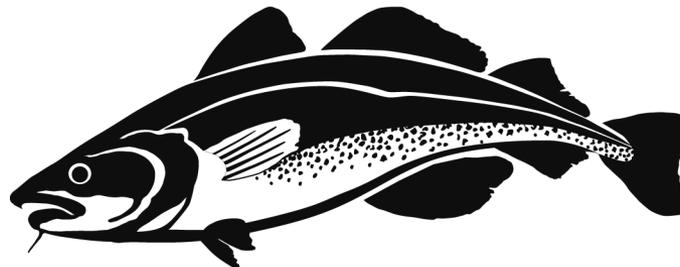


Public Hearing: Commercial Summer Flounder, Black Sea Bass, and Spiny Dogfish

March 16, 2022

Marine Fisheries
Commonwealth of Massachusetts



Public Hearing and Comment

Under the provisions of M.G.L. c. 30A, and pursuant to the authorities found at M.G.L. c. 130 §§ 2, 17A, 80, and 104, the Division of Marine Fisheries (DMF) is taking public comment and holding public hearings on proposed amendments to regulations at 322 CMR 6.00 and 7.00.

Written public comment will be accepted through Sunday, March 20, 2022. Please send written public comment via e-mail to marine.fish@mass.gov or by post to the attention of Director McKiernan at 251 Causeway Street, Suite 400, Boston, MA 02114.



Virtual Rules of Engagement

- Purpose of the hearing is to afford interested parties an opportunity to submit data, opinions, comments, or arguments on the specific amendments being proposed, or to offer how the proposed amendment can be changed to minimize the impact on those affected while still achieving goals.
- Comments on matters outside of the scope of the specific amendments being proposed will be accommodated upon the conclusion of the hearing and if time permits.
- All members of the public will be muted throughout the presentation. At the conclusion of the presentation, DMF will first accept clarifying questions regarding the proposals, and then once all the questions are addressed, DMF will invite public comment on the various proposals.
- The written “chat” and “question and answer” functions have been disabled. DMF will respond to verbal questions at the end of the hearing. Additionally, you can follow up with DMF staff after the hearing by e-mail (marine.fish@mass.gov).
- When participating in the question and comment forums, the public is required to use the raise hand function. This creates a queue and DMF will recognize and unmute individuals when it is their turn to speak. Individuals will be provided three (3) minutes for questions and comments per hearing item. Follow-up comments may be allowed after all other persons have had an opportunity to speak.
- It is not necessary for you to provide verbal comment during this public hearing. You may use this virtual hearing for informational purposes and submit written comments later. In fact, submitting written public comment is recommended.
- Given our remote working status, DMF prefers that written comment be submitted by e-mail (marine.fish@mass.gov). All written comment is to be submitted by March 20, 2022. Written comment will be shared with the MFAC in advance of the April 7, 2022 business meeting.
- This public hearing will be recorded, and questions and comments are part of the public record. The recording of the public hearing will also be posted to [DMF's YouTube Channel](#).



Overview of Proposals

- Commercial Summer Flounder (322 CMR 6.22). Adjust quota allocations, seasons, fishing days, and trip limits to take advantage of available quota.
- Commercial Black Sea Bass (322 CMR 6.28). Adjust directed commercial black sea bass fishery season, open fishing days, and trip limits to take advantage of available quota.
- Commercial Spiny Dogfish (322 CMR 6.35). Increase trip limit consistent with anticipated changes to federal and interstate fishery management plans.
- Housekeeping (322 CMR 6.19, 6.41, 7.03, and 7.05).
 - Clarify that owner-operator rule applies to possession of fish until sale to dealer.
 - Correct typographical error regarding LE permit endorsement renewals.
 - Eliminate redundant language regarding officer discretion in enforcing for-hire liability.
 - Require all recreational traps for lobsters and crabs be configured as a recreational lobster trap.

Anticipated Timeline for Rule Making

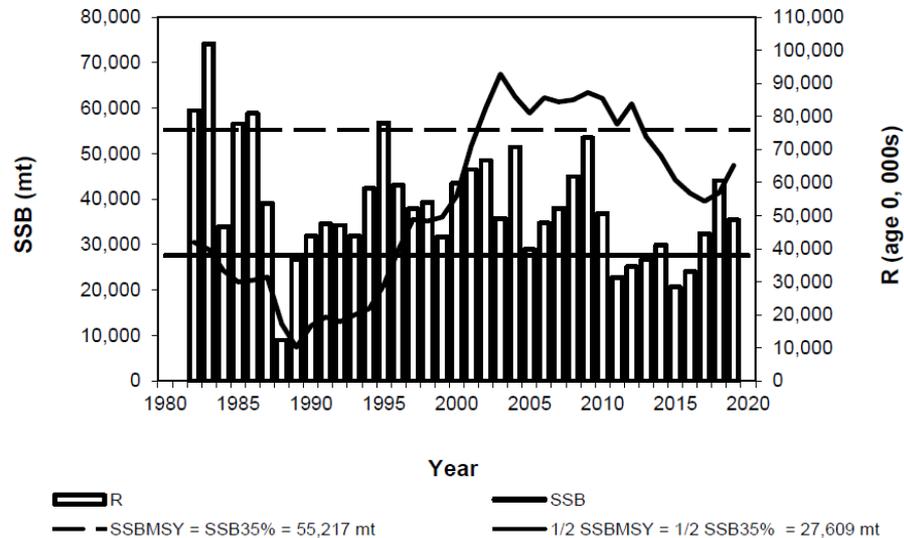
- March 16: Hold virtual public hearing
- March 20: Conclude public comment period
- April 1: Provide recommendation to MFAC
- April 7: MFAC vote on recommendation
- April 29: File final regulations



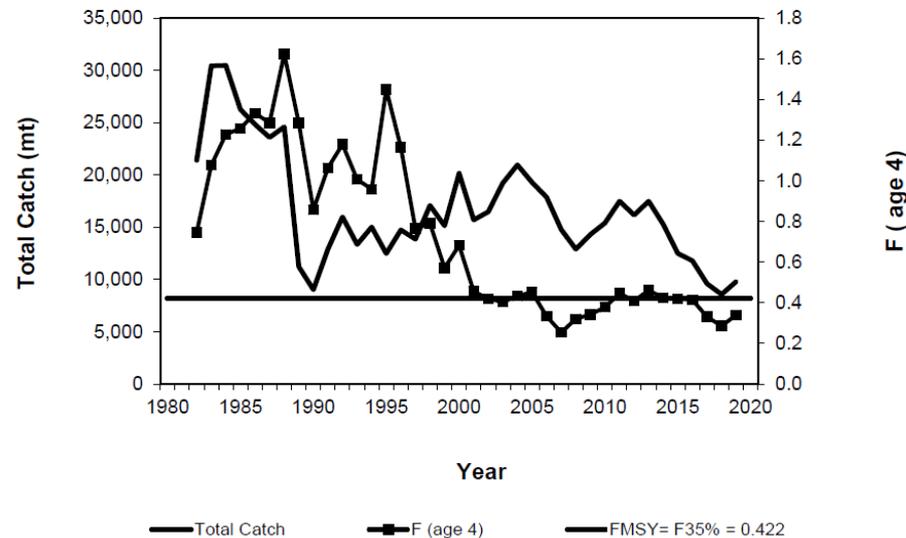
Summer Flounder Stock Status

- Source: 2021 Management Track Assessment (data through 2019)
- Not overfished. $SSB_{2019} = 47,397$ MT, or 86% of biomass target. Note recent upward trend.
- Recruitment: below average 2011-2017 caused recent decline in SSB (driver of pattern unknown); 2018 year class above average, 2019 below average but above 2011-2017.
- Not experiencing overfishing. $F_{2019} = 0.34$, 81% of threshold.
- Northward & eastward shift in spatial distribution over last four decades.

