

CAPE COD COMMERCIAL  
**FISHERMEN'S  
ALLIANCE**

**Small Boats. Big Ideas.**

18 December 2020

Director Daniel McKiernan  
MA Division of Marine Fisheries  
251 Causeway Street  
Suite 400  
Boston, MA 02114

Dear Director McKiernan,

Thank you for the opportunity to comment on the proposed protected species regulations affecting trap and gillnet fishing.

The Cape Cod Commercial Fishermen's Alliance is a member-based, non-profit organization that works to build lasting solutions to protect our ecosystem and the future of our fisheries. The Fishermen's Alliance represents 150 fishing businesses and more than 300 fishing families, making our organization the leading voice for commercial fishermen on Cape Cod. We are deeply invested in the scientific assessments and public policies that impact our communities.

Our fishermen members have been at the forefront of testing and developing gear modifications to reduce the risk of entanglement and potential harm to whales. In pioneering these technologies, fishermen have undertaken financial risk and contributed a significant amount of time and energy into these developments. As with all gear modifications, the industry carries the financial burden in the proposed regulations.

Overall, we support measures to reduce risk of entanglements that reasonably modify fishermen's existing gear and prioritize safety of fishermen. The following are comments specific to the draft regulations.

**Fixed Gear Closures:**

*4. Recreational Lobster and Crab Trap Gear Haul-Out Season (322 CMR 6.02). DMF is proposing to implement a new closed season for buoyed recreational lobster and crab trap gear. The closed season would run from the Tuesday following Columbus Day through the Friday preceding Memorial Day. We support the proposed recreational lobster and crab trap gear haul-out season. We believe this measure will both reduce the risk of untended recreational trap gear becoming "ghost gear," and reduce risk of entanglement in recreational gear.*

---

**BOARD OF DIRECTORS** Nick Muto, *Chairman* • Gwen Holden Kelly, *Treasurer* • Greg Connors, *Vice-Chairman* • Brian Sherin, *Clerk*  
Richard Banks • Gregory Bilezikian • Charles Borkoski • Beau Gribbin • Eric Hesse • Barry LaBar • Tim Linnell

---

1.566 Main Street, Chatham, MA 02633 (508) 945-2432 info@capecodfishermen.org [www.capecodfishermen.org](http://www.capecodfishermen.org)

### **Trap Gear Configuration Modifications and Restrictions:**

1. *1,700-lb Breaking Strength Contrivance (322 CMR 12.02 and 12.06).* DMF is proposing that all vertical buoy lines break when exposed to 1,700 pounds of pressure. This may be accommodated by fishing buoy lines with a 1,700 pound breaking strength or by rigging the buoy line with a contrivance or multiple contrivances that allows for it to break at that pressure.

2. *Vertical Buoy Line Maximum Diameter for Commercial Trap Gear (322 CMR 12.06).* DMF is proposing that all vertical buoy lines affixed to commercial trap gear have a diameter not greater than 3/8".

We support both the 1,700lb breaking strength contrivance/buoyline and the maximum of 3/8" diameter buoyline. We hope DMF will continue to develop these regulations in consultation with fishermen, and use methods that are readily adaptable to existing fishing gear.

3. *Vertical Buoy Line Maximum Diameter for Recreational Trap Gear (322 CMR 12.06).* DMF is proposing that all vertical buoy lines affixed to recreational lobster and crab trap gear have a diameter not greater than 5/16".

We support a maximum of 5/16" diameter for recreational trap gear.

4. *Prohibition on Single Lobster Traps for Vessels of a Certain Size (322 CMR 12.06).* DMF is proposing to prohibit the fishing of single lobster traps onboard vessels with an overall length of 29' or greater.

*These vessels will be required to configure their traps as multi-trap trawls. Vessels with an overall length of less than 29' may continue to fish single lobster traps where authorized; the setting of single lobster traps by any vessel of any size will remain prohibited north of Cape Cod seaward of the three nautical mile line and the Billingsgate exempted area. DMF is proposing that this regulation go into effect on January 1, 2022.*

We hope that in establishing a length restriction for prohibiting single trap fishing, DMF continues to see fishermen's safety as highest priority. Our local lobster trawl fleet tends to be greater than 36 feet. We recognize that the proposed regulation length of 29 feet will impact several Outer Cape lobstermen that traditionally fish single traps on vessels under 36 feet. We anticipate DMF carefully examining vessel operations for various length vessels and weighing the risks to fishermen's safety.

Thank you for the opportunity to comment.

Sincerely,



John Pappalardo  
CEO

