

Strikethrough Emergency Regulations

322 CMR 6.07 – Striped Bass Fishery

(3) Regulated Fishery Permit. The following special permit shall be required:

(a) A commercial fisher shall have issued to him or her by the Director a regulated fishery permit for striped bass, in addition to any other permits required by the Massachusetts General Laws, in the following categories:

1. resident; and
2. nonresident.

(b) A striped bass regulated fishery permit authorizes the named individual ~~and/or a commercial fishing vessel~~ to engage in the harvest, possession, and landing of striped bass for commercial purposes in compliance with 322 CMR 6.07, 322 CMR 7.01: *Form, Use and Contents of Permits* and 322 CMR 7.04: *Commercial Fisheries Control Date*.

(c) A striped bass regulated fishery permit shall be valid only during the striped bass commercial season as provided for in 322 CMR 6.07(4)(b).

(d) A striped bass regulated fishery permit shall be carried by the holder at all times when catching, taking, possessing or selling striped bass, and shall be displayed forthwith on demand of any Environmental Police officer or other official authorized to enforce 322 CMR 6.07.

(e) All persons must apply for or apply to renew their striped bass regulated fishery permit endorsement by the last day of February in the effective permitted fishing year.

322 CMR 7.01 – Forms, Use, and Contents of Permit

(4) Special Permits. The following special permits may be issued by the Director for the following activities:

(a) Regulated Fishery Permit Endorsement. In accordance with M.G.L. c. 130, §§ 2 and 80, regulated fishery permit endorsements may be added to commercial fishing permits, issued pursuant to 322 CMR 7.01(2), to authorize the named individual and/or commercial fishing vessel to retain, possess, or land fish or shellfish or use certain fishing gear in a commercial fishery regulated pursuant to M.G.L. c. 130, § 17A.

1. Open Access Regulated Fishery Permit Endorsements. The following regulated fishery permit endorsements may be added to commercial fishing permits, issued in accordance with 322 CMR 7.01(2), and shall be required:

a. Bay Scallop Shucking. For a named individual to shuck bay scallops onshore for commercial or non-commercial purposes.

b. Coastal Access Permit - Purse Seine. For a named individual or vessel to set, operate, or fish with purse seines within the waters under the jurisdiction of the Commonwealth, excepting the waters within the Inshore Restricted Waters at 322 CMR [4.02](#): *Use of Nets in Inshore Restricted Waters*.

c. Contaminated Surf Clam. For a named individual or vessel to operate a surf clam dredge in shellfish growing area designated by the Division as "PROHIBITED" and to harvest, possess or land surf clams taken from a shellfish growing area designated by the Division "PROHIBITED" for the purpose of being kept or sold as bait.

d. Fish Weir. For a named individual to operate a fish weir in the waters under the jurisdiction of the Commonwealth or to harvest, possess or land fish or shellfish taken by a fish weir in the Commonwealth.

e. Inshore Net Permit. For a named individual or vessel to operate net gear within the inshore net areas described at 322 CMR [4.02](#): *Use of Nets in Inshore Restricted Waters*. This regulated fishery permit endorsement is not required for the use of a bait net that measures less than 250 square feet.

f. Mackerel. For a named individual or vessel to commercially fish for Atlantic mackerel within the waters under the jurisdiction of the Commonwealth, or to retain, possess, or land Atlantic mackerel for commercial purposes in the Commonwealth.

g. Northern Shrimp. For a named individual or vessel to commercially fish for Northern shrimp within the waters under the jurisdiction of the Commonwealth, or to retain, possess, or land northern shrimp for commercial purposes in the Commonwealth.

h. Sea Herring. For a named individual or vessel to commercially fish for Atlantic sea herring within the waters under the jurisdiction of the Commonwealth, or retain, possess, or land Atlantic sea herring for commercial purposes in the Commonwealth.

i. Sea Scallop Diving. For a named individual to commercially fish for sea scallops by hand within the waters under the jurisdiction of the Commonwealth, or to retain, possess, or land sea scallops for commercial purposes that were taken by hand in the Commonwealth.

j. Sea Scallop Shucking. For a named individual or vessel to shuck sea scallops at-sea for commercial or non-commercial purposes.

k. Sea Urchin Diving. For a named individual to commercially fish for sea urchins by hand within the waters under the jurisdiction of the Commonwealth, or to retain, possess, or land sea urchins for commercial purposes that were taken by hand in the Commonwealth.

l. Sea Urchin Dredge. For a named individual or vessel to operate a sea urchin dredge in the waters under the jurisdiction of the Commonwealth or to retain, possess, or land any sea urchins taken by a sea urchin dredge from the waters under the jurisdiction of the Commonwealth.

m. Scup. For a named individual or vessel to commercially fish for scup within the waters under the jurisdiction of the Commonwealth or retain, possess, or land scup for commercial purposes in the Commonwealth.

n. Spiny Dogfish. For a named individual or vessel to commercially fish for spiny dogfish within the waters under the jurisdiction of the Commonwealth, or to retain, possess, or land spiny dogfish for commercial purposes in the Commonwealth.

