



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114

p: (617) 626-1520 | f: (617) 626-1509

[www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)



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March 24, 2021

### **Statement of Permit Conditions: Conditional Opening of April Commercial Groundfish Closure for 2021**

The Division of Marine Fisheries, with the approval of the Marine Fisheries Advisory Commission, has taken action to temporarily lift the conditional April commercial groundfish closure in certain waters of Massachusetts Bay between Plymouth (42°00'N) and Marblehead (42°30'N) west of 70°30'W for certain gear types. This conditional opening will authorize the use of hook gear and trawl gear. However, the use of gillnets and longlines set overnight will not be authorized. Continuing to prohibit the use of these passively fished fixed gears will eliminate the risk of an endangered right whale potentially becoming entangled in the gear, as right whales have been observed in Massachusetts Bay during April in recent years.

Pursuant to the authority at, G.L. c. 130 §§ 2, 17A and 80 and 322 CMR §§ 8.05(2) and 7.01(7), all 2021 commercial fisherman permits have been hereby conditioned:

- 1. Use of Hook Gear. From April 1 – April 30, commercial fishermen may fish within the conditional April commercial groundfish closure set forth at 322 CMR 8.05(2) with hook gear for regulated groundfish species subject to the applicable possession limits at 322 CMR 6.03. This shall not affect the February 1 – May 31 Winter Flounder Spawning Closure at 322 CMR 8.04 or the April 16 – July 31 Spring Cod Conservation Zone Closure at 322 CMR 8.07. The use of hook gear within this conditional closure shall be limited to actively tended gears. The setting of longlines overnight in this conditional closure area and the retention and landing of any species caught by longlines set overnight in this conditional closure area are strictly prohibited.**
- 2. Use of Trawl Gear. From April 1 – April 30, commercial fishermen with a Coastal Access Permit allowing the use of mobile gear may fish within the conditional April commercial groundfish closure set forth at 322 CMR 8.05(2) with hook gear for regulated groundfish species subject to the applicable possession limits at 322 CMR 6.03. This shall not affect the February 1 – May 31 Winter Flounder Spawning Closure at 322 CMR 8.04 or the April 16 – July 31 Spring Cod Conservation Zone Closure at 322 CMR 8.07. Nor shall this affect the Area 1 or Area 2 mobile gear closures along the North Shore and Boston Harbor at 322 CMR 4.06(2)(a) and (b).**
- 3. Use of Gillnet Gear. From April 1 – April 30, commercial fishermen shall be prohibited from setting or tending gillnet gear within the conditional April commercial groundfish closure set forth at 322 CMR 8.05(2). The retention or**

**possession of any species taken by gillnet gear set within this conditional closure is strictly prohibited.**

Any violation of the above stated permit condition is subject to the fines and penalties set forth at G.L. c. 130 §§ 2 and 80, G.L. c. 21A § 10H and 322 CMR 7.01(9), including but not limited to an administrative hearing to suspend or revoke your commercial fisherman permit.

**These permit conditions shall expire effective May 1, 2021.**

Thank you for your cooperation in this matter.

Effective Date: April 1, 2021

By: \_\_\_\_\_

Handwritten signature of Daniel J. McKeenan in cursive script, written over a horizontal line.