Spawning Stock Biomass (SSB) and Recruitment (R)



Total Catch and Fishing Mortality (F)



Summer Flounder Quota & Utilization

- MA commercial quota set 1.39 million pounds for 2022; 37% increase from 2021.
- 2022 quota increase due to 24% increase in the coastwide quota and an increased state quota share for MA under the new allocation approach implemented in 2021.
- 2nd consecutive year with substantial quota increase (2021 quota was +28% increase).
- Quota has steadily been increasing since all-time low in 2017.
- For the past three years (2019–2021), the quota is underutilized.

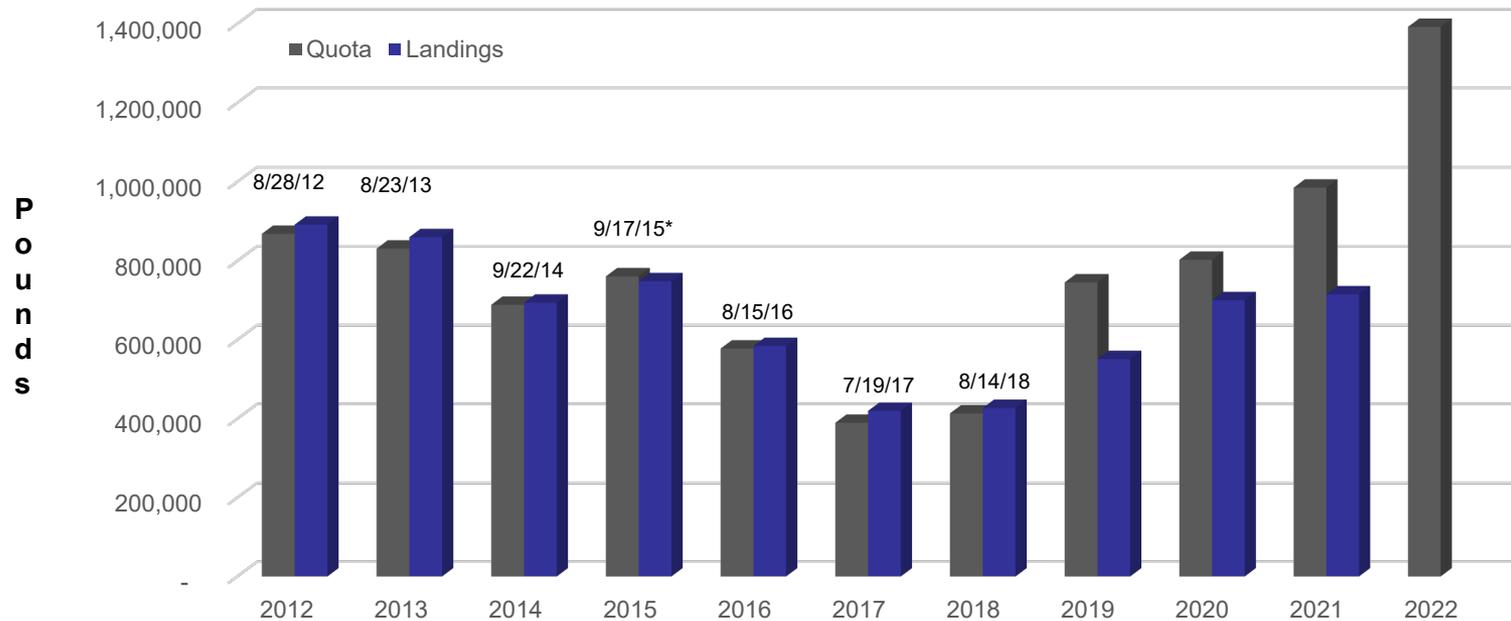
Year	Quota (lb)*	Landings (lb)	Percent Utilized	Closure Date
2017	389,573	419,714	108%	July 19
2018	413,361	427,167	103%	August 14
2019	741,532	551,267	74%	N/A
2020	795,584	700,390	88%	N/A
2021	1,025,159	715,347**	70%	N/A
2022	1,391,846	TBD	TBD	

* Quota as adjusted by transfers; **Preliminary data.



Summer Flounder Quota & Utilization

Summer Flounder Quota Utilization (2012 - 2021)
and 2022 Quota



* 2015 quota was projected to be taken on September 17. Following accounting the fishery reopened October 12 and it was never fully taken.

All quotas are adjusted for transfers.



Current Management System

Period	Allocation	Season	Open Days	Trip Limits	Minimum Size
Period I	30%	Jan 1–Apr 22	Sun – Sat	1,000 lb (all gear)*	14”
Period II	70%	Apr 23–Jun 9	Sun – Sat	100 lb (nets), 0 lb (hooks)	14”
		Jun 10–Oct 31	Sun – Thu	400 lb (nets), 250 lb (hooks)	
		Nov 1–Dec 31	Sun – Sat	1,000 lb (all gear)**	

* Trip limit is reduced to 100 pounds once 25% of quota is taken

** Trip limit is set at 500 pounds if less than 5% of quota remains.

- Allocation system designed in 1990s. Most of quota to directed inshore summertime fishery.
- Period I: Fishery occurs offshore during winter period. Limits designed to manage quota allocation throughout period and avoid allocation overage and reduction in quota available to inshore fishery.
- Period II: Fishery occurs inshore during summertime period.
 - Apr 23 – Jun 9: No directed fishing. Allows retention of bycatch by net fishermen in springtime small mesh squid fishery.
 - Jun 10 – Oct 31: Directed inshore fishery. Trip limits set to match economics of small vessel inshore fleet and keep fishery open through period. Closed fishing days address marketability of fish on weekends and user group conflict with recreational sector.
 - Nov 1 – Dec 31: Fishery moves offshore. Trip limits set to match economics of offshore fleet and utilize remaining quota.
- Minor adjustments made to Period I limits 2019 and Period II limits 2020 to account for recent quota increases. Changes were not commensurate with substantial quota increases.



Recent Changes in Management

Period I

- Regulations last adjusted in 2019 to add January to season and increase trip limit from 500 to 1,000 lbs.
- Declaration process used to increase trip limits in 2020, 2021, and 2022.
 - 2020: Limit increased to 2,000 pounds on Feb 23; landed 78% of allocation (238,675 lbs).
 - 2021: Limit increased to 2,000 pounds on Jan 1; landed 85% of allocation (304,554 lbs).
 - 2022: Limit increased to 2,500 pounds on Jan 1; expected allocation ~417,000 lbs.
- Cooperative interstate pilot program allowing possession of multiple states' limits: 2020–2022.

Period II

- Regulations last adjusted in 2020.
 - Increased Jun 10 – Oct 31 trip limits from 300 to 400 lbs for nets and 200 to 250 lbs for hooks.
 - Added Nov 1 – Dec 31 season with 1,000-lb trip limit and no closed fishing days.
- Declaration process used to increase trip limits in 2019 – 2021.
 - 2019. Effective Nov 1: No closed fishing days and hook limit increased from 200 to 300 lbs. DMF initially proposed adding Friday as a fishing day and increasing trip limits for all gears by 100 lbs as soon as Aug 18; not recommended in response to public comment.
 - 2020. Effective Aug 23: Increased trip limit from 400 to 600 lbs for nets. Effective Oct 4: Increased trip limit to 1,000 lbs for all gears and eliminated closed fishing days. Effective Nov 1: Increase trip limit to 2,000 lbs for all gears.
 - 2021: Effective Sep 26: Increased trip limit to 800 lbs for all gears and eliminated closed fishing days. Effective Oct 10: Increased trip limit to 2,000 lbs for all gears.
- Pilot program allowing retention of multiple daily trip limits in sealed containers: 2019–2021.