~~o. Striped Bass. For a named individual or vessel to commercially fish for striped bass within the waters under the jurisdiction of the Commonwealth or to retain, possess, or land striped bass for commercial purposes in the Commonwealth.~~

o. ~~p.~~ Surface Gillnet. For named individual or vessel to set or fish a gillnet - anchored, drifting or otherwise - that is designed to be, capable of being or is fished in the upper $\frac{2}{3}$ of the water column. This regulated fishery permit endorsement is not required for the use of a surface gillnet that measures less than 250 square feet. A named individual or vessel that holds a sink gillnet regulated fishery permit endorsement shall not also hold a surface gillnet regulated fishery permit endorsement to fish surface gillnets that exceed 250 square feet.

2. Limited Entry Regulated Fishery Permit Endorsements. Commercial fishing permits, issued in accordance with 322 CMR 7.01(2), may be endorsed with the following

regulated fishery permit endorsements. Pursuant to the authority at M.G.L. c. 130, § 2, the following regulated fishery permit endorsements are limited entry and may only be renewed and transferred subject to the provisions set forth at 322 CMR 7.06. These regulated fishery permit endorsements are required for the following:

a. American Eel. For a named individual or vessel to commercially fish for American eels within the waters under the jurisdiction of the Commonwealth, or to retain, possess or land American eels for commercial purposes in the Commonwealth. In 2026, renewals shall be limited to only those persons who held this regulated fishery permit endorsement prior to the December 31, 2024 control date established at 322 CMR 7.04 and reported harvesting any quantity of American eels during the period of January 1, 2015 through December 31, 2024.

b. Black Sea Bass. For a named individual or vessel to commercially fish for black sea bass within the waters under the jurisdiction of the Commonwealth, or to retain, possess, or land any black sea bass for commercial purposes in the Commonwealth.

c. Bluefish Gillnet. For a named individual or vessel to set or fish for bluefish by means of a gillnet, in accordance with 322 CMR 6.18(3): *Use of Gillnets for Taking Bluefish for Commercial Purposes*, within the waters under the jurisdiction of the Commonwealth.

d. Coastal Access Permit. For a named individual or vessel to set, operate, or fish with mobile gear within the waters of the jurisdiction of the Commonwealth. Coastal Access Permits may be further endorsed for participation in exempted fisheries authorized at 322 CMR 4.06: *Use of Mobile Gear*:

i. Small Mesh Trawl Fishery for Whiting. A Coastal Access regulated fishery permit endorsement may be further endorsed for the use and possession of small mesh trawls to commercially fish for whiting within certain waters under the jurisdiction of the Commonwealth.

ii. Small Mesh Trawl Fishery for Longfin Squid. A Coastal Access regulated fishery permit endorsement may be further endorsed for the use and possession of small mesh trawls to commercially fish for squid within certain waters under the jurisdiction of the Commonwealth.

iii. North Shore Mobile Gear. A Coastal Access regulated fishery permit endorsement may be further endorsed to fish with mobile gear within the Area 1A and 1B exemptions to the North Shore Year Round Mobile Gear Closure.

e. Fish Pots. For a named individual to set or fish species-specific fish pots for black sea bass, scup or whelks within the waters under the jurisdiction of the Commonwealth, or to retain, possess, or land black sea bass, scup or whelks by fish pot for commercial purposes in the Commonwealth. A black sea bass or

scup pot regulated fishery permit endorsement holder shall not also be required to hold a black sea bass or scup regulated fishery permit endorsement to retain, possess, or land black sea bass and scup for commercial purposes in the Commonwealth.

f. Fluke. For a named individual or vessel to commercially fish for summer flounder (fluke) within the waters under the jurisdiction of the Commonwealth, or to retain, possess, or land any summer flounder for commercial purposes in the Commonwealth.

