

322 CMR 8.00: COASTAL FISHERIES CONSERVATION AND MANAGEMENT

Section

- 8.01: Purpose and Scope
- 8.02: Definitions
- 8.03: Night Closure to Mobile Gear Fishing
- 8.04: Mobile Gear Restriction
- 8.05: Vessel Length Limits
- 8.06: Minimum Size and Possession Limits
- 8.07: Mesh Size Restriction
- 8.08: Permits
- 8.09: Spawning Area Closures
- 8.10: Gillnet Mesh Size and Permit Requirements
- 8.11: Prohibitions
- 8.12: Groundfish Closures in the Gulf of Maine
- (8.13: Coastal Fisheries Conservation and Management: Reserved)
- 8.14: Upper Cape Cod Whiting Area
- 8.15: Seasonal Cod Protection Measures

8.01: Purpose and Scope

The Massachusetts Marine Fisheries Advisory Commission, concerned about impacts from increased fishing effort on the Commonwealth's inshore fisheries resources, has adopted conservation and management strategies to cap fishing effort in state waters and has established timetables for further actions in the future. Regulations which implement these strategies are designed to address both the recent, sharp decline in abundance of many of the most important fisheries resources inhabiting state waters and the poor near-term prospects for inshore fisheries. Inshore fisheries resources are limited and stressed, and overall fishing pressure is increasing. 322 CMR 8.00 is designed to address the efforts of mobile gear fishermen who have a major impact on fish and shellfish abundance by virtue of their ability to pursue fish and their increased fishing power.

8.02: Definitions

For purposes of 322 CMR 8.00:

At-sea means any location in all waters under the jurisdiction of the Commonwealth including within harbors. For the purposes of 322 CMR 8.00, vessels that are moored, tied to other vessels, or docked at a pier are considered "at-sea". Vessels on the water are at-sea.

At-sea transfer means to convey or move fish or shellfish from one vessel to another vessel at-sea.

At-sea processing means to fillet or freeze fish, or to freeze or shuck shellfish at-sea.

Buzzards Bay means all waters which lie within a closing line running southeasterly from a point on the mean low water line at Gooseberry Neck (approximately 41° 28' 43" N, 71° 02' 05" W on NOS chart 13218, 21st Ed.) to a point on the mean low water line on the southwestern extremity of Cuttyhunk Island (approximately 41° 24' 44" N, 70° 57' 07" W on the same NOS chart).

Cod end means all parts of a net a distance of 50 continuous meshes forward of the terminal portion of the net where fish are retained.

Coastal waters means those waters which lie three geographical miles from the shoreline.

Commercial fishing means fishing for purposes of sale, barter or exchange.

Director means the Director of the Division of Marine Fisheries or his designee.

Division means the Massachusetts Division of Marine Fisheries, Department of Fisheries, Wildlife and Recreational Vehicles, 251 Causeway Street, Suite 400, Boston, Massachusetts 02114.

8.02: continued

Fishing or Fish For means to harvest, catch or take or attempt to harvest, catch or take any fish or shellfish for commercial purposes. A vessel is presumed to be fishing unless its trawl doors are out of the water and secured to the vessel's side or stern or unless the mouth of the net is out of the water and secured to the vessel's side or stern.

Flatfish Gillnet means any sink gillnet rigged specifically for catching flatfish and is constructed with no floats on the float line, or that is constructed with floats on the float line and that has tie-down twine between the float line and the lead line not more than 48 inches in length and spaced not more than 15 feet apart.

Line Trawl means any fishing gear having a single anchored and weighted main line to which many gangions or leaders are attached, each armed with a hook.

Monkfish means that species of fish known as goosefish or *Lophius americanus*.

Nantucket Sound means all waters which lie within an area encompassed by a straight line drawn from Great Point in Nantucket to Monomoy Point in Chatham; thence following the shoreline to Succunnet Point in Mashpee; thence following a straight line to Cape Poge in Edgartown; thence following a straight line to Madaket Point in Nantucket; thence following the shoreline to Great Point in Nantucket.

Night fishing means fishing ½ hour after sunset to ½ hour before sunrise during the period March 1 through October 31, inclusive, or fishing from 6:00 p.m. to 6:00 a.m. during the period November 1 through the last day of February, inclusive.

Person means any individual, including the captain, master or crew member of a fishing vessel, or any firm, partnership, corporation or other business entity.

