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January 10, 2019

Ronald Smith
73 Priscilla Beach Road #2
Plymouth, MA 02360

Re: *Matter of Smith*, Docket No. CCLP-17470-DM-18

FINAL DECISION

Dear Mr. Smith:

Upon a thorough review of the administrative record, it is my decision to adopt in its entirety the attached Recommended Final Decision of the Magistrate as my **FINAL DECISION** in this case.

Therefore, it is my decision to permanently revoke your commercial coastal lobster permit DMF ID No. 17470. You may not apply for, hold or otherwise be issued any permit or authorization to fish for lobsters by trap. Any such permit or authorization, that may inadvertently or mistakenly be issued to you shall be null and void.

You have the right to seek judicial review of my decision in the Superior Court pursuant to G.L. c. 30A, §14(1). The complaint must be filed in Superior Court within thirty days of receipt of this **FINAL DECISION**.

Regards,

David E. Pierce, PhD
Director

Recommended Final Decision
Docket Sheet

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF FISH AND GAME
DIVISION OF MARINE FISHERIES

SUFFOLK, SS.

ADJUDICATORY PROCEEDING
DOCKET NO. CCLP-17470-DM-18

IN THE MATTER OF:

RONALD SMITH and COASTAL
COMMERCIAL LOBSTER PERMIT
NO. 17470 and ALL APPURTENANT
REGULATED FISHERY PERMIT
ENDORSEMENTS,

Respondent

RECOMMENDED FINAL DECISION*

I. INTRODUCTION

This is a Recommended Final Decision issued in accordance with the provisions of G.L. c.30A, §11(7) and 801 CMR §1.01(11)(d). The respondent filed a brief comment to the Tentative Decision, attached hereto, and addressed at p.9, note 30, *infra*.

This proceeding was initiated by the Division of Marine Fisheries (“agency”) to adjudicate allegations charging Ronald J. Smith (“respondent”) with multiple violations of the Commonwealth’s conservation measures for the protection of endangered large whales. Specific to these charges are the following: failure to remove lobster trap gear from waters of the Large Whale Seasonal Gear Closure area (“LWSGC”) between February 1, and April 30, 2018; failure to properly configure lobster buoy lines with a “weak link”; failure to properly configure lobster traps with a “ghost panel”; and use of invalid annual trap tags.

* Delay in issuing this Tentative Decision was caused by health issues and a death in the family.

A hearing was held on July 11, 2018. Respondent did not dispute the charges, or any of the testimony or evidence presented at the hearing. Based on the testimony of the witnesses and the documentary evidence introduced at the hearing, the facts are more than sufficient to establish that the continued use of coastal commercial lobster permit ID #17470 by respondent poses a significant threat to the endangered northern right whale ("right whale"), and to the conservation, management, and sustainability of the lobster resource.

Based on the record before me, my recommendation is that the Director not issue, reissue or renew coastal commercial lobster permit ID #17470, or issue to respondent any permit or endorsement for the use of traps to take lobsters.

II. CONSERVATION OF THE RIGHT WHALE

This case concerns the right whale (*Eubalaena glacialis*), the population recovery status of which has not been reviewed in an adjudicatory proceeding since *Matter of Tasha*, Docket #CCLP-2284 (2013). A review of the history of the agency's right whale conservation regulations and fixed gear modifications designed to protect right whales from the risk of gear entanglements in Massachusetts waters should be reviewed.

The right whale is on both the Commonwealth's and the federal list of endangered species.¹ A primary focus of Massachusetts marine fishery programs and management of activities in the marine environment has been the protection of right whales.² Massachusetts was the first government, state or federal, to recognize the high mortality rate of right whales from human activities, primarily ship strikes and entanglements with fixed fishing gear.³ In the early eighties, the agency embarked on programs to reduce the mortality rate by developing and adopting regulations governing contributing human activities.⁴

These early agency regulations were all 'first's' by any state or the federal government. They included: a 500 yard buffer zone surrounding each individual

¹ 321 CMR §10.90; 50 C.F.R. §17.11(c).

² https://www.mass.gov/files/documents/2016/08/qf/eubalaena-glacialis.pdf?_ga=2.63548140.2143443999.1537896798-890805116.1537725189. 322 CMR 12.00.