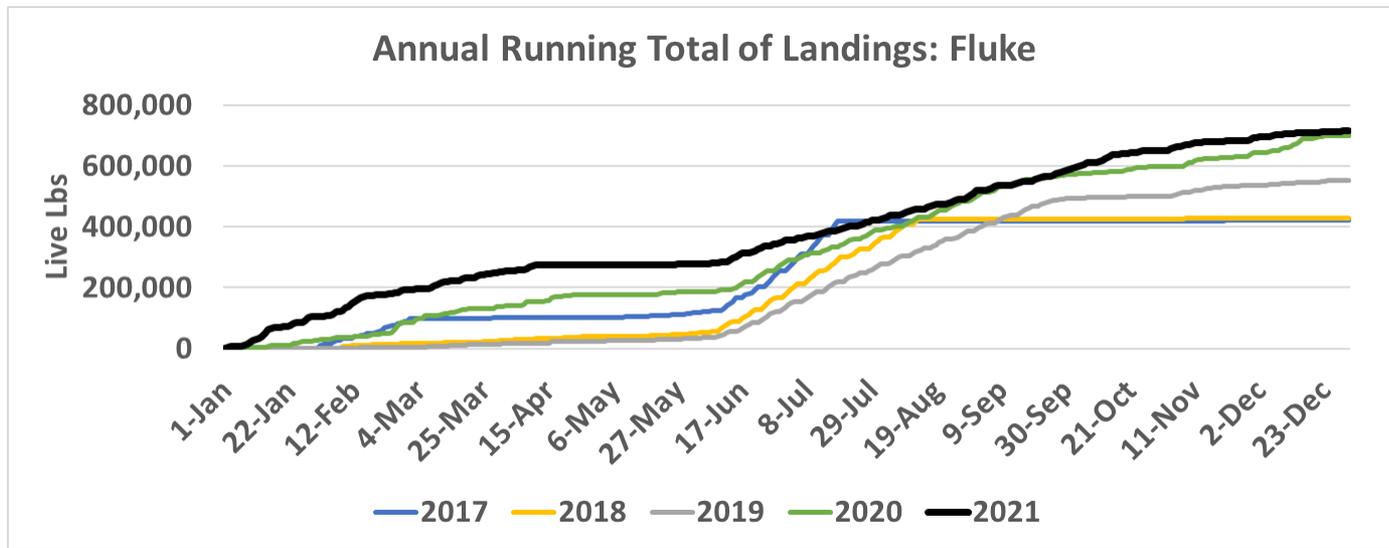
Proposals Affecting Period I

Recommendation:

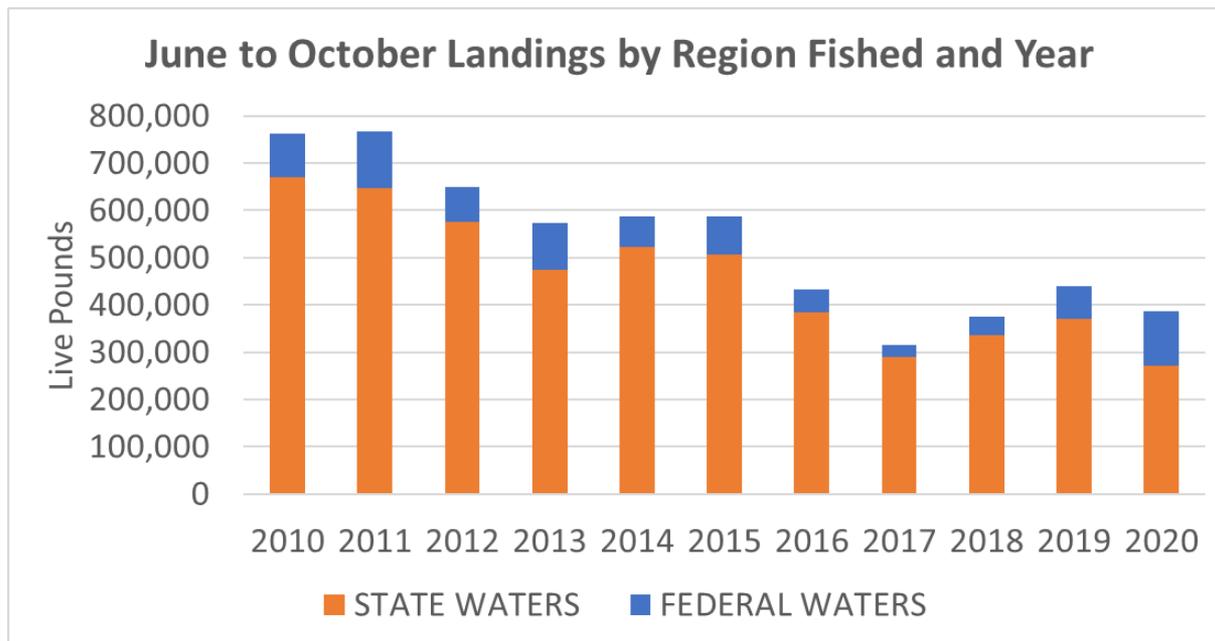
- Increase Period I quota allocation from 30% up to 50%.
- Increase the Period I trip limit from 1,000 lbs to at least 2,500 lbs.
- Maintain trip limit reduction trigger based on new quota allocation (e.g., @ ~45% of quota reduce to 500 lbs)
- Codify multi-state pilot program as regulation.

Rationale:

- Period I has demonstrated ability to take sizeable amount of seasonal allocation if appropriately high trip limits are set.
- Utilization in 2020 and 2021 driven by sufficiently elevated trip limit (2,000 lbs) & multi-state landing through pilot program.



Period II Landings by Region and Year



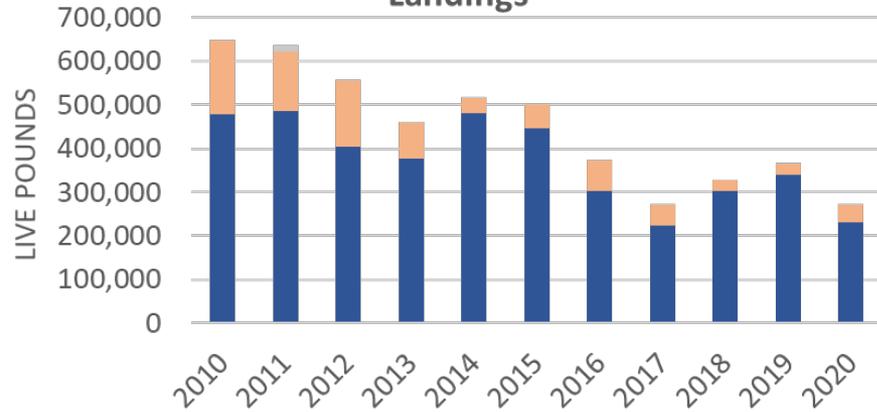
Data Source: MA Trip-Level Reports and NMFS VTRs, November 2021

- Landings have decreased over past decade.
- Last time fishery landed more than 700,000 pounds was 2011
- In 2020, fishery landed less than 400,000 pounds.
- Proportion of catch coming from federal waters is increasing in recent years.