Processing means to receive or transfer fish and/or freeze or fillet any fish or shellfish.

Recreational fishing means fishing for purposes of personal or family use by angling.

Red drum means that species of fish known as *Sciaenops ocellatus*.

Redfish means that species of fish known as *Sebastes marinus*.

Registered length means the official length of a commercial fishing vessel documented by and found in the records of the United States Coast Guard.

Scup means that species of fish known as *Stenotomus chrysops*.

Sea bass means that species of fish known as *Centropristis striata*.

Shoreline means the mean low water mark unless otherwise provided.

Sink Gillnet means any gillnet, anchored or otherwise, that is designed to be, or is fished on or near the bottom in the lower third of the water column.

Tautog means that species of fish known as *Tautoga onitis*.

Total length means that length of a fish as measured from the tip of the snout to the farthest end of the tail.

Trawl means any mobile fishing gear or nets which are towed, hauled, or dragged through the water for the harvest of fish including but not limited to otter trawls, beam trawls, pair trawls, scottish seines, danish seines, or pair seines.

Vineyard Sound means all waters encompassed by a straight line drawn from Cape Poge in Edgartown to Succunnet Point in Mashpee; and a straight line drawn from the tip of Gay Head to the southwestern most point of Cuttyhunk Island.

Weakfish means that species of fish known as *Cynoscion regalis*.

322 CMR: DIVISION OF MARINE FISHERIES

8.03: Night Closure to Mobile Gear Fishing

All waters under the jurisdiction of the Commonwealth shall be closed to night fishing with trawls or shellfish dredges but shall not be closed to purse seines or mid-water trawls used to harvest sea herring by vessels issued a special permit pursuant to 322 CMR 8.08(3).

8.04: Mobile Gear Restriction

Vessels using nets may not conduct any fishing activity with disks, rollers or rockhoppers greater than 12 inches in diameter.

8.05: Vessel Length Limits

Vessels greater than 90 feet registered length may not conduct fishing activities in any waters under the jurisdiction of the Commonwealth.

8.06: Minimum Size and Possession Limits

(1) Weakfish.

- (a) It is unlawful for any person to possess weakfish less than 16 inches in total length.
- (b) It is unlawful for recreational fishermen to possess more than one weakfish per day.
- (c) It is unlawful for commercial fishermen to possess on board or land more than 100 pounds of weakfish per 24-hour day or trip, whichever period is longer.

(2) White Perch.

- (a) It is unlawful for recreational fishermen to possess white perch less than eight inches in total length.
- (b) It is unlawful for recreational fishermen to possess more than 25 white perch at any time.
- (c) The limits established by 322 CMR 8.06(8)(a) and (b) apply only to white perch harvested in coastal waters as defined by M.G.L. c. 130, § 1.

8.07: Mesh Size Restrictions

(1) Trawl Net Mesh Minimum Size.

(a) A minimum size of 6½ inches throughout the cod-end and six inches throughout the remainder of the net shall apply for all vessels fishing with trawls in waters under the jurisdiction of the Commonwealth north and east of Cape Cod from January 1st through December 31st, within an area circumscribed by an imaginary line beginning at the intersection of the Loran C line 9960-Y-43940 with the Chatham shoreline; thence seaward following the Loran C line 9960-Y-43940 to the territorial seas line; thence in a northerly direction following the territorial seas line to the Massachusetts/New Hampshire boundary; thence in a westerly direction following the Massachusetts/New Hampshire boundary to the shoreline; thence following the shoreline in a southerly direction to the starting point.

(b) A minimum mesh size of 6½ inches throughout the cod-end and six inches throughout the remainder of the net shall apply for all vessels fishing with trawls in waters under the jurisdiction of the Commonwealth south of Cape Cod from November 1st through April 22nd, within an area circumscribed by an imaginary line beginning at the intersection of the Loran C line 9960-Y-43940 with the Chatham shoreline; thence seaward following the Loran C line 9960-Y-43940 to the territorial seas line; thence in a southerly directions following the territorial seas line to its intersection with the 70° W meridian; thence in a southerly direction along the 70° W meridian to its intersection with the territorial seas line; thence following the territorial seas line in a southerly direction and south of Nantucket Island and Martha's Vineyard to the Massachusetts/Rhode Island boundary; thence in a northerly direction following the Massachusetts/Rhode Island boundary to the shoreline; thence following the shoreline in an easterly direction to the starting point.