³ See Report to the Legislature on the Northern Right Whale. Since as late as 1989, NOAA Fisheries scientists concluded that "the 'Save the Whales' movement, the most successful wildlife crusade in history, has greatly influenced government policies in a number of countries, including the United States. Thanks in large part to the movement's dedicated members, the fight to save the great whales has been largely won." Brownell, R., et al., *The Plight of the Forgotten Whales*, *Oceanus* 32 (1), pp. 5-12 (1989); the Digital Commons, University of Nebraska, Lincoln at <http://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1118&context=usdeptcommercepub>.

⁴ Right Whales in Massachusetts Waters, An Executive Summary, p.2, 1989, submitted to the Legislature as required by c.12 of the Resolves of 1985.

right whale in Massachusetts waters; the prohibition of any vessel, including recreational whale watch vessels, from entering the buffer zone without a scientific permit issued by the agency; the prohibition of any fishing activity within the buffer zone including the requirement that fishing operations cease and the fishing vessel depart any buffer zone created by a breaching right whale; the creation of a Right Whale Critical Habitat in the internal waters of Cape Cod Bay ("critical habitat") to protect the annual arrival of right whales to feed during their northerly migration; a seasonal closure of the use of any fixed fishing gear in the critical habitat during the right whale's seasonal arrival; and fixed gear modifications requiring the use of "break-away" mechanisms designed to separate the traps and trawl line from the buoy or anchor should any right become entangled.⁵

By the mid-eighties, the Massachusetts Legislature expressed concern over the declining numbers of right whales, and frustration with the lack of any federal agency response to protect and recover the species from its possible extinction. This, notwithstanding two pieces of extensive federal legislation passed more than a decade earlier designed to do just that.⁶ A Legislative Resolve required the Department of Fisheries, Wildlife, and Environmental Law Enforcement, predecessor agency to the Department of Fish and Game, to study the problem of fixed gear entanglements with right whales and make recommendations for additional protective measures designed to recover the population by minimizing the mortality rate caused by identified human activities such as fixed gear.⁷

A cooperative agreement with the agency's counterpart, Division of Fisheries and Wildlife ("DFW"), clarified the two agency's responsibilities pursuant to the Massachusetts Endangered Species Act.⁸ The agreement described the authority of each agency with regard to endangered species on land and those

⁵ 322 CMR 12.00.

⁶ See the Marine Mammal Protection Act of 1972, 16 U.S.C. §§ 1371-1421h ("MMPA"); and the Endangered Species Act of 1973 ("ESA"), 16 U.S.C. §§ 1531-154.

⁷ "RESOLVED: That the Department of Fisheries, Wildlife and Environmental Law enforcement is hereby authorized and directed, subject to appropriation, to make an investigation and study of the North Atlantic Right Whale, including an assessment of the population of said whale, and the need for and the implications of establishing measures designed to protect such population. Said department shall report to the General Court the results of such investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the Clerk of the House of Representatives on or before the last Wednesday in June, nineteen hundred and eighty-eight." Resolves of 1985, c.12. Fixed gear is stationary gear set in ocean waters and left in place to catch finfish and shellfish. Such gear includes surface and sink gillnets and lobster and crab traps and pots. Sinking and surface gillnets involve fishing line, buoys, high flyers, floats, anchors and the net itself. Trap or pot fishing involves buoys and fishing line connecting a set number of traps and pots to one another. *Ad. Notice.* See definitions contained in 322 CMR §§4.04(1), 4.13(1), and 6.12(1).

⁷ Cooperative Agreement Between the Divisions of Marine Fisheries and Fisheries and Wildlife Governing the Exercise of Agency Authority to Regulate Endangered Marine Mammals (1984).

⁸ Cooperative Agreement Between the Divisions of Marine Fisheries and Fisheries and Wildlife Governing the Exercise of Agency Authority to Regulate Endangered Marine Mammals, 1985.

in the marine environment. The agency added a Protected Species section and brought in additional staff specializing in the conservation and management of endangered marine mammals. The agency also took an active role in the state-federal Large Whale Take Reduction Team established pursuant to the MMPA.⁹

Multiple bills introduced in the General Court ("Legislature") sought further protective measures for right whales during the late eighties to early nineties.¹⁰

In 1988, the Legislature created the Massachusetts Environmental Trust ("MET") to fund programs in the waters and for water-related resources of the Commonwealth. MET introduced the sale of specialty license plates, including one for the protection of the marine environment and marine resources, to provide funding to the various Massachusetts agencies and non-profits whose work involves the marine environment and right whale conservation.¹¹ Right whale funding also came from the Northeast Consortium and the National Fish and Wildlife Foundation. Increased revenues from these sources created increased funding for initiatives to engineer more advanced break away gear mechanisms, and the creation of a rapid response team of experts and biologists from the Center for Coastal Studies ("Center"), with assistance from the Massachusetts Environmental Police ("MEP"), to respond to any large whale found entangled in fishing gear in Massachusetts waters.¹²

⁹ In August of 1996, the National Marine Fisheries Service ("NMFS") established a Large Whale Take Reduction Team of federal, state, academic, industry and non-profit experts in large endangered whales, fishing and fishing gear under the MMPA. 61 Fed.Reg. 40819 (August 6, 1996).

