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Director

# Commonwealth of Massachusetts

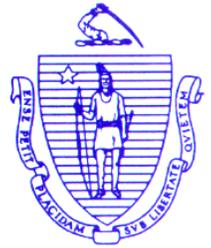
## Division of Marine Fisheries

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June 6, 2014

### Marine Fisheries Advisory

## NEW FISH POT AND CONCH POT REGULATIONS IN EFFECT

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The Division of Marine Fisheries (*Marine Fisheries*) has enacted new fish pot and conch regulations for 2014. The following new regulations are in effect as of today, June 6, 2014:

- **Owner-Operator**

All fishing of fish pot and conch pot permit endorsements must be conducted by the permit holder, meaning the individual named on the commercial fisherman permit must be onboard the fishing vessel whenever fish pot or conch pot fishing is occurring. This includes, but is not limited to, the setting, hauling or transporting of gear.

The owner-operator requirement may be waived by a letter of authorization (LOA) for an immediate family member or active military duty. Additional grounds for waiver include disability to the permit holder and posthumous transfer. In these two instances, a LOA may be issued for up to two years, subject to annual renewal, provided the fish pot or conch pot permit endorsement met the actively fished criteria prior to the request for a LOA.

- **Fish Pot and Conch Pot Limits**

Fish pot and conch pot permit endorsement holders are prohibited from fishing more than one species specific fish pot or conch pot limit on a single vessel. Therefore, any vessel engaged in commercial pot fishing may only fish a maximum of 200 conch pots, 200 black sea bass pots, 50 scup pots or 200 black sea bass and scup pots combined. This rule applies regardless of the number of fish pot or conch pot endorsements an individual may hold or the number of fish pots or conch pot endorsements attributed to that vessel.

- **Black Sea Bass and Scup Pot Haul-Out Periods**

All scup pots must be removed from the waters of the Commonwealth three days after the close of the commercial scup season or October 31, whichever occurs sooner, and must remain out of the water until April 28 of the following calendar year. Similarly, all black sea bass pots must be removed from the waters of the Commonwealth three days after the close of the commercial black sea bass season and remain out of the water until three days prior to the start of the commercial black sea bass season for pot gear.

Those commercial fishermen who were qualified in 2009 to obtain an LOA to fish for tautog with black sea bass pots may be exempt from this haul-out period and may continue to fish for tautog with black sea bass pots. The LOAs authorizing commercial fishing for tautog by black sea bass pot are subject to renewal on an annual basis and are issued subject to the discretion of the Director. The commercial harvest of tautog by black sea bass pot without a valid LOA is prohibited.

- **Trap Tag Requirements**

All fish pots and conch pots must bear a valid, current year trap tag before being set during any calendar year. We advise permit holders order trap tags in early December to ensure that they can legally set your gear at the start of the next fishing year.

- **Fish Pot Permit Transfer Requirements for Transferees**

Any individual with 1-year full-time, or the equivalent part-time, commercial fishing experience in pot gear fishery, or 2-year full-time, or the equivalent part-time, commercial fishing experience in any commercial fishery may be eligible to obtain a fish pot or conch pot permit endorsement through transfer. The existing active fishing criteria for the transfer of these permits remain unchanged.

The primary purpose of these new regulations is to treat the state's fish pot and conch pot fisheries more similar to the state's coastal lobster fishery. The state's coastal lobster fishery is the model for a sustainable, independently owned, profitable small vessel fishery. Additionally, these actions should improve enforcement of and compliance with existing fishery laws and regulations.

To view these new regulations, or for more information about the management of the state's whelk, black sea bass and scup fisheries please visit our website at

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