



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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### **Notice of January 6, 2022 Virtual Public Hearing and Public Comment Period: Draft Regulatory Proposals Affecting Commercial Gillnet and Groundfish Fishing, Squid Trawling, and Winter Period Scup Limits**

Under the provisions of G.L. c. 30A and pursuant to the authority found at G.L. c. 130 §§ 17A, 80 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, 6.00, 8.00, and 12.00. Full text of the draft regulations may be found on [DMF's website](#) along with additional relevant background information.

Expanding Seasonal Sink Gillnet Closure (322 CMR 12.04). DMF is proposing to prohibit the use of gillnet gear in all state waters between January 1 – May 15 to reduce the risk of this gear entangling an endangered right whale. This closure may be lifted prior to or extended beyond May 15 based on the observed presence or absence of right whales in state waters.

Commercial Groundfish Closure to Protect Spawning Cod (322 CMR 8.05). DMF is proposing to close the commercial groundfish fishery in state waters between Plymouth and the New Hampshire maritime border from April 15 – April 30. This proposed closure is designed to protect inshore spring cod spawning aggregations. The closure also matches the federal Spring Massachusetts Bay Spawning Protection Area adopted in 2018. All gears capable of catching groundfish will be restricted from fishing in the closure area, with certain limited exemptions including the use of shellfish dredges.

Additional Groundfish Management Measures (322 CMR 4.04, 6.03, and 8.05). In response to the above described closure proposals, DMF is seeking to liberalize groundfish regulations at times and in places when concerns about right whale and spawning cod conservation are limited. This includes: (1) increasing the Gulf of Maine cod trip limit from 200 pounds to 300 pounds; (2) increasing the Gulf of Maine yellowtail flounder trip limit from 250 pounds to 350 pounds; (3) eliminating the conditional April groundfish closure between Plymouth and Marblehead; and (4) eliminating the May 15 – November 1 Greater Boston Harbor sink gillnet closure.

Small Mesh Squid Trawl Season (322 CMR 4.06 and 6.39). DMF is proposing to extend the small mesh squid trawl season from April 23 – June 9 to April 23 – June 15. With this six-day extension of the squid season, DMF would then strike the regulatory allowance for the Director to discretionarily extend the season on an annual basis. This attempts to find a more balanced and manageable administrative approach to the management of the small mesh squid trawl season.

Winter I and Winter II Scup Limits (322 CMR 6.27). DMF is proposing to establish a 2,000 pound retention limit for scup taken from state waters during the Winter I (January 1 – April 30) and Winter II (October 1 – December 31) periods. Then with this baseline standard in place for state waters, DMF is also proposing vessels fishing in federal waters under the authority of federal permits be authorized to

possess and land scup in Massachusetts in quantities exceeding the state limits but in conformity with the federal possession limits for this period.

### **Public Hearing and Comment Schedule**

DMF will accept written public comment until 5PM on January 14, 2022. Submit written comments to Director Daniel McKiernan by e-mail ([marine.fish@mass.gov](mailto:marine.fish@mass.gov)) or post (251 Causeway Street, Suite 400, Boston, MA 02114).

A virtual Zoom public hearing is scheduled for Thursday, January 6, 2022 at 6PM. To attend this virtual public hearing, please register [online](#). Once you are registered, you will receive information regarding how to login to the hearing.