Exception for Squid Trawling. From April 23rd through June 9th, a commercial fisherman permitted in accordance with 322 CMR 7.05: *Coastal Access Permit (CAP)* and 322 CMR 8.08(5), may fish trawl gear with a minimum mesh sizes less than 6½ inches throughout the cod-end and six inches throughout the remainder of the net in the area described in 322 CMR 8.07(1)(b). The Director may extend the small-mesh squid trawling season if he or she determines that continued fishing with small mesh will not result in large catches of small squid less than five inches mantle length and/or juvenile scup, black sea bass, or fluke.

8.07: continued

(c) No mesh size less than 6½ inches throughout the cod-end and six inches throughout the remainder of the net shall be possessed by vessels fishing from June 10th through April 22nd in the area defined in 322 CMR 8.07(1)(b).

(d) No mesh size less than 6½ inches throughout the cod-end and six inches throughout the remainder of the net shall be possessed by vessels fishing in the area defined in 322 CMR 8.07(1)(b) when more than a total of 100 pounds of winter flounders, yellowtail flounder, fluke, or windowpane flounder, in any combination, is in possession.

(2) Small Mesh Exemption for Vessels Fishing for Whiting. Vessels may use raised footrope trawls as defined in 322 CMR 8.14(2) to fish for whiting in two areas:

(a) Cape Ann Whiting Area during September as defined in 322 CMR 3.02(2)

(b) Upper Cape Cod Bay Whiting Area during September through November 20th as defined in 322 CMR 8.14.

(3) Experimental Fisheries. The Director may in his discretion authorize small-mesh trawling in other areas and times for the purposes of collecting data to determining other appropriate times and places that small-mesh trawling may be appropriate. Vessels must request and obtain a letter of authorization to conduct experimental fishing.

(4) Mesh Measurements. Mesh sizes are measured by a wedge-shaped gauge having a taper of two centimeters in eight centimeters and thickness of 3.2 millimeters, inserted into the meshes under a pressure or pull of five kilograms. The mesh size will be the average of the measurements of any series of 20 consecutive meshes. The mesh in the cod end will be measured at least ten meshes from the lacings beginning at the after-end and running parallel to the long axis. The Director may approve in writing the use of other mesh size gauges or methods.

(5) Net Modifications. No fishing vessel may use any means, device, or material, including but not limited to ropes, lines, chafing gear, liners, net strengtheners, or double nets, if it obstructs the meshes of the net or otherwise diminishes the size of meshes of the net described in 322 CMR 8.07. All netting in trawl nets not made on a braiding machine, whether of braided or twisted twine, whether machine made or hand made, shall use only one knot, the weavers knot or sheet bend or a knot by another name, which in *only* a weavers knot. The ends of the twine, called the bars, that exit the knot are constructed so their lay does not cross or twist. One splitting strap and one bull rope (if present) consisting of line or rope no more than two inches in diameter, may be used if such splitting strap and/or bull rope does not obstruct the meshes of the net or otherwise diminish the size of meshes of the net. Canvas, netting, or other material may be attached to the underside of the cod end to reduce wear and prevent damage provided that no more than 25% of the meshes are obstructed.

8.08: Permits

In addition to any other permit required by law, the following permits are required for the following activities:

(1) At-sea Processing. At-sea processing of any fish or shellfish in any waters under the jurisdiction of the Commonwealth, including all of Nantucket Sound and Cape Cod Bay, requires a special permit of the Director pursuant to 322 CMR 7.01: *Form, Use and Contents of Permits*, unless otherwise authorized pursuant to 322 CMR 11.00: *Internal Waters Processing*, or unless 25 pounds or less of fish fillets per person are in possession and intended for personal use only and not for purposes of sale, barter, or exchange. The 25-pound limit on fillets does not apply to fish caught by hook and line recreational fishing, and it does not apply to species which cannot be mutilated, such as striped bass.

(2) Fish and Shellfish. Fishing for scup, sea bass or conch by means of a pot requires a special permit of the Director pursuant to 322 CMR 7.01: *Form, Use and Contents of Permits*.