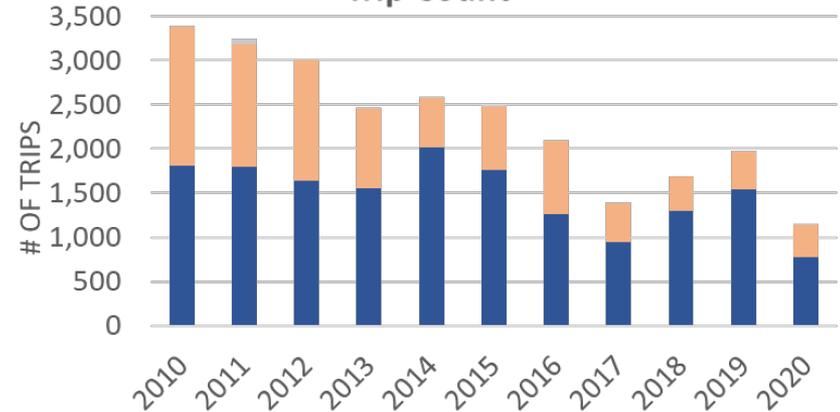


Commercial Gear Trends for Inshore Summertime (June to October) Fishery

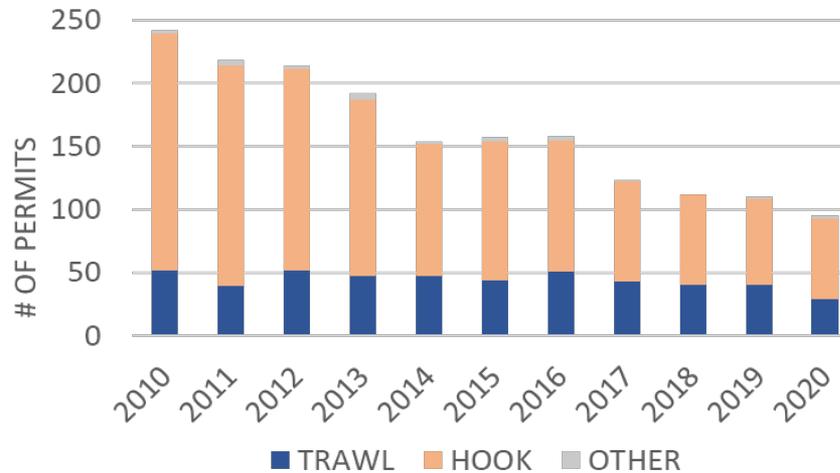
Landings



Trip Count



Active Permit Count



Note: The trawl fishery occurs primarily in Nantucket Sound while the Rod & Reel fishery is a strong driver in Buzzards Bay & Vineyard Sound

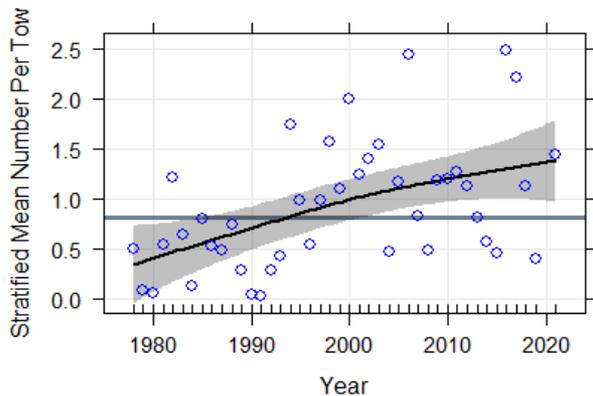
Data Source: MA Trip-Level Reports and NMFS VTRs, November 2021



Spring Trawl Survey Abundance by Market Grade

Market Grade: Medium

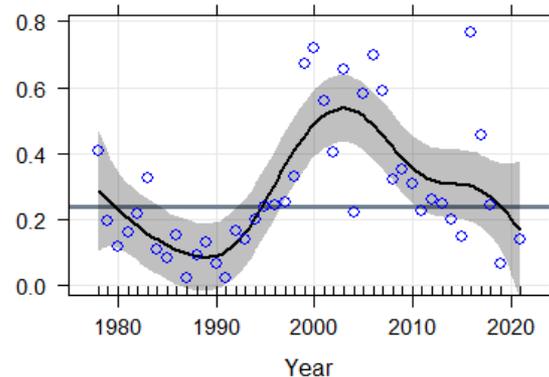
Summer Flounder Abundance (36-44cm)
MDMF Spring Survey, Regions 1-5
All Massachusetts State Waters



Black line: GAM fit.
Grey line: timeseries median.
No data collected in 2020

Market Grade: Large

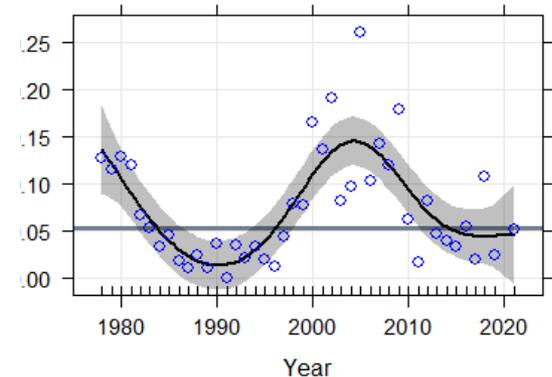
Summer Flounder Abundance (45-55cm)
MDMF Spring Survey, Regions 1-5
All Massachusetts State Waters



Black line: GAM fit.
Grey line: timeseries median.
No data collected in 2020

Market Grade: Jumbo

Summer Flounder Abundance (>55cm)
MDMF Spring Survey, Regions 1-5
All Massachusetts State Waters



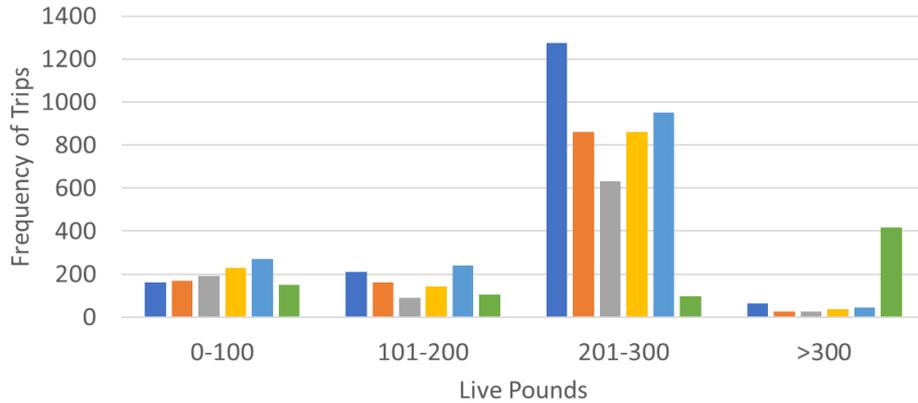
Black line: GAM fit.
Grey line: timeseries median.
No data collected in 2020

- Spring trawl survey occurs in May.
- Observed increase in abundance of medium market grade fish.
- Abundance of large and jumbo market grade fish now below time-series mean. Substantial decrease from time-series high in early 00s.
- Expectation is this survey would catch those fish moving into inshore summertime fishery.
- Similar trends observed in fall trawl survey (September).