¹⁰ 322 CMR §4.13, Trap Gear Marking and Maximum Trawl Length; 322 CMR §6.13, Maximum Trap Limit; 322 CMR §6.31, Trap Tags.

¹¹ St.1988, ch.236, §7. See also 815 CMR 2.00. MET raises money in many ways including from the purchase of a specialty license plate that features the fluke of a right whale, noting that it is "the Commonwealth's marine mammal and the world's most endangered large whale" ... funds raised from the purchase of this license plate support conservation efforts *and the disentanglement specialists that work to protect marine animals, most importantly the critically endangered right whale.*" Emphasis added. <https://www.mass.gov/orgs/massachusetts-environmental-trust>.

¹² Entangled gear on right whales rarely, if at all, contains sufficient or clearly identifiable information to determine exactly where the gear came from or who the owner is. See Defendant Commonwealth of Massachusetts' Motion for Summary Judgment, *Strahan v. Cox*, Civil Action No. 95-10927-DPW, 939 F.Supp. 963 (D.Mass.1996). All right whales that become entangled in fixed gear do so at some point during their migration from south Atlantic to north Atlantic waters, and back. Other than the Commonwealth, no other state, the federal government or the Canadian Provinces required the use of breakaway gear in their jurisdictional waters. Right whales that enter the Commonwealth's critical habitat enter waters that are free, or as free, of fixed gear as possible. Right whales that enter the critical habitat show signs of present entanglements. There is no competent evidence to establish that any right whale entering waters of the Commonwealth free of entanglements, left those waters entangled in Massachusetts permitted fixed gear. The history of right whale conservation in Massachusetts is categorized by a lack of any supportable evidence to establish that right whales were entangled in fixed gear permitted by the agency. Moreover, G.L. c.130, §1 states that [w]henver the taking of fish is authorized, reference is had to taking by lawful means and in a lawful manner". Affidavits submitted on behalf of a pro-se plaintiff in the *Cox* case did not contain any evidence that identified the owner of or the coastal state that permitted entangled gear found on any right whale. This, notwithstanding the federal district court's leap to the contrary. Absent a name, permit number or gear

The unique nature of all these efforts were to combine, organize, and streamline the authorities and responsibilities of the agency, DFW, MEP, and the Center in a cooperative effort focused on the continued protection and recovery of the right whale population. The Center has conducted seasonal aerial surveillance and monitoring of the LWSGC every year since 1998. It also provides the agency with a written report on the results of its surveillance and monitoring.¹³

More recently, the agency would be the first to require that all fixed fishing gear in Massachusetts waters use ‘sinking’ ground line; the first to prohibit the use of single vertical trap lines; and the first to adopt speed limits for vessels less than 65’ in length in the critical habitat.¹⁴ Boaters and anglers are immediately notified by the agency of the location of right whale sightings. The agency establishes locations of mother/calf pairs as High Risk Areas and issues an immediate ‘Notice to Mariners’.¹⁵

The agency has developed programs to keep Massachusetts waters as free of derelict fishing gear as possible given the level of funding, the available resources, and personnel.¹⁶ MEP makes routine sweeps through the LWSGC and identifies, lost, abandoned, non-compliant or unidentified fixed fishing gear and removes it from the water if the owner does not respond to a MEP directive.¹⁷ The agency, the Center and MEP, conduct regular sweeps of the LWSGC to locate and remove lost, abandoned, stolen, inactive, illegally stored, or derelict fixed gear.¹⁸

Notwithstanding the Commonwealth’s extensive history of right whale conservation efforts in Massachusetts waters over the past four decades, the recent

identification, an affidavit stating that the gear was “deployed in Massachusetts waters” in and of itself does not establish that the gear was permitted by the agency. See *Coxe*, p. 985.

¹³ Final Reports of the Surveillance, Monitoring and Management of North Atlantic Right Whales, *Eubalaena glacialis*, in Cape Cod Bay, Massachusetts, Center for Coastal Studies. <https://www.mass.gov/service-details/conservation-of-protected-marine-species/resources>.

