



The Commonwealth of Massachusetts

Division of Marine Fisheries

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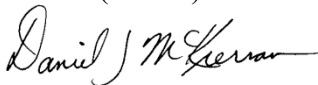
REBECCA L. TEPPER
Secretary

THOMAS O'SHEA
Commissioner

DANIEL J. MCKIERNAN
Director

MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: September 14, 2023

SUBJECT: **Future Public Hearing - Adjust Buoy Line Marking Rules to Allow Use of New Fully Formed Weak Rope with Tracer**

Proposal

DMF seeks to amend its buoy line marking regulations for the Massachusetts Mixed Species Pot/Trap Fishery [322 CMR 12.06(2)(c)]. This amendment would make an exemption to the existing buoy line marking rules to allow commercial fishers to fish fully formed red and red and white (so-called “candy cane”) colored weak rope with a “MASS LOBSTER” tracer ribbon visible to the naked eye throughout the buoy line (Fig. 1 and 2) and would prohibit Massachusetts fishers from fishing any tracer rope that may be manufactured for another jurisdiction. This amendment would accommodate the deployment of new rope products that have been developed by industry through the Massachusetts Lobstermen’s Association.

Rationale

At present, DMF’s buoy line marking regulations require all buoy lines in the Massachusetts Mixed Species Pot/Trap Fishery to be marked with one solid red mark measuring at least three feet in length in the surface system followed by four solid or non-solid red marks measuring at least two feet in length in the body of the buoy line with two marks occurring in the top 50% and two marks in the bottom 50% and no more than 60’ without a red mark. Buoy lines that are red in color (including the fully formed red or candy cane weak ropes) are to bear white marks in the place of the red marks.

This was done to make Massachusetts’ trap gear uniquely identifiable for the purposes of identifying the gear back to the fishery in the case of an entanglement. While some of the fully formed weak rope being produced and marketed is either red in color or candy cane colored, fishing this rope without compliant white marks was not sufficient to meet Massachusetts’ buoy line marking rules because the fully formed weak rope could be lawfully fished in other jurisdictions (e.g., Maine) where there are requirements that endlines have a breaking strength of 1,700 pounds or less. While buoy lines fished in other jurisdictions would be subject to their own unique marking scheme, the risk existed that—absent other markings—red or candy cane colored weak rope could be improperly traced back to Massachusetts should an entanglement in such gear occur.

With this in mind, the Massachusetts Lobstermen’s Association has worked to develop a fully-formed red and candy cane colored weak rope that has a “MASS LOBSTER” tracer ribbon throughout the line and readily visible to the naked eye. The rope has been tested by NOAA Fisheries and conforms to the 1,700 pound breaking strength limit. Given the “MASS LOBSTER” tracer is visible throughout the line, it would also make the gear uniquely identifiable to the Massachusetts Mixed Species Pot/Trap Fishery.

While this rope could be sold to a fisher in another jurisdiction, it is expensive and DMF will work with neighboring jurisdictions to adopt similar rules to Massachusetts that would prohibit a fisher from fishing gear with markings from a jurisdiction other than their own.

Amending our existing rules to create an exemption to the buoy line marking requirements when fishing full buoy lines comprised of this full fully formed weak rope would reduce the regulatory burden on commercial fishers by limiting their need to implement and maintain an extensive marking scheme in the buoy line. Accordingly, I'd like to go out to public hearing with this action later this fall or early winter and finalize rules prior to the start of the 2024 fishing season to provide fishers the opportunity to install this buoy line when their gear is hauled out this winter.

Figure 1. Red Fully Formed Weak Rope With Tracer



Figure 2. Candy Cane Colored Fully Formed Weak Rope With Tracer



Buoy Line Marking Rules

Proposal: Create an exemption to existing buoy line rules to allow commercial trap fishers to meet buoy line marking and weak rope rules if fishing fully formed weak rope that is red or red and white (“candy cane”) with a “MASS LOBSTER” tracer visible to the naked eye throughout.

