



The Commonwealth of Massachusetts
Division of Marine Fisheries

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November 21, 2025

Notice of Public Hearing and Comment Period
**Draft Regulations to Establish a Framework to Permit and Regulate the Removal,
Possession, and Disposal of Fishing Gear Debris**

Under the provisions of G.L. c. 30A, and pursuant to the authority found at G.L. c. 130 § 31, the Division of Marine Fisheries (DMF) is taking public comment on a series of draft regulations to amend 322 CMR 4.01, 7.01, and 15.08 to establish a framework to permit and regulate the removal, possession, and disposal of fishing gear debris.

Public Hearing and Comment Schedule

DMF will accept written public comment through 5PM on Tuesday, December 16, 2025. Please submit written comments to Director Daniel McKiernan by e-mail (marine.fish@mass.gov). Additionally, DMF will host a virtual public hearing on Monday, December 15, 2025 at 6PM via Zoom. You can register to attend this public hearing via this [Zoom registration link](#).

Regulatory Proposal

1. Regulatory Framework (322 CMR 4.01).
 - a. Adopt relevant definitions, including “fishing gear”, “fishing gear debris”, “intact”, “intact commercial trap/pot gear”, and “intact recreational trap pot gear” so as to differentiate between fishing gear subject to private property rights and fishing gear debris that may be handled and disposed of through the proposed regulatory framework.
 - b. Authorize the Division of Marine Fisheries and the Massachusetts Environmental Police to — at any time — remove, possess, and dispose of any fishing gear debris.
 - c. Authorize any person or entity to — at any time — remove, possess, and dispose of fishing gear debris occurring above mean low-tide.
 - d. Allow any commercial fisher using mobile gear to possess and remove of fishing gear debris incidentally taken during lawful fishing operations while maintaining the existing prohibition on these fishers destroying, injuring, or otherwise molesting fishing gear.

- e. Provide DMF discretionary authority to issue a Special Project Permit to a qualified person or entity to remove, possess, and dispose of fishing gear debris found below mean low-tide subject to an application that demonstrates the expertise of the applicant, the likelihood of the project's success, and the ability for the project to avoid gear conflicts and prevent interactions with fishing gear.
- 2. Special Project Permit (322 CMR 7.01). Update the regulatory language for the Special Project Permit to include the removal and disposal of fishing gear debris.
- 3. Aquaculture Gear Marking (322 CMR 15.08). Reinforce municipal requirements that all aquaculture gear be sufficiently tagged and marked with information that makes the aquaculture gear identifiable to a permit holder so as to enable municipal authorities to address the recovery of derelict aquaculture gear.