8.08: continued

- (3) Sea Herring. Commercial fishing for sea herring requires a special permit of the Director pursuant to 322 CMR 7.01.
- (4) Whiting. Vessels fishing for whiting during the dates and within the area set forth in 322 CMR 8.07(2) require a special permit in accordance with 322 CMR 7.01.
- (5) Loligo Squid. Commercial fishing with trawls having less than six inches mesh size in any part of the trawl and in the area described in 322 CMR 8.07(1)(b) during the period April 23 through June 9 requires a special permit of the Director pursuant to 322 CMR 7.01.
- (6) Application. Applicants may apply for special permits on forms supplied by the Director.
- (7) Review. In reviewing any application the Director may consider the following:
- (a) effect on traditional fisheries;
 - (b) gear conflicts;
 - (c) effect on the stock status;
 - (d) economic impact; and
 - (e) any other factor deemed necessary or appropriate for the conservation and management of fishery resources.
- (8) Conditions. The Director may condition the issuance of any special permit as necessary or appropriate for the conservation and management of fishery resources, or for the public health, welfare or safety.
- (9) Revocation. A special permit may be suspended or revoked for violation of any condition or restriction of the permit; for any provision of 322 CMR or for any provision of M.G.L. c. 130.

8.09: Spawning Area Closures

(1) Except as provided for in 322 CMR 8.09(2) and (3), the following waters shall be closed to commercial fishing for any finfish between the dates of February 1 through May 31, in all of the waters shoreward of an area bounded by an imaginary line beginning at a point 42°02.0' N latitude and 70°10.2' W longitude; thence following an imaginary line to a point at 42°00.7' N latitude and 70°06.4' W longitude; thence following an imaginary line to a point at 41°56.3' N latitude and 70°05.9' W longitude; thence following an imaginary line to a point at 41°48.9' N latitude and 70°10.9' W longitude; thence following an imaginary line to a point at 41°46.4' N latitude and 70°09.8' W longitude; thence following an imaginary line to a point at 41°45.1' W latitude and 70°16.5' W longitude; thence following an imaginary line to a point at 41°47.1' N latitude and 70°28.1' W longitude; thence following an imaginary line to a point at 41°55.2' N latitude and 70°30.4' W longitude; thence following an imaginary line to a point at 41°59.9' N latitude and 70°35.1' W longitude; thence following an imaginary line to a point at 42°05.6' N latitude and 70°36.5' W longitude; thence following an imaginary line to a point at 42°16.4' N latitude and 70°44.8' W longitude; thence following an imaginary line to a point at 42°18.6' N latitude and 70°50.1' W longitude; thence following an imaginary line to a point at 42°21.9' N latitude and 70°52.2' W longitude; thence following an imaginary line to a point at 42°24.7' N latitude and 70°54.4' W longitude; thence following an imaginary line to a point at 42°27.6' N latitude and 70°50.3' W longitude; thence following an imaginary line to a point at 42°32.8' N latitude and 70°45.9' W longitude; thence following an imaginary line to a point at 42°34.3' N latitude and 70°39.9' W longitude; thence following an imaginary line drawn to Thatcher's Island Light to a point along said line where it intersects with the boundary line separating the towns of Rockport and Gloucester; thence following the Rockport/Gloucester boundary southeasterly to a point 42°35.5' N, 70°34.6' W; thence following an imaginary line 31° true to a point at 42°37.8' N, 70°32.8' W; thence following an imaginary line 360° true to a point at 42°39.5' N, 70°32.8' W; thence following an imaginary line 340° true to a point at 42°40.8' N, 70°33.5' W; thence following 314° true to a point at 42°43.8' N, 70°37.6' W; thence following an imaginary line in a southerly direction 193° true to a point one nautical mile from the shoreline; thence following an imaginary line drawn in such a manner that each point on it is one nautical mile from the shoreline to the Massachusetts/New Hampshire boundary.

8.09: continued

(2) Sea Herring. Commercial fishing for sea herring is permitted during the time and area closure set forth in 322 CMR 8.09(1) provided that a special permit is obtained pursuant to 322 CMR 7.01.

(3) Cod. Line trawling for cod is permitted during the time and area closure set forth in 322 CMR 8.09(1) provided that only hook sizes with a gape of not less than 11/16 of an inch measured from the point of the hook to the inside of the shank or circle hooks (so-called) with a gape of not less than ½ inch may be used, and provided further that the area is open to groundfish as set forth in 322 CMR 8.12.

8.10: Gillnet Mesh Size and Permit Requirements

(1) Mesh Size. Sink gillnets and flatfish gillnets shall have mesh openings not less than 6½ inches.