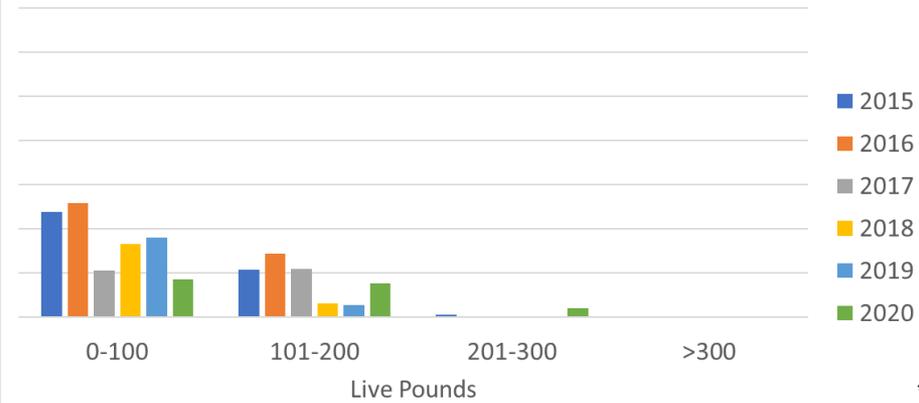


Distribution of Summer Flounder Landings by Gear Type and Pounds - June to October (2015 – 2020)

Frequency of Summertime (June to October) Inshore Trawl Trips at Intervals Pounds Landed per Trip



Frequency of Summertime (June to October) Inshore Rod & Reel Trips at Intervals of Pounds Landed per Trip



*

Data Source: MA Trip-Level Reports and NMFS VTRs, November 2021

* In 2020, the regulatorily set trip limit increased from 300 to 400 lbs for nets and 200 to 250 lbs for hooks.

- Trawl trips frequently land at the trip limit.
- Hook trips occur most frequently below the trip limit (0-100 pounds).
- When trip limit is increased above 200 pounds, few hook trips occur at that level.



Proposals Affecting Period II

Proposals:

- Decrease Period II quota allocation from 70% to no less than 50%.
- Adjust timing of directed fishery to start as early as April 23, rather than June 10.
- Eliminate closed fishing days during directed fishery. Options include starting season with no closed days, one closed fishing day, or phasing in additional open days based on quota availability at dates certain.

Rationale:

Quota Allocation: Period II fishery has not achieved allocation in recent years. Will not likely approach 2022 allocation with current participation.

Start Date:

- Provides trawlers with alternative to squid fishing should squid run be late or poor.
- Gives hook and line fishermen a spring fishery option; sought this since sea bass quota was moved to summer in 2013.

Open Days:

- Additional open days will allow fleet to better pick their fishing days and take advantage of good weather.
- May enhance safety considering reports of fleet having to travel further offshore to target fish, particularly for small trawlers and open boats.
- May result in increasing number of overall trips to compensate for reduction in active permits.



Proposals Affecting Period II (cont.)

Proposals:

- During directed fishery, increase trip limits from 400 to 500 lbs for trawlers and 250 to 300 lbs for hook gear. When overlapping with state squid fishery, trawl limit of 100 lb if in possession of squid.
- Establish built-in, in-season trip limit increases based on dates certain and quota use (e.g., Sept. 1 increase to 600 lbs for all gears should >25% of the quota remain).
- Set fall fishery (e.g., Oct 1 – Dec 31) trip limit at 1,000 lbs (all gears) if <15% of quota or 2,500 lbs if >15% of quota.

Rationale:

Trawler Trip Limits:

- Trawlers continue to take limit.
- Decrease regulatory discards.
- Maintain small boat fleet.
- Squid limit consistent with FMP

Hook and Line Limits

- Allows highliners to take additional available quota.

Date Certain Approach

- Builds in adjustments to increase access to quota considering quota utilization and seasonal weather.
- Avoids in-season adjustments.

Fall Fishery.

- Start fall fishery on October 1 (expected to be September 30 in 2022).



Proposed Adjustments

Period	Allocation	Season	Fishing Days	Trip Limits	Minimum Size
Period I	50% 30%	Jan 1 – Apr 22	Sun – Sat	2,500 pounds (all gear)* 1,000 pounds (all gear)*	14"
Period II	50% 70%	Apr 23 – Aug 31 Apr 23 – Jun 9	Sun - Sat Sun – Sat	500 pounds (nets) 300 pounds (hooks) 100 pounds (nets) 0 pounds (hooks)	14"
		Sept 1 – Sept 30 Jun 10 – Oct 31	Sun - Sat Sun – Thu	600 pounds (>25% quota) 400 pounds (nets) 250 pounds (hooks)	
		Oct 1 – Dec 31^ Nov 1 – Dec 31	Sun – Sat	2,500 pounds (>15% quota) 1,000 pound (<15% quota) 1,000 pounds (all gear)**	

* Trip limit is reduced to 100 pounds once 25% of quota is taken

** Trip limit is set at 500 pounds if less than 5% of quota remains.

^ Recreational fishery set to close on Sept 30 in 2022. Closed on Oct 10 in 2021.

Other Proposals:

- Codify pilot program allowing possession of multi-state limits when offloading in MA during Period I.
- Maintain a trip limit reduction trigger for Period I to avoid overage of allocation.
- Should we adopt other date certain adjustments to increase trip limits or eliminate closed fishing days?



Questions and Comments

Instructions for Public Hearing Questions and Comments

1. Meeting moderator will now recognize members of the public.
2. DMF will first recognize individuals with questions regarding the presentation and proposals.
3. Upon conclusion of the question period, DMF will accept verbal public comment.
4. To ask a question or submit a verbal comment, please use the “raise hand” function. This will create a queue of participants.



Black Sea Bass Quota & Utilization

- MA commercial quota set at 998,901 pounds for 2022; 26% increase from 2021.
- 2022 quota increase due to 6% increase in coastwide quota and increase in MA's overall quota share from 13% to 15.4% under new regional biomass distribution quota allocation approach.
- Quota has steadily increased substantially from 2019 to 2022.
- Quota was slightly under-utilized in 2021.

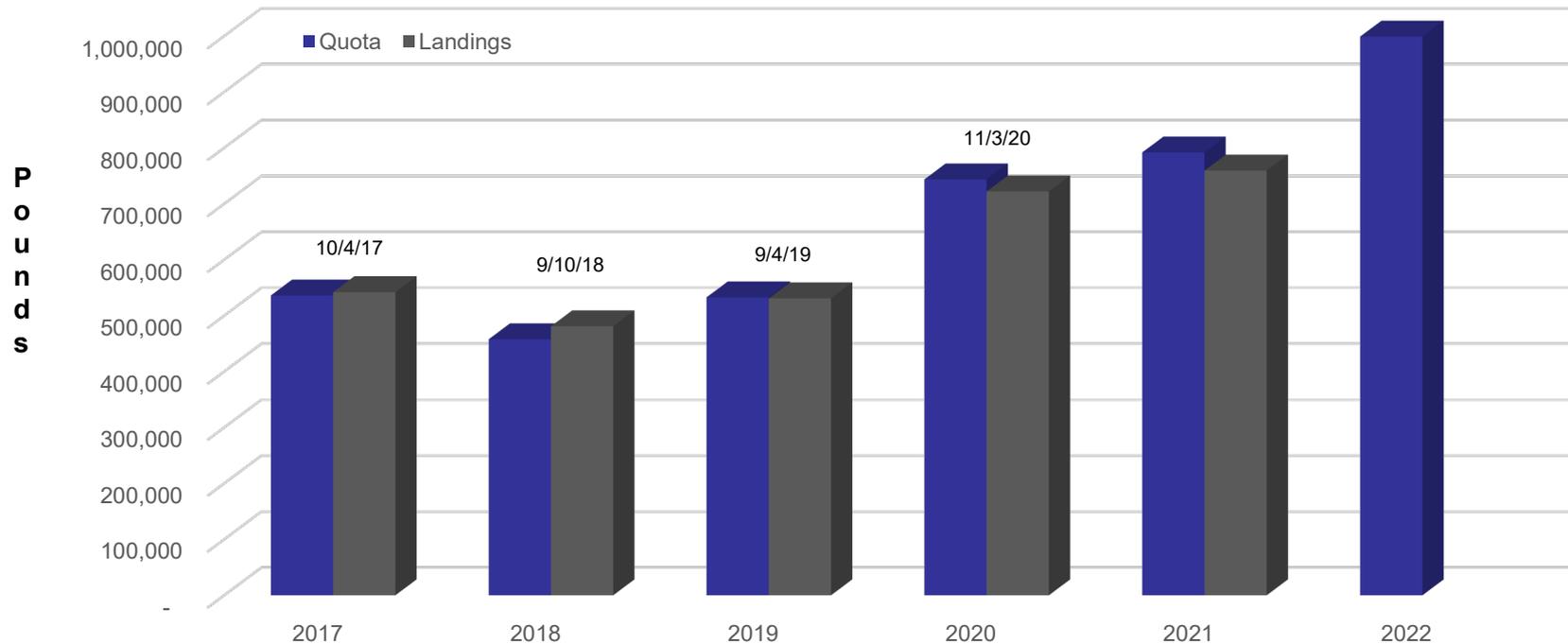
Year	Quota (lb)*	Landings (lb)	Percent Utilized	Closure date
2017	535,982	541,929	101.1%	October 4
2018	457,645	480,793	105.1%	September 10
2019	532,600	530,814	99.7%	September 4
2020	743,565	722,101	97.1%	November 3
2021	791,700	733,419	92.6%	N/A
2022	998,901	TBD	TBD	