¹⁴ 322 CMR §12.07.

¹⁵ <https://www.mass.gov/news/plymouth-area-mariners-advised-of-right-whale-calf>. One of the latest examples of this occurred in April of 2016 when the Center’s aerial surveillance team discovered five right whale mother/calf pairs in the critical habitat approximately 2 miles from shore. This information was immediately posted by the agency as an Emergency Notice to Mariners. See April 27, 2016 Advisory Notice to Mariners at <https://www.mass.gov/files/documents/2016/08/ok/april-22-right-whale-advisory.pdf?ga=2.53667947.2143443999.1537896798-890805116.1537725189>.

¹⁶ Final Report, Development of Side Scan Sonar Methodology to Survey Derelict Lobster Pots in Simple and Complex Habitats in Massachusetts, DMF, (2017). The agency also regulates the number of traps and requires specific identification of traps by owners and users. See 322 CMR §4.13, Trap Gear Marking and Maximum Trawl Length; 322 CMR §6.13, Maximum Trap Limit; and 322 CMR §6.31, Annual Trap Tags.

¹⁷ See <https://www.mass.gov/service-details/conservation-engineering-of-fishing-equipment>.

¹⁸ DMF News, Vol. 20, 1st Qtr, p.8 (2000). See <https://www.mass.gov/service-details/conservation-of-protected-marine-species>. During one four-week period from March to April 2013, the Center and MEP with a grant from the National Wildlife Foundation, removed twenty, single buoyed lobster traps that were set and actively fishing in the critical habitat during the gear closure period. *Id.*

release of a NOAA study has concluded that the right whale population has been in a state of steady decline due primarily to low birth rates and continued mortality. Ship strikes and gear entanglements have equally contributed to this high mortality rate. Climate change and warming of ocean waters have led to shifts in right whale prey (copepods) to waters farther north and farther offshore. As a result, the right whale's habitat use has changed and they spend more time and effort locating their food source.¹⁹

Most recently, in 2018 Canada reported seventeen beached right whales in the more northern and offshore waters of the Gulf of St. Lawrence where there are fewer or no protective measures regarding ship speeds and fishing gear.²⁰

IV. FINDINGS OF FACT

1. Ronald Smith is the holder of a 2018 coastal commercial lobster permit issued by the Director of Marine Fisheries.

2. On or about February 6, 2018 MEP in conjunction with agency staff were on board the R/V *Michael Craven* patrolling waters of the LWSGC in a sweep of the critical habitat to search for, and remove, any fixed fishing gear.

3. During the patrol, Officer Scott Opie located eleven pink/yellow colored lobster buoys in the LWSGC off the coast of Plymouth, Cape Cod Bay, in the vicinity of 41-56N 070-32W.²¹

4. MEP Officers then hauled six lobster trap trawls that included eleven pink/yellow colored buoys connected to forty-three lobster traps from the above described area of the critical habitat.

5. All eleven buoy's were marked with permit #17470.

6. All eleven buoys did not have an attached weak link.

7. Seven lobster traps had non-compliant fasteners attached to the ghost panel.

¹⁹ North Atlantic Right Whales – Evaluating their Recovery Challenges in 2018, NOAA Technical Memorandum NMFS-NE-247, September 2018 (“NOAA 2018 Report”).

²⁰ NOAA 2018 Report, p. Canada immediately established measures in these areas restricting vessel speed limits and requiring fixed gear to have break away features. *Id.*, p.

²¹ Claimant's exhibit 1.

8. Four lobster traps had non-compliant (sized) ghost panels.
9. Thirteen lobster traps did not contain a 2018 trap tag
10. All eleven buoys had extensive marine growth.
11. Extensive marine growth on buoys removed from ocean waters is the result of buoys and the attached trawl lines have remained in ocean waters for an excessive amount of time (well over 30 days) without being hauled, tended, or maintained.²²
12. Trap gear that has not been removed from the water, hauled, tended, or maintained over a long period of time is competent evidence that respondent had abandoned his trap gear in waters of the LWSCG.
13. On or about February 13, 2018, MEP Officer Opie in conjunction with agency staff was again on board the R/V *Michael Craven* patrolling waters of the LWSGC in a sweep of the critical habitat to search for, and remove, any fixed fishing gear.
14. On that date, MEP Officer Opie located eight lobster trap trawls identified as belonging to respondent in the LWSGC off Manomet.²³
15. All eight lobster trap trawls were removed from the water and stored.
16. Respondent told MEP Officer Opie that he was unable to remove his trap gear from waters of the LWSCG during this time because his 27' commercial lobster boat "Gettin Tail", MS54466KT, had mechanical problems.