(2) Mesh Measurements. Except as otherwise provided for in 322 CMR 8.10(3), mesh sized are measured by a wedge-shaped gauge having taper of two centimeters in eight centimeters and a thickness of 3.2 millimeters, inserted into the meshes under a pressure or pull of five kilograms. The mesh size will be the average of the measurements of any series of 20 consecutive meshes.

8.11: Prohibitions

It is Unlawful for:

(1) any vessel greater than 90 feet in registered length to conduct fishing activities in any waters under the jurisdiction of the Commonwealth;

(2) any vessel to conduct fishing activities in any waters under the jurisdiction of the Commonwealth with nets having disks, rollers or rockhoppers greater than 12 inches in diameter;

(3) any person to use bottom trawls during the dates and within the areas set forth in 322 CMR 8.07(1)(a) and (b) with mesh sizes measuring less than those sizes prescribed in 322 CMR 8.07(1)(a) and (b).

(4) any person without a special permit to fish with nets having a cod end mesh with an opening of less than 6½ inches during the dates and within the areas set forth in 322 CMR 8.07.

(5) any person with a special permit issued pursuant to 322 CMR 8.08(4), (5) and (6) to retain flounders of any kind, cod, haddock or pollock.

(6) any person to process fish on board a vessel within any waters under the jurisdiction of the Commonwealth without a special permit in accordance with either 322 CMR 11.00 or 8.08;

(7) any person to fish for sea bass, scup or conch by means of a pot without a special permit;

(8) any person to conduct commercial fishing for sea herring without a special permit;

(9) any person to conduct commercial fishing for any finfish except as otherwise provided for in 322 CMR 8.09(2) or (3) between February 1st to May 31st of any year within the areas set forth in 322 CMR 8.09(1)(a);

(10) any person to line trawl for cod between February 1st to May 31st of any year within the area set forth in 322 CMR 8.09(1)(a) with hook sizes having a gape of less than 11/16 of an inch measured from the point of the hook to the inside of the shank or with circle hooks having a gape of less than ½ inch;

(11) any person to fish, store, or abandon gillnets in any waters under the jurisdiction of the Commonwealth;

(12) any person to conduct commercial fishing with Scottish, Danish or Pair seines, without a special permit in waters north of Boston;

322 CMR: DIVISION OF MARINE FISHERIES

8.11: continued

- (13) for any person to conduct commercial fishing between February 1st and April 30th using Scottish, Danish or Pair seines, within the area established in 322 CMR 3.02(5)(a);
- (14) for any person to conduct commercial fishing between April 1st and December 31st using Scottish, Danish or Pair seines within Mobile Gear Area 4 (Outer Boston Harbor) established in 322 CMR 3.02(3);
- (15) for any person to conduct commercial fishing between April 1st and October 31st using Scottish, Danish or Pair seines within Mobile Gear Area 3 (Hull to Plymouth) established in 322 CMR 3.02(4);
- (16) for any person to conduct commercial fishing between May 1st and October 31st using Scottish, Danish or Pair seines within Mobile Gear Areas 2(a) and (b) (Eastham to Mashpee and Plymouth to Provincetown) in 322 CMR 3.02(5) and (6);
- (17) for any person to fish for commercial purposes with trawls or shellfish dredges in waters under the jurisdiction of the Commonwealth ½ hour after sunset to ½ hour before sunrise during the period March 1st through October 31st, or from 6:00 P.M. to 6:00 A.M. during the period November 1st through the last day of February, unless fishing with purse seines or mid-water trawls used to harvest sea herring as provided by 322 CMR 8.03.
- (18) any vessel fishing with trawls in area and at time defined in 322 CMR 8.07(1)(a) during a single fishing trip to have on board said vessel or land at any given time during that same fishing trip and possess mesh less than six inches.
- (19) for any person to harvest, catch, or take any species of fish by means of a gillnet without a special permit issued pursuant to 322 CMR 8.10(3).
- (20) any vessel to engage in at-sea transfer of any fish or shellfish subject to possession limits established pursuant to 322 CMR.
- (21) any vessel to engage in at-sea processing without an at-sea processing permit issued pursuant to 322 CMR 8.08(1), except that it is lawful for any vessel to shuck scallops or eviscerate finfish at-sea without an at-sea processing permit.
- (22) any vessel with an at-sea processing permit to process any fish or shellfish subject to minimum size limits established pursuant to 322 CMR.

