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## Regulatory Update and Public Meeting Announcement

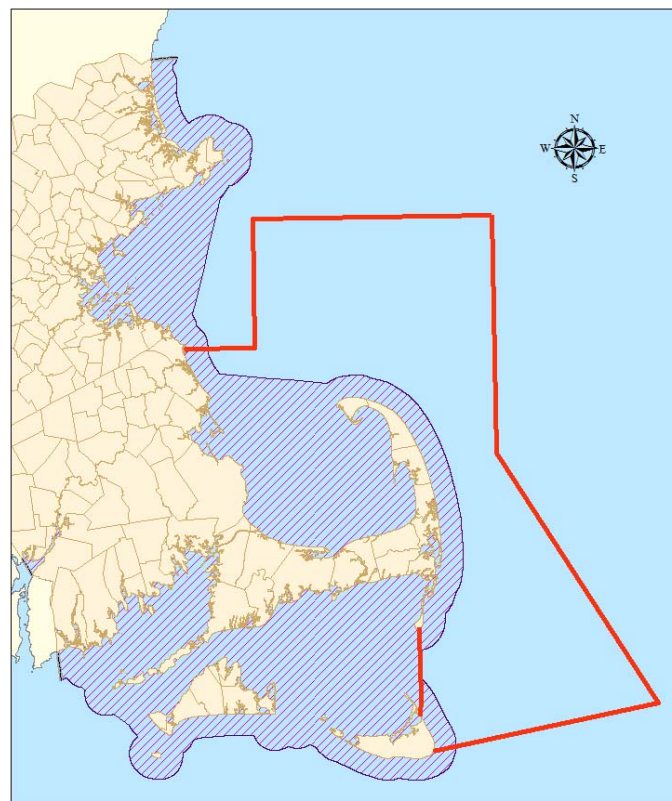
Public meetings to discuss impacts on Massachusetts trap and pot fisheries of recently enacted federal rules to protect large whales

Wednesday, January 7, 2015 at 6 pm at Chatham Community Center, 702 Main St., Chatham  
Thursday, January 8, 2015 at 6 pm at DMF's Annisquam Facility, 30 Emerson Ave., Gloucester

In 2015 regulations governing lobster trap and other fish and conch pot fishing are being amended. Permit holders are urged to become informed of these changes due to their unprecedented impacts and because they may be subject to change.

To prevent entanglements of large whales and improve the potential to identify entangling gear, federal regulations were enacted by the National Marine Fisheries Service (NMFS) in June 2014 – and later amended on December 12. There is now a new three-month (February through April) closure affecting commercial pots and traps; the area includes Outer Cape Cod, Cape Cod Bay, and portions of Massachusetts Bay, and is known in federal regulations as the Massachusetts Bay Restricted Area. See figure. Originally enacted as a smaller area closure for a longer (4-month) period, at the request of DMF this closure was reduced in its duration by re-opening January while extending the closed area to include waters east of Chatham and Nantucket.

Additionally, vertical buoy line marking for all trap/pot fisheries in has been increased from one 4" colored mark to three



— Modified MA. Bay Restricted Area  
▨ State Waters  
0 10 20 30 40 50 Miles



Date: 12/22/2014

12”colored marks (top, middle, and bottom). This rule was enacted to increase the likelihood of identifying the source of the entangling rope that may be seen on large whales. About half of the entanglements in recent years cannot be identified to location or gear type because all that remains on the whale is rope fragments.

Also included in this rule is a new year-round prohibition on setting of single traps, scheduled to be in effect on June 1, 2015. To comply with this rule, traps must be set in multiple trap strings and any string of 5 traps or less would be limited to a single buoy line. This federal rule affects all commercial trap and pot fishermen in Commonwealth waters, including those who do not have a federal permit because the law was enacted under the authority of the Marine Mammal Protection Act.

However, it is possible that this rule could be amended. In the weeks ahead, DMF will be appealing to NMFS and the Large Whale Take Reduction Team (TRT) for exemptions to the ban on single traps within certain state waters: within 3 miles of shore from the NH border to the eastern shore of Nantucket and then all other waters under the jurisdiction of the Commonwealth south and west of Cape Cod including Nantucket Sound, Vineyard Sound, and Buzzards Bay. DMF will present its case to NMFS and the Team at a three-day meeting in Providence, RI citing the unlikely presence of large whales in areas so close to shore, the relative low risk of serious injury and mortality from simple lightweight lines, the unacceptable impacts of cost and safety on small vessel operators, and the unintended consequence of single trap fishermen switching over to heavier and more injurious ropes and gear.

As part of the exemption proposal, DMF is proposing that, if approved, single trap fishermen would be required (under state regulations) to deploy a more detailed line marking scheme. Instead of just the 12” red mark on the line, we propose the inclusion of a second mark or color (for example: white) to that already required. Also no single trap fishermen would be allowed to use line with a diameter in excess of 3/8” nor use a surface system on the buoy line that is indistinguishable from buoys used in the setting of a multiple trap trawl buoy line

DMF hopes that any commercial trap/pot fisherman who hopes to continue to fish single traps will consider attending one of these meetings, or provide input to DMF through written correspondence via mail or email. For more information contact DMF’s Boston office at 617 626-1520 or Deputy Director Dan McKiernan at [dan.mckiernan@state.ma.us](mailto:dan.mckiernan@state.ma.us) or Jared Silva at [jared.silva@state.ma.us](mailto:jared.silva@state.ma.us).