g. Horseshoe Crab Harvest. For a named individual or vessel to commercially fish for horseshoe crabs within the waters under the jurisdiction of the Commonwealth or retain, possess, or land horseshoe crabs for commercial purposes in the Commonwealth.

h. Menhaden. For a named individual and vessel to commercially fish for menhaden within the waters under the jurisdiction of the Commonwealth, or to retain, possess or land menhaden for commercial purposes in the Commonwealth in excess of 6,000 pounds of menhaden per trip or 24-hour period, whichever duration is longer. In 2026, renewals shall be limited to only those persons who held this regulated fishery permit endorsement prior to the August 1, 2023 control date established at 322 CMR 7.04 and reported selling at least 6,000 pounds of menhaden during a single trip within the period of January 1, 2014 through August 1, 2023 or who hold this regulated fishery permit endorsement in combination with a fish weir permit endorsement.

i. Ocean Quahog and Surf Clam Dredge. For a named individual or a vessel to operate an ocean quahog and/or surf clam dredge or to commercially fish for, retain, possess, or land ocean quahogs or surf clams taken by ocean quahog and/or surf clam dredge gear within in the waters under the jurisdiction of the Commonwealth.

j. Quahog Dredge. For a named individual and/or vessel to operate a bay quahog dredge or to commercially fish for, harvest, possess or land bay quahogs taken by bay quahog dredge gear from the waters under the jurisdiction of the Commonwealth seaward of the outer jurisdiction of coastal cities and towns to regulate shellfish pursuant to M.G.L. c. 130, § 52, as appearing on official maps of the Commonwealth prepared pursuant to M.G.L. c. 1, § 3.

k. Sink Gillnet. For a named individual or vessel to set or fish a gillnet - anchored or otherwise - that is designed to be, capable of being or is fished in the lower third of the water column within the waters under the jurisdiction of the Commonwealth. Sink gillnet regulated fishery permit endorsements are not transferable. Holders of a sink gillnet regulated fishery permit may fish surface gillnets under the authority of this permit.

l. State-waters Groundfish. For a named individual or vessel to commercially fish for regulated groundfish, species within the waters under the jurisdiction of the Commonwealth, as defined at 322 CMR 6.03(1): *Definitions*, or to retain, possess or land any regulated groundfish species for commercial purposes taken within the waters under the jurisdiction of the Commonwealth. A state-waters groundfish regulated fishery permit endorsement is not required for vessels that hold a federal multi-species groundfish or monkfish permit or for a commercial fisher to harvest, possess and land up to 25 pounds of whole or eviscerated regulated groundfish for commercial purposes.

m. Striped Bass. For a named individual to commercially fish for striped bass within the waters under the jurisdiction of the Commonwealth or to retain, possess, or land striped bass for commercial purposes in the Commonwealth. In 2026, renewals shall be limited to only those persons who held this regulated fishery permit endorsement in calendar years 2024 or 2025. Striped bass regulated fishery permit endorsements are not transferable.

n. ~~m.~~ Tautog. For a named individual or vessel to commercially fish for tautog within the waters under the jurisdiction of the Commonwealth, or to retain, possess or land any tautog for commercial purposes in the Commonwealth.

322 CMR 7.04 – Commercial Fisheries Control Dates

(2) Control Dates.

(d) Striped Bass. Access into the commercial striped bass fishery may be limited in the future. Decisions to limit access may be based on permitting history, landings, or other activity criteria established by the Director. Commercial fishers are hereby notified that any person obtaining a ~~new~~ regulated fishery permit endorsement for striped bass after **December 31, 2025** ~~June 14, 2022~~ or any person who did not have a certain level of landings prior to **December 31, 2025** ~~June 14, 2022~~ may not be provided future access to this fishery or may be subject to eligibility criteria for determining levels of future access and allowable harvest in this fishery.

322 CMR 7.06 Limited Entry Permits

(5) Owner-operator Requirements. All Fish Pot Regulated Fishery Permit Endorsements, **Striped Bass Permit Endorsements**, and Menhaden Regulated Fishery Permit Endorsements are issued to a named individual who shall be the owner-operator of that commercial fishing business. This requirement may be waived by means of a letter of authorization from the Director for:

- (a) immediate family;
- (b) active military duty; or
- (c) for up to two years for good cause, including death or disability to the permit holder, subject to annual renewal. In all instances, the performance criteria at 322 CMR [7.06\(4\)\(a\)2](#). shall be met prior to the request for a letter of authorization.