8.12: Groundfish Closures in the Gulf of Maine

(1) Definition.

Regulated Groundfish Species means those finfish regulated under the federal Northeast Multispecies Fishery Management Plan and defined as regulated species. These include: Atlantic cod, windowpane flounder, witch flounder, American plaice, yellowtail flounder, haddock, pollock, winter flounder, white hake, and redfish.

(2) April through May and October through November Cape Cod Bay and Massachusetts Bay Closure from Plymouth North to Marblehead. Except as exempted in 322 CMR 8.12(7) during April 1st through May 31st and October 1st through November 30th, it is unlawful for commercial fishermen to possess or fish for regulated groundfish species taken from an area within the waters under the jurisdiction of the Commonwealth north of the 42° line and south of the 42° 30' line.

(3) April through June Closure in Upper Massachusetts Bay and Ipswich Bay from Marblehead to the New Hampshire Border. During April 1st through June 30th, it is unlawful for commercial fishermen to possess or fish for regulated groundfish species within the waters under the jurisdiction of the Commonwealth north of the 42° 30' line to the Massachusetts/New Hampshire border.

322 CMR: DIVISION OF MARINE FISHERIES

8.12: continued

(4) May Closure East of Cape Cod. During May 1st through May 31st, it is unlawful for commercial fishermen to possess or fish for regulated groundfish species within the waters under the jurisdiction of the Commonwealth east of Cape Cod south of latitude 42° and east of longitude 70°.

(5) Gear Types. These closures apply but are not limited to the use of otter trawls, line trawls, and hook and line.

(6) Experimental Fishery. The Director at his discretion may authorize experimental fishery activities for fishing for regulated species with certain gear types in the aforementioned closed areas and times to investigate catch by-catch composition to ascertain the need for potential future exemptions.

(7) Exemptions.

(a) These closures do not apply to the use of longlines for the purpose of catching dogfish nor to the use sea scallop dredges that conform with specifications in 322 CMR 4.10.

(b) A vessel may fish with a small-mesh raised footrope trawl in a portion of upper Cape Cod Bay during October and November subject to the rules in 322 CMR 8.07(2) and 322 CMR 8.14.

(c) A vessel may fish during the month of January with rod-and-reel, handlines, or longlines provided the vessel operator has applied to DMF and obtained written authorization from the Director. The Director may further limit gear types and may limit participation to those fishermen with prior documented groundfishing history in this area and season.

(8.13: Coastal Fisheries Conservation and Management: Reserved)

8.14: Upper Cape Cod Whiting Area

(1) Subject to the conditions set forth in 322 CMR 8.14(1) through (3) and permit requirements in 322 CMR 8.08(6) and 7.05 it is lawful to fish for whiting during September 1st through November 20th within a portion of Cape Cod Bay as defined in 322 CMR 8.14(1) and subject to the conditions in 322 CMR 8.14(2) and (3).

(a) Area. Unless otherwise authorized by 322 CMR 8.07(3), vessels fishing in Cape Cod Bay may fish for whiting only in an area enclosed by straight lines connecting the following coordinates.

POINT NUMBER	LATITUDE		LONGITUDE	
	Degrees	Minutes	Degrees	Minutes
1	42	0	70	24.076
2	42	0	70	13.225
3	42	7.85	70	30.1
4	42	14.05	70	8.8
5	42	8.35	70	4.05
6	42	4.75	70	16.95
1	42	0	70	24.076

(b) By-catch Prohibitions. Any vessel fishing in the Upper Cape Cod Bay Whiting Area with small mesh aboard shall not possess the following species: cod, haddock, pollock, redfish, white hake, yellowtail flounder, winter flounder, windowpane flounder, American plaice and witch flounder, summer flounder, skates, monkfish, lobster, crabs, ocean pout, sculpin, and sea raven.

8.14: continued

(c) Fixed Gear-free Zone. During the period September 1st - October 31st, it shall be unlawful to set, store, or abandon lobster pots in a portion of the upper Cape Cod whiting area. The closure area is defined as follows using LORAN C coordinates: beginning at the intersection of the 9960-W-13880 line with the state/federal territorial seas line; then following in a southeast direction along the aforementioned 13880 line to the intersection with the 9960-Y-44100 line; then in a northeast direction following the aforementioned 44100 line to the intersection with LORAN C 9960-W-13845 line; then in a northeast direction to the intersection with the 9960-Y-44120 line; then in a northeasterly direction along the 44120 line to the intersection with the 9960-W-13830 line; then in a northwest direction following the 13830 line to the state/federal waters line; then in a westerly direction back to the origin at the intersection of the 9960-W-13880 line and the state/federal territorial sea line.

