



David E. Pierce, PhD.
Director

Commonwealth of Massachusetts

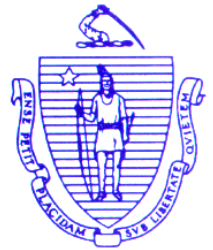
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September 6, 2017

Statement of Permit Conditions: Temporary Prohibition on Night Purse Seining in State Waters

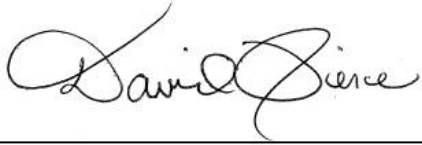
The Division of Marine Fisheries (DMF) is aware of a recent influx of purse seine fishing activity in state-waters. This activity has been occurring primarily at night and in areas densely concentrated with fixed gear. Considering these factors, I've concluded the potential for gear conflicts between this new mobile gear fishing activity and fixed gear fishing is substantial. Additionally, the catch, retention and landing of river herring from Massachusetts waters are strictly prohibited, and there are concerns that this fishing activity may result in unlawful bycatch of river herring.

Accordingly, I am issuing this Statement of Permit Conditions to commercial fisherman permit holders with regulated fishery permit endorsements for the Coastal Access Permit or Coastal Access Permit – Purse Seine permit to limit night-time purse seine fishing in state-waters. Pursuant to the authority at, G.L. c. 130 §§ 2 and 80 and 322 CMR 7.01(7), these commercial fisherman permits are hereby conditioned:

1. It shall be unlawful to set, fish or haul purse seine gear within the waters under the jurisdiction of the Commonwealth from ½ hour after sunset to ½ hour before sunrise.
2. 322 CMR 4.06(3) shall not apply to any purse seine fishing activity occurring during the night in the waters under the jurisdiction of the Commonwealth.

The permit holder shall be responsible for all aspects of purse seine fishing within the waters under the jurisdiction of the Commonwealth. Violation(s) of these permit conditions or any provision of 322 CMR or G.L. c. 130 may result in the immediate suspension of all purse seine fishing activity and the potential revocation of the Massachusetts' commercial fisherman permit, as well as any applicable fines or penalties provided by G.L. c. 21A or 130.

These permit conditions shall be valid through December 31, 2017. I may amend this Statement of Permit Conditions at any time. Any amendments shall become effective upon written notice to the permit holder of record. During the winter of 2017/2018, the Division of Marine Fisheries will hold public meetings and hearings to discuss the state's existing mobile gear closures and the use of purse seine gear inside closed areas and at closed times.

A handwritten signature in black ink that reads "David E. Pierce". The signature is written in a cursive style with a large initial "D".

David E. Pierce, PhD
Director

September 6, 2017

Effective Date