V. CONCLUSIONS OF LAW

1. It is a violation of 322 CMR §12.04(2) not to remove lobster trap gear from waters of the LWSGC between February 1 through April 30 of each year.²⁴
2. It is a violation of 322 CMR §12.06(2) to use lobster trap gear in waters under the jurisdiction of the Commonwealth that does not have a 'weak link' at the

²² Claimant's exhibits 5A(2) and 5A(3). *Ad. Notice*.

²³ Claimant's Ex. 7.

²⁴ Claimant's Ex. 1.

end of the trawl line, attached to the buoy.²⁵

3. It is a violation of 322 CMR §§6.02(3)(b)(1), and (3)(b)(2) to use lobster traps in waters under the jurisdiction of the Commonwealth that do not have an unobstructed 'ghost panel' in the parlor section on the sides, at the ends, or on the top, fastened with biodegradable materials and measuring at least 3¼" x 3¼".²⁶

4. It is a violation of 322 CMR §6.31(1)(a)(1) to use lobster traps in waters under the jurisdiction of the Commonwealth that are not affixed with valid annual trap tags for the applicable fishing year.²⁷

5. It is a violation of 322 CMR §12.03(2) to abandon fixed fishing gear in waters under the jurisdiction of the Commonwealth.²⁸

6. 322 CMR §12.02(16) defines the term "[t]o abandon" to mean leaving fixed gear which includes lobster traps in the water without hauling them at least once every 30 days or in the case of prohibited areas during the prohibited period of time.

7. 322 CMR §7.01(5)(g)(2) states that a permit applicant's required signature shall constitute a statement that he has read and is familiar with all applicable statutes of G.L. c.130 and all applicable regulations of 322 CMR and agrees to fully comply therewith.²⁹

VI. DISCUSSION

Respondent did not testify at the hearing. Nor did he deny or rebut MEP's testimony or documentary evidence or respond to any of the charges.³⁰ He did

²⁵ Claimant's Ex. 2. All lobster trap gear used in waters under the jurisdiction of the Commonwealth must be configured with a weak link at the end of the trawl line where it connects to the buoy designed to break when exposed to 600 pounds of push-pull pressure. See claimant's exhibit 2.

²⁶ Ghost panels are a constructive device or mechanism designed to create a trap opening allowing the escapement of lobsters within 12 months after a trap has been abandoned or lost. Claimant's exhibit 5.

²⁷ DMF requires lobstermen to annually affix trap tags to the cross bars of their traps. For LMA1 fishermen, annual trap tags must be affixed to the trap by June 1 and they remain valid through May 31 of the following year. This is done to ensure compliance with maximum trap limits prescribed to lobstermen in accordance with state regulation at 322 CMR §6.13 and the ASMFC's American Lobster Fishery Management Plan.

²⁸ Narrative of MEP Officer Opie, p.2. For a discussion of what constitutes 'abandonment' see *Matter of Tasha*, §V. (F), pp.10-12, Docket #CCLP-2284 (2013).

²⁹ Respondent was well aware of his obligation and responsibility to bring his trap gear in from the LWSCG before February 1, 2018. He has signed a statement to that effect for the last five years that he has been issued a coastal commercial lobster permit. Respondent could have borrowed a lobster boat or asked a fellow lobsterman to help bring his trap gear in the LWSCG during the closure.

³⁰ Respondent commented that he didn't understand the Tentative Decision because he "disputed all the charges" at the hearing. A review of the electronic transcript clearly shows that not to be the case. Respondent's summation

make a closing statement in which he emphasized the economic importance to him of his continued ability to participate in the commercial lobster fishery. He also stated that he would pay more attention to the regulations and his lobster fishing practices including his gear.

This case presents no small matter, given the continued decline of the right whale population in the northern Atlantic, and the possibility of this species of great whale becoming extinct within the next sixty years.³¹ I am also aware of the hardships - economic, social, and psychological - that may follow from this Recommended Final Decision because it recommends revocation of respondent's coastal commercial lobster permit. However, the record compiled at this hearing establishes respondent's violations of fishery laws that constitute a clear and present danger to the right whale in Massachusetts waters.³² I heard and saw nothing at the hearing suggesting that respondent would make any meaningful changes in his fishing practices to bring them into compliance with Massachusetts laws designed to limit gear entanglements.

