Director, in accordance with G.L. c. 130 §21, permit holder shall report all catch at a trip level on monthly reports provided by the Division of Marine Fisheries. These reports shall be submitted to the Division of Marine Fisheries by the 15<sup>th</sup> of the following month.
2. Permit holders participating in the limited entry menhaden fishery:
  - a. Shall report their menhaden landings in accordance with the menhaden daily catch reporting requirements for dealers set forth at 322 CMR §6.43(5).
  - b. Shall maintain a daily logbook onboard the vessel. This logbook shall detail the daily harvest; any and all daily sales, including those made at sea; and any and all menhaden kept for personal use.
  - c. Are authorized to offload at sea to a carrier vessel that holds a bait dealer permit from the Division of Marine Fisheries and appurtenant carrier vessel bait dealer permit conditions. If a carrier vessel is utilized, the carrier vessel shall report menhaden landings in

accordance with menhaden daily catch dealer reporting requirements set forth at 322 CMR §6.43(5). In this case, the harvest vessel does not need to report the catch to DMF through their bait dealer permit daily reporting requirement.

### **Conditions Affecting Fishing Activity**

1. The use of purse seine gear shall not occur within areas where recreational fishing activity is concentrated.
2. The use of purse seine gear shall not occur from ½ hour after sunset until ½ hour before sunrise.
3. The use of spotter planes shall occur only after 8 a.m. and away from residential areas.
4. The use of purse seines larger than 600 feet (100 fathoms) shall be prohibited, and in specific areas, the maximum purse seine size is further restricted. See restricted areas below
5. The use of purse seines shall be prohibited on Saturdays and Sundays inside any inshore net area, as defined as 322 CMR §4.02(2).
6. The use of purse seines shall be prohibited on Memorial Day, the 4<sup>th</sup> of July and Labor Day inside any inshore net area, as defined as 322 CMR §4.02(2).
7. The use of purse seines shall be prohibited on Fridays in Boston and Beverly Harbors, as defined at 322 CMR §4.02(2).
8. Vessels intending to fish with purse seine gear in Salem Harbor, as defined at 322 CMR §4.02(2), shall contact the Salem Harbormaster's office at (978) 741-0098, prior to setting nets for the first time each year, in order to establish communication with the Harbormaster and receive guidance on restricted fishing areas due to vessel traffic.
9. If a carrier vessel is utilized in the menhaden fishery, the permit holder shall not offload to that carrier vessel more than one trip limit per day, as set forth at 322 CMR §6.43(4)(a).

**Restricted Areas.** The use of purse seine gear is subject to the following restrictions within the following areas:

1. Hingham Bay. Vessels may fish with a hand hauled purse seine net up to 400' x 60' within those waters inside Hull Gut and West Gut. The use of spotter planes, purse seine nets larger than 400' x 60' and mechanically hauled purse seine nets are prohibited.
2. Quincy Bay. Vessels may fish with a hand hauled purse seine net up to 400' x 60' within those waters west of a line drawn from the point of rocks on the east side of Squantum Neck to the easternmost end of the Merrymount designated "A Anchorage Area" in Quincy, including that anchorage area.
3. Winthrop. Vessels may fish with a hand hauled purse seine net up to 400' x 60' within those waters inside Winthrop Harbor bounded to the east by an imaginary straight line beginning at the southern end of Cottage Park Yacht Club, Winthrop, thence south to the "1" day marker, thence west to the easternmost end of Logan Airport Runway 27, excluding those waters within Winthrop designated "A Anchorage Area". This fishing activity shall only occur from one-half hour before sunrise to 8AM. The use of purse seine nets larger than 400' x 60' and mechanically hauled purse seine nets are prohibited.

### **Prohibited Areas**

1. Charles River. It shall be unlawful to fish with purse seine gear inside an imaginary straight line drawn from Pier 4 in Charlestown to the easternmost Coast Guard Pier in Boston.
2. Mystic River. It shall be unlawful to fish with purse seine gear upstream of a line drawn from the end of the Massport concrete pier to the white storage tanks at the Exxon Terminal. Fishing may only be conducted above the Mystic River Bridge from ½ hour before sunrise to 8 a.m. Each purse seine operation is allowed to make one successful set when fishing above the Mystic River Bridge between ½ hour before sunrise until 8 a.m.
3. The Chelsea River. It shall be unlawful to fish with purse seine gear upstream of the Andrew McCardle Bridge.
4. Dorchester. It shall be unlawful to fish with purse seine gear inside an imaginary straight line drawn from UMASS to the "Corita" Gas Tank.

5. Neponset River. It shall be unlawful to fish with purse seine gear inside the southeast express way.
6. Marina Bay. It shall be unlawful to fish with purse seine gear inside the break water. .
7. Weir River. It shall be unlawful to fish with purse seine gear inside red nun “8”.
8. Quincy Bay. It shall be unlawful to fish with purse seine gear inside the waters west of a line drawn from the point of rocks on the east side of Squantum Neck to the easternmost end of the Merrymount designated “A Anchorage Area” in Quincy, including that anchorage area.
9. Winthrop Harbor. It shall be unlawful to fish with purse seine gear within the area bounded by an imaginary straight line beginning at the southern end of Cottage Park Yacht Club, Winthrop, thence south to the “1” day marker, thence east to Coughlin Park, Winthrop.
10. Designated A Anchorage Areas. It shall be unlawful to fish with purse seine gear within any designated “A Anchorage Area” as described on NOAA Chart #13270.

The Statement of Permit Condition enforceable by law, pursuant to G.L. c. 130 §80 and 322 CMR §7.01(7). Violations of any condition or restriction herein, or any provision of 322 CMR or G.L. 130 may result in the suspension or revocation of the commercial fisherman permit and any other applicable fines and penalties. The Director may revise or discontinue the provisions set forth in this Statement of Permit Conditions any time.

**This Statement of Permit Condition is valid through December 31, 2020, unless sooner revoked for cause.**



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Daniel J. McKiernan  
Director

May 28, 2020

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Effective Date