(2) Trawl Specifications.

(a) Minimum codend mesh size must be at least 2.5 inches. Minimum mesh size is measured by the inside stretch of the net. Nets can consist of either square or diamond mesh.

(b) Headrope must be rigged with floats that measure at least eight inches diameter and must be attached along the entire length of the headrope with a maximum spacing between each float of four feet.

(c) Groundgear must be all bare wire not larger than ½-inch in diameter for the top leg, not larger than ⅝-inch in diameter for the bottom leg, and not larger than ¾-inch in diameter for the ground cables. The top legs must be at least as long as the bottom legs. The total length of the ground cables must not be greater than 40 fathoms from the doors to the wing ends.

(d) Footrope must be longer than the headrope, but not more than 20 feet longer than the headrope and rigged so that it does not contact the bottom while fishing.

(e) Drop Chains must be 42-inches in length or greater; maximum size drop chain stock when used with a sweep is 5/16-inch. Drop chains may be a maximum of ⅜-inch stock when no sweep is used. Only bare chain may be used; cookies or additional weights on the drop chains are prohibited. Drop chains must be hung from the center of the footrope and each corner (the quarter, or the junction of the bottom wing to the belly at the footrope). Drop chains must be hung at eight foot intervals along the footrope from the corners to the wing ends.

(f) Sweep Specifications. The raised footrope trawl may be used with a chain sweep or without a chain sweep. The sweep, if used, must be rigged in the following manner: The sweep must be bare chain the same length as the footrope. (Note: The required drop chains at the wing ends of the footrope effectively makes the sweep seven feet longer than the footrope.) The maximum size of the sweep is 5/16-inch stock chain. The sweep must be attached to the ends of the drop chains. The center of the sweep must be attached to the drop chain from the center of the footrope. The attachment points of each drop chain on the sweep and the footrope must be the same distance from the center drop chain attachments. The ends of the sweep must be attached to the drop chains at the end of the footrope.

8.15: Seasonal Cod Protection Measures

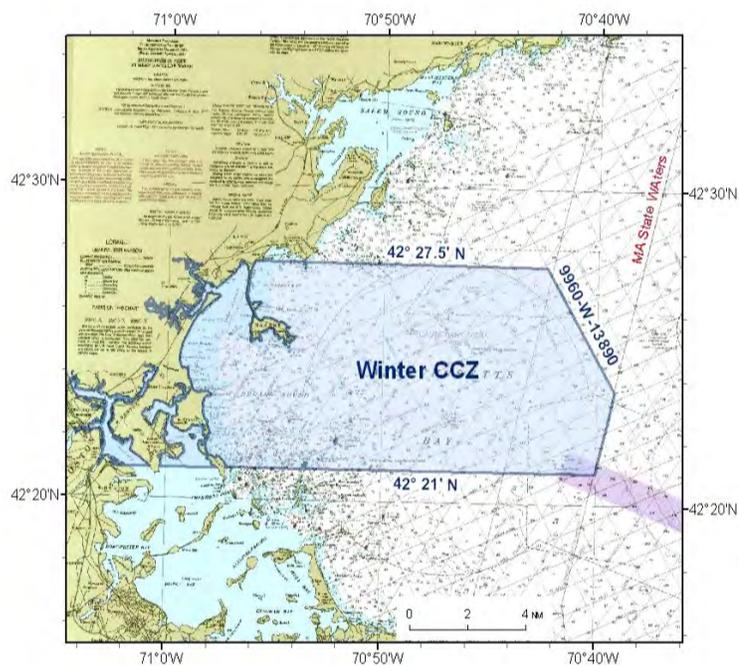
(1) Winter Cod Conservation Zone.