* Quotas as adjusted by inter-state transfers



Black Sea Bass Quota and Utilization

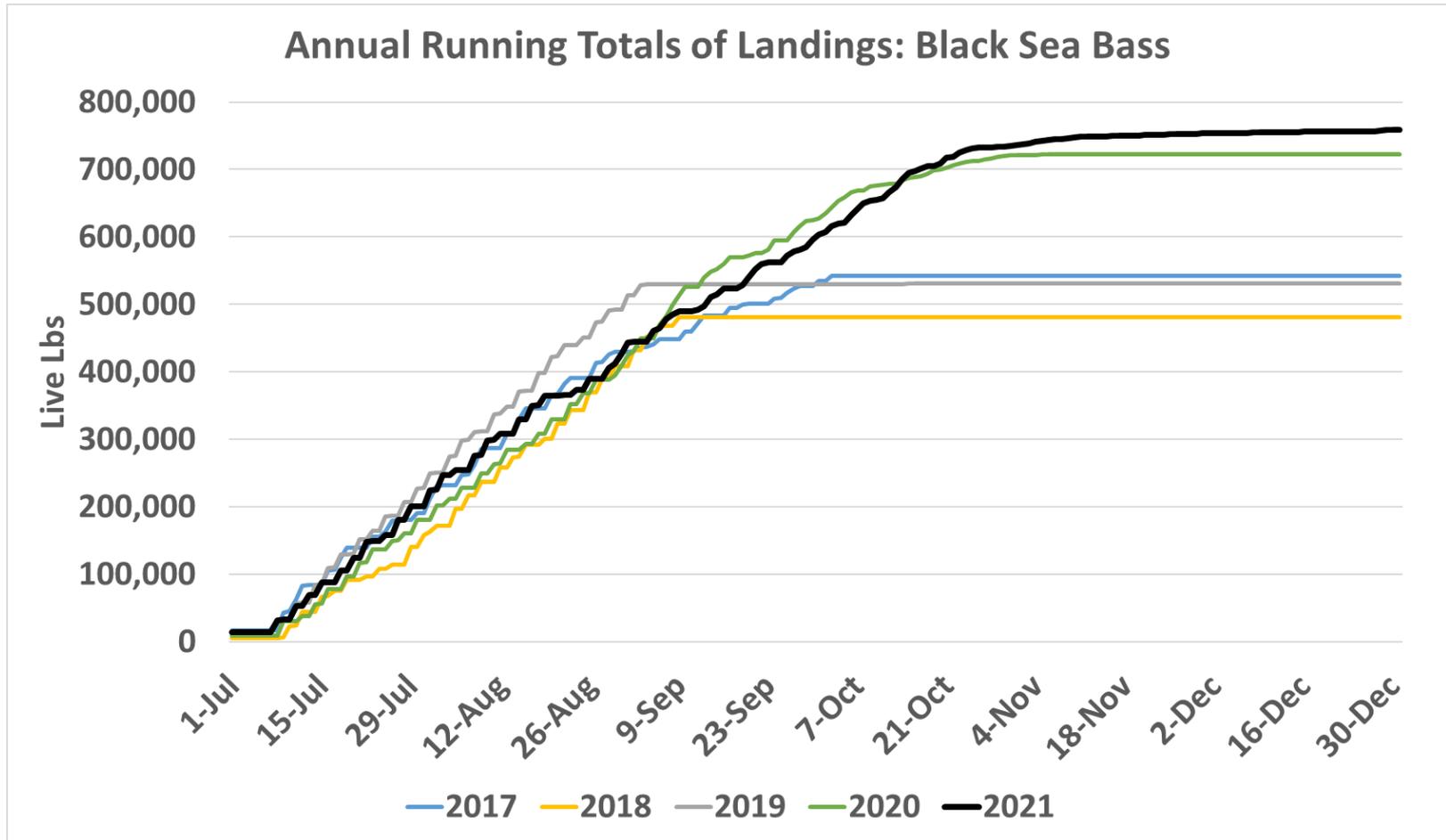
Black Sea Bass Quota Utilization (2017-2021)
and 2022 Black Sea Bass Quota



* Quotas as adjusted by inter-state transfers



Directed Fishery Performance (2017–2021)



Current Management System

Fishery	Season	Gear	Open Days	Trip Limit	Min. Size
Winter	January 1 – March 31	All Gears	Sun - Sat	100 lbs	12”
Weirs	January 1 - Quota	Weir	Sun - Sat	No Limit*	12”
Spring Trawl	April 23 – June 9	Small Mesh Trawl	Sun - Sat	100 lbs**	12”
Summer Trawl	June 10 – Quota	Large Mesh Trawl	Sun - Thur	100 lbs	12”
Directed	July 8 – Quota	Fish Pots	Sun/Tue/Thu	400 lbs	12”
Directed	July 8 – Quota	Hooks/Other Gear	Sun/Tue/Thu	200 lbs	12”

* Weir set aside capped at 24,000 lbs annually.

** Small mesh trawl landings capped at 50,000 lbs annually.



Recent Changes in Management

Directed Fishery

- 2013: Entire quota moved to summer (August); spring fishery eliminated to address derby conditions, high non-compliance, low ex-vessel value, and spawning concerns.
- 2017: Quota moved from first Tuesday in August to July 8. In-season (9/18) adjustment to increase trip limit for potters to 400 pounds (from 300 pounds) and for hook-and-line fishermen to 200 pounds (from 150 pounds)
- 2018: Traded Wednesdays for Thursdays as open fishing days; spaced out week over 3-days (Sun/Tue/Thu).
- 2020: Increased trip limit for fish potters to 400 pounds (from 300 pounds) and hook-and line limit to 200 pounds (from 150 pounds). In-season adjustment increased potters limit to 500 pounds and hook limit to 250 pounds and added Mondays and Wednesdays for 8/30 and then to seven days per week on 10/2.
- 2021: In-season adjustment increased trip limit for fish potters to 500 pounds and hook limit to 250 pounds and added Mondays and Wednesdays for 8/30 and then to seven days per week on 10/1.

Trawl Fishery

- 2018: Established 100-pound limit for spring and summer fishery and capped spring trawl landings at 50,000 pounds. Matched open fishing days to squid and summer flounder trawl fishing days.

Weir Fishery

- 2013: Established weir set-aside at 10,000 pounds.
- 2017: Increased weir set-aside to 24,000 pounds.