This is not the first time that respondent has failed to remove his lobster trap gear from the critical habitat - now enlarged to the LWSGC - during the right whale seasonal closure.³³ The respondent does not use lobster trap gear that is constructed with the break-away features required by agency regulations. Respondent's traps are not constructed with the appropriate conservation features or identified with the 2018 trap tags required by agency regulations such as ghost panels. Respondent does not remove his trap gear from the LWSCG during annual right whale seasonal feeding in Massachusetts waters. Respondent has not accepted the responsibility that comes with his lobster permit, nor has he adopted the necessary conservation ethic required to maintain a sustainable lobster fishery. At stake is the endangered right whale population and the sustainability of the lobster resource.

VII. CONCLUSION

My consistent practice in these cases has been to recommend that the Director permanently revoke commercial lobster fishing privileges and not issue or

offered as the reason for his not removing lobster trap gear from the LWSGC was because his boat had mechanical problems. Such reason is more in line with an excuse, and does not constitute a recognizable defense to respondent's multiple violations.

³¹ NOAA 2018 Report.

³² Respondent has an extensive history of multiple warnings, non-criminal and criminal citations issued to him by MEP for the past fifteen years involving violations of regulations governing lobsters, fixed gear, and non-removal of fixed gear during a seasonal closure. See claimant's exhibits 8 and 9.

³³ Claimant's Ex. 8.


renew any future fixed or trap gear permits. *Matter of Merenda*, Docket #BP-053530-08-KR (2009); *Matter of Young*, Docket #CCLP-7265 (2008); *Matter of Tasha*, Docket #CCLP-2284-DM (2015).


Such is my recommendation to the Director in this proceeding as well.

Date 1/9/19 By D.C. HOOVER
David C. Hoover, Esq.
Administrative Law Magistrate
Department of Fish and Game

NOTICE

This is a Recommended Final Decision of the Administrative Law Magistrate issued in accordance with 801 CMR §1.01(11)(d) and G.L. c.30A, §11(8). This decision is not a Final Decision of the Director and may not be appealed to the Superior Court pursuant to G.L. c. 30A, §11(8). This Recommended Decision, the administrative record, and respondent's comments to the Tentative Decision have been transmitted to the Director for his Final Decision in this matter. Because this is not the Director's Final Decision, it may not be appealed to Superior Court pursuant to G.L. c.30A. The Director's Final Decision may be appealed to the Superior Court and will contain a notice to that effect.

Adjudicatory Proceeding DOCKET		Docket No: CCLP-17470-DM-18	Department of Fish and Game Division of Marine Fisheries 
Hearing Caption: <i>In the Matter of Ronald Smith and Coastal Commercial Lobster Permit No. 17470 and All Appurtenant Regulated Fishery Permit Endorsements</i>			Division of Marine Fisheries 251 Causeway Street Hearing Room Suite 400 Boston, MA 02114 (617) 626-1520
Date Filed: 4/3/18	Date Disposed: 1/10/19		
Petitioner: Daniel J. McKiernan, Deputy Director MA Division of Marine Fisheries 251 Causeway Street, Suite 400 Boston, MA 02114			Petitioners Attorney:
Respondent: Ronald Smith 73 Priscilla Beach Road #2 Plymouth, MA 02360			Respondents Attorney:
NO.	Entry Date	Docket Entries	
1	4/3/18	Request for an Adjudicatory Proceeding	
2	4/3/18	Order to Show Cause	
3	4/6/18	UPS Notification of Delivery	
4	4/11/18	Respondent's Request for an Adjudicatory Hearing	
5	6/18/18	Notice of Hearing Date	
Page 1 of 2	A TRUE COPY ATTEST	Adjudicatory Proceedings Clerk: X Jared A. Silva (signed electronically)	Date: 01/10/19

Adjudicatory Proceeding DOCKET		Docket No: CCLP-17470-DM-18	Department of Fish and Game Division of Marine Fisheries	
NO.	Entry Date	Docket Entries		
6	6/21/18	UPS Notification of Delivery		
7	12/14/18	Tentative Decision		
8	12/15/18	UPS Notification of Delivery		
9	1/2/19	Respondent's Comments to Tentative Decision		
10	1/10/19	Recommended Final Decision		
11	1/10/19	Final Decision		
Page 2 of 2	A TRUE COPY ATTEST	Adjudicatory Proceedings Clerk: X Jared A. Silva (signed electronically)		Date: 1/10/19