(a) Boundaries. For purposes of 322 CMR 8.15 the Winter Cod Conservation Zone shall apply to the area within the waters under the jurisdiction of the Commonwealth bounded by straight lines connecting the following points in the order stated starting from the point furthest south and west:

Point	North Latitude	West Longitude
WCCZ1	42 degrees 21.0'	MA Coast
WCCZ2	42 degrees 21.0'	70 degrees 40.0'
WCCZ3	42 degrees 23.6'	70 degrees 39.2'
WCCZ4	42 degrees 27.5'	70 degrees 42.4'
WCCZ5	42 degrees 27.5'	MA Coast

The following map depicts the Cod Conservation Zone and its coordinates.

Winter Cod Conservation Zone



(b) Season.

The restricted season shall be November 15th through January 31st.

The restricted

(c) Fishing Prohibitions.

1. It is unlawful for any person to take, possess or land cod from the Winter Cod Conservation Zone during the restricted season.
2. It is unlawful for any person to fish, set, or abandon any gear capable of harvesting cod in the Winter Cod Conservation Zone during the restricted season. 322 CMR 8.15(1) shall apply to all gillnets, otter trawls, mid-water trawls, seines, and all hook-and-line gears including longlines, rod-and-reel, and handlines.

(d) Exemptions.

1. It shall be lawful for persons to transit the Winter Cod Conservation Zone in the possession of cod, provided the cod was caught outside of the Winter Cod Conservation Zone and all fishing gear is stowed.
2. Lawfully permitted persons may set and tend lobster traps and set and haul dredges for scallops and urchins in the Winter Cod Conservation Zone during the restricted season.

8.15: continued

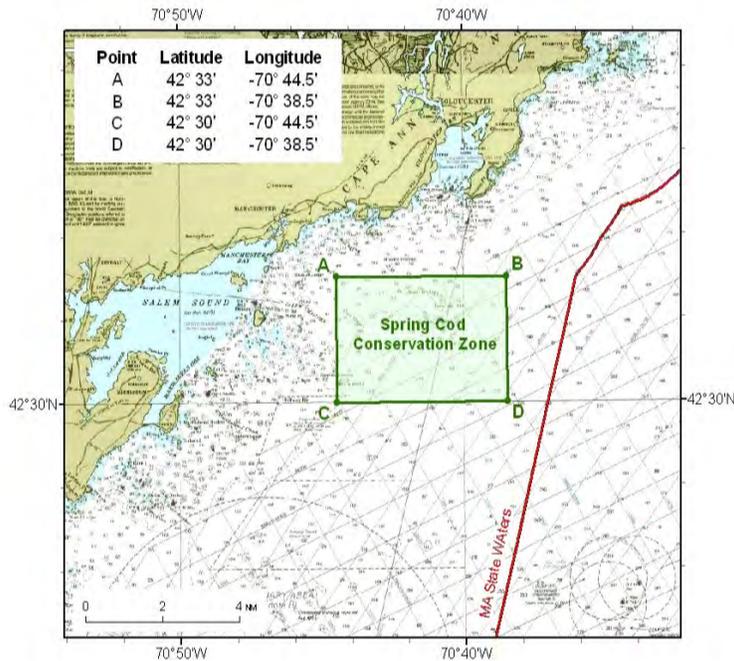
(2) Spring Cod Conservation Zone.

(a) Boundaries. For purposes of 322 CMR 8.15 the Spring Cod Conservation Zone shall apply to an area within the waters under the jurisdiction of the commonwealth bounded by straight lines connecting the following points in the order stated starting from the point furthest south and west:

Point	North Latitude	West Longitude
SCCZ1	42 degrees 30.0'	70 degrees 44.5'
SCCZ2	42 degrees 30.0'	70 degrees 38.5'
SCCZ3	42 degrees 33.0'	70 degrees 38.5'
SSCZ4	42 degrees 33.0'	70 degrees 44.5'

The following map depicts the Cod Conservation Zone and its coordinates.

Spring Cod Conservation Zone



(b) Season
season
through July 21st.

n. The restricted shall be April 16th

(c) Fishing Prohibitions.

1. It is unlawful for any person to possess on board or land cod in the Spring Cod Conservation Zone.
2. It is unlawful for any person to fish, set, or abandon gillnets, beam trawls, otter trawls or longlines in the Spring Cod Conservation Zone during the restricted season.

(d) Exemptions. It shall be lawful for persons to transit the Spring Cod Conservation Zone in the possession of cod, provided the cod was caught outside of the Spring Cod Conservation Zone and all fishing gear is stowed.

REGULATORY AUTHORITY

322 CMR 8.00: M.G.L. c. 130, §§ 2, 17A, 80 and 104.