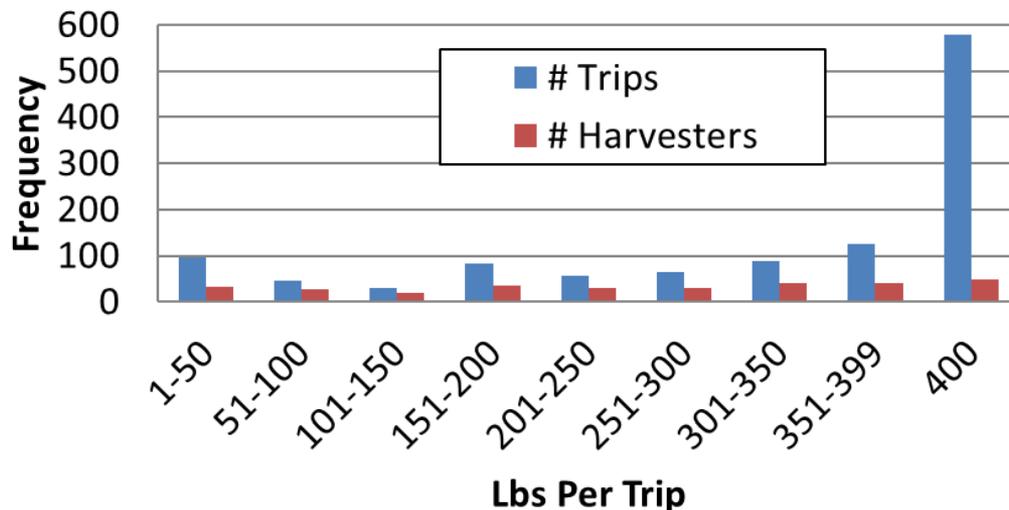


Distribution of Trap Fishery Landings by Pounds (2020)

2020

Number of Active Harvesters	54
Total Number of Trips	1163

Frequency of Trips & Harvesters by Lbs/Trip

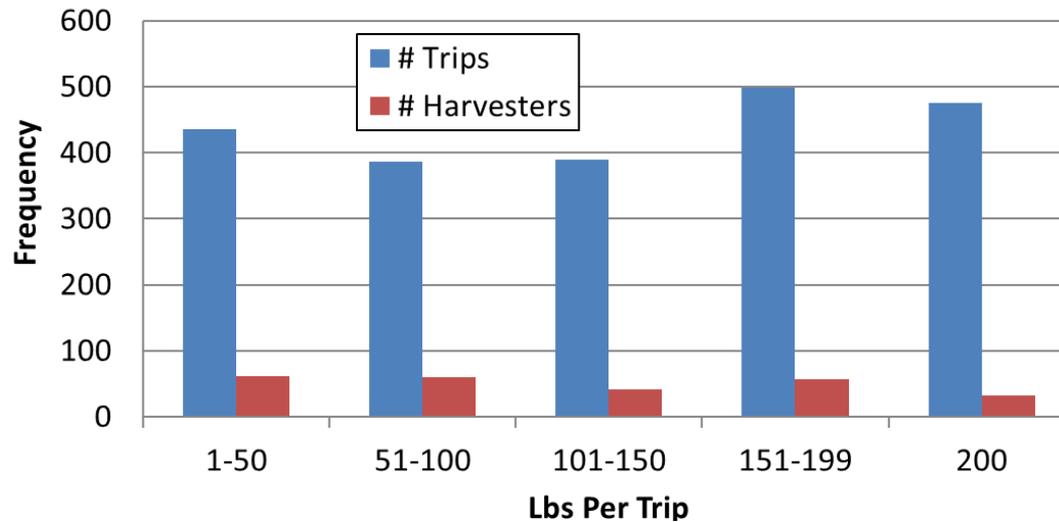


Distribution of Hook Fishery Landings by Pounds (2020)

2020

Number of Active Harvesters	253
Total Number of Trips	2,185

Frequency of Trips & Harvesters by Lbs/Trip



Black Sea Bass Proposals

Season Start Date: Move season from July 8 to July 1.

- Additional week of access.
- Product marketable for 4th of July.
- Maintains post-spawning fishery.

Fishing Days: Add Mon & Wed (allowing Sun–Thurs), and open all days beginning Oct 1.

- Increase access for better quota utilization.
- Flexibility for weather, which may enhance small boat safety.
- Maintains weekends for recreational fishery (minimize potential conflict).

Trip Limits: Increase 25%, from 400 to 500 lb for pots and from 200 to 250 lb for other non-trawl gears (mostly hook & line). If more than 10% of quota remains on Oct 1, increase again to 600 lb for pots and 300 lb for non-trawl.

- Increase daily landing potential for better quota utilization.

Trawler Bycatch Limits: If MFAC adjusts summer flounder season and open fishing days, trawler rules for black sea bass would be adjusted accordingly to allow for retention of bycatch.

- Reduce regulatory discarding.



Proposed Adjustments

Fishery	Season	Gear	Open Days	Trip Limit	Min. Size
Winter	January 1 – March 31	All Gears	Sun – Sat	100 lbs	12”
Weirs*	January 1 - Quota	Weir	Sun - Sat	No Limit*	12”
Spring Trawl	April 23 – June 9	Small Mesh Trawl	Sun – Sat	100 lbs*	12”
Summer Trawl	June 10 – Quota	Large Mesh Trawl	Sun – Thur	100 lbs	12”
Trawl**	April 23 - Quota	All mesh	Sun - Sat	100 lbs	12”
Directed	July 1 - Quota July 8 – Quota	Fish Pots	Sun-Thu Sun/Tue/Thu	500 lbs 400 lbs	12”
Directed	July 1 - Quota July 8 – Quota	Hooks/Other Gear	Sun-Thu Sun/Tue/Thu	250 lbs 200 lbs	12”
Fall^	Oct 1 - Quota	Fish Pots	Sun - Sat	600 lbs	12”
Fall^	Oct 1 - Quota	Hooks/Other Gear	Sun - Sat	300 lbs	12”

* Weir set aside capped at 24,000 lbs annually.

** Dependent on changes to trawl fishery seasons and open days for summer flounder

^ Change in limit occurs if >10% of quota remains available.



Questions and Comments

Instructions for Public Hearing Questions and Comments

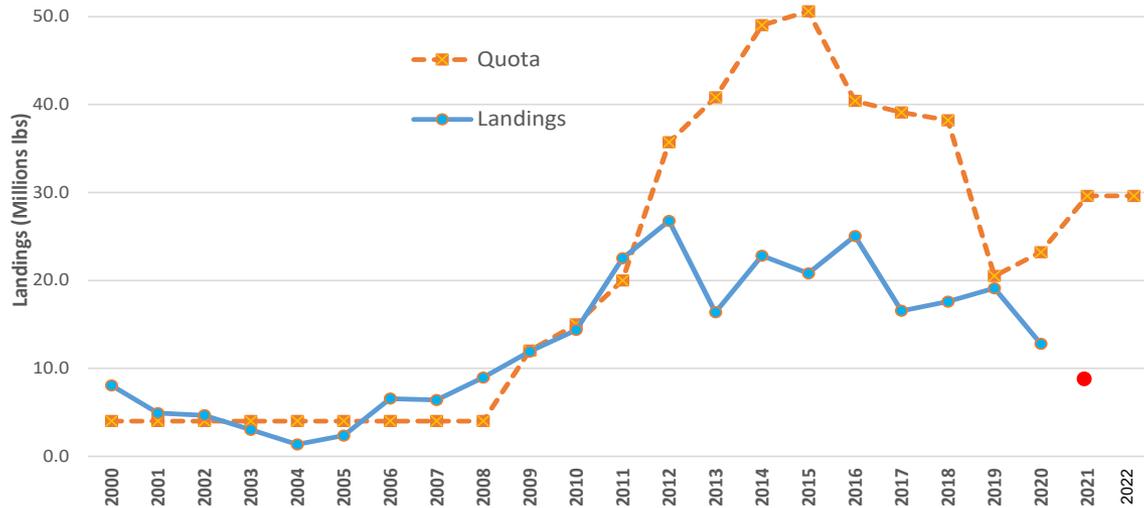
1. Meeting moderator will now recognize members of the public.
2. DMF will first recognize individuals with questions regarding the presentation and proposals.
3. Upon conclusion of the question period, DMF will accept verbal public comment.
4. To ask a question or submit a verbal comment, please use the “raise hand” function. This will create a queue of participants.



Spiny Dogfish

Background

- Coastwide quota and federal trip limit annually set by NOAA Fisheries based on Council recommendations.
 - Last trip limit increases: 4000 to 5000 lb in 2014; to 6000 in 2016
- Interstate plan determines state shares & ASMFC annually sets a ME-CT trip limit (generally consistent with federal).
- More southern states select own trip limit; may or may not align with federal.



Coastwide quota and landings trend, FY 2000-2021, and projected FY22 quota (Red dot is approx. FY21 landings thru 3/9/22 from NMFS quota monitoring page)

State/Region	Quota Share	FY21 Trip Limit (lb)
ME-CT	58.00%	6,000*
NY	2.701%	6,000
NJ	7.64%	6,000
DE	0.90%	10,000
MD	5.92%	≤10,000*
VA	10.80%	6,000
NC	14.04%	20,000
Federal	na	6,000

* Northern Region trip limit 6,000 lb maximum, adopted by all states except ME (5,000 lb)
 ** MD limit varies by permits held



Spiny Dogfish

Proposal: Increase trip limit from 6,000 pounds to 7,500 pounds.

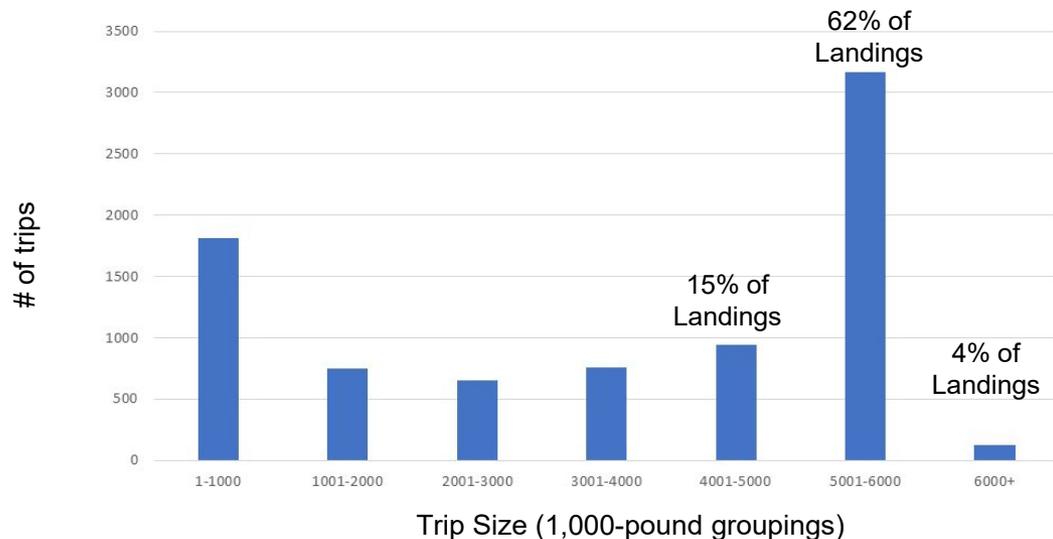
Rationale

- Consistent with anticipated adjustment to Federal and Northern Region trip limit for FY22
 - Councils recommended this incremental trip limit increase in recognition of quota underutilization and a trip limit analysis (showing many trips maxing out and that recent limit increases had not reduced price/pound), with eye towards balancing different industry perspectives.
 - ASMFC followed suite for Northern Region to allow for consistent state/federal regulations (allow dogfish caught in federal waters to be landed in NR states).

Distribution of dogfish landings by trip size as collected from 8,215 trips with a federal permit, FY2019-2020.

(Source: MAFMC staff presentation 10/6/21)

Distribution of Dogfish Landings by Trip Size



Questions and Comments

Instructions for Public Hearing Questions and Comments

1. Meeting moderator will now recognize members of the public.
2. DMF will first recognize individuals with questions regarding the presentation and proposals.
3. Upon conclusion of the question period, DMF will accept verbal public comment.
4. To ask a question or submit a verbal comment, please use the “raise hand” function. This will create a queue of participants.



Housekeeping Measures

Proposal

- Clarify if owner-operator rule applies to fishing or extends through sale of fish caught.

Regulatory Language

- Current definition: Owner Operator means that the named individual listed on the permit must be onboard the vessel when commercial fishing is being conducted under the authority of that permit.
- Proposed definition: Owner Operator means that the named individual listed on the coastal lobster permit must be onboard the vessel when commercial fishing is occurring ***and is present at the time of primary purchase.***



Housekeeping Measures

Proposal

- Rescind language regarding officer discretion when enforcing liability on for-hire vessels. This not necessary because officer discretion is a well-established law enforcement strategy.

Regulatory Language

- Liability for Violations Onboard For-Hire Vessels. With respect to recreational for-hire fishing operations, an individual patron, as well as the named for-hire permit holder or for-hire vessel operator, may each be held liable for any violations of recreational size, possession, or daily bag limits as established at 322 CMR that are attributable to the patron fishing onboard the for-hire recreational fishing vessel. ~~In enforcing this provision, law enforcement officers may exercise their discretion on whether to cite the named for-hire permit holder or for-hire vessel operator for such violations in instances where best industry practices required by 322 CMR 7.10(5) have been used on the for-hire vessel.~~



Housekeeping Measures

Proposal

- Implement more precise language regarding the limited entry permit endorsement renewal deadline.

Regulatory Language

- Current language reads, “limited entry regulated permit endorsements that are not post marked or received by DMF prior to 12:00AM on the last day of February may be approved.”
- Corrected language will read, “limited entry regulated permit endorsements that are not post marked or received by DMF prior to 12:00AM on the last day of February may **not** be approved.”



Housekeeping Measures

Proposal

- Require all recreational lobster and edible crab traps be configured as a lobster trap.

Rationale

- With prohibition on blue crab trapping, only edible crabs that may be trapped are *Cancer* crabs (Jonah and rock).
- *Cancer* crabs not frequently caught in inshore waters where recreational fishery typically occurs.
- Intention is to limit trapping of *Cancer* crabs to bycatch in lobster trap gear.

Proposed Language

- A recreational fisherman may use traps to catch *Cancer* crabs provided the traps used to take or attempt to take *Cancer* crabs comply with the recreational lobster trap restrictions at 322 CMR 6.02(3).



Questions and Comments

Instructions for Public Hearing Questions and Comments

1. Meeting moderator will now recognize members of the public.
2. DMF will first recognize individuals with questions regarding the presentation and proposals.
3. Upon conclusion of the question period, DMF will accept verbal public comment.
4. To ask a question or submit a verbal comment, please use the “raise hand” function. This will create a queue of participants.



Instructions for Written Comment

Written public comment will be accepted through Sunday, March 20, 2022. 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 Director McKiernan at 251 Causeway Street, Suite 400, Boston, MA 02114.

Recording of public hearings will be published on [DMF's YouTube Channel](#)

