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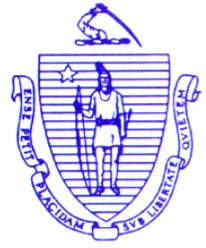
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To All Massachusetts Commercial Fishing Permit Holders:

This letter and set of Frequently Asked Questions (FAQs) is to clarify rules and policies pertaining to permit holders conducting their commercial fishing activity from a boat or multiple boats. Some permit holders have inquired to DMF about when to obtain a second permit for fishing aboard a second vessel.

Some commercial permit holders seek to fish on multiple boats but without obtaining additional permits. Some Rod & Reel or Individual permit holders fish on boats that are not listed on any MA commercial permit. DMF needs to resolve this problem by requiring all vessels used for commercial fishing to be listed in the permitting system.

Conducting commercial fishing activities on a boat which is not listed on a permit, is problematic for two reasons. There is a permitting/enforcement issue because the boat is not listed on a permit and there is also a statistical reporting issue. Commercial fishing permit holders are required to report the boat they fish on and seafood dealers are required to report the boat from which they purchase their fish. If a boat is not listed on the commercial permit, it will not be available in the seafood dealer reporting database (SAFIS) or in the fisherman trip-level reporting system. These transactions would be entered with unknown vessels, reducing the accuracy of the reporting and widening opportunities for regulatory abuse. Accurately tracking vessel information is necessary to characterize the commercial fishery in Massachusetts which is vital for DMF to mitigate regulatory effects on fishery participants and to judge overall fishery performance.

The following will be in effect for the upcoming 2012 fishing year:

1. Permit holders who intend to fish from multiple boats must get a commercial permit for each boat. If the permit holder intends to fish *alone* on the second boat, they may obtain the correct permit that covers an individual's fishing activity, such as a Rod & Reel, Individual, or a Shellfish & Seaworms permit, and list the boat on the permit application. The need for multiple permits would not apply to permit holders who are just using a second boat for transportation (e.g. to and from a clam flat). Vessel-based permit holders (Lobster and Boat permits) are still allowed to fish from shore under the authority of their vessel-based permit.
2. Rod & Reel, Individual, Shellfish & Seaworms, and Shellfish & Rod & Reel permit holders who actively fish from a boat are required to list their boat on their permit application. Individuals with these permit types are still allowed to fish from shore or on other boats, provided that the other boat(s) they are fishing on are listed on *someone's* Massachusetts commercial permit. Simply put, all boats used for commercial fishing activities must be listed on a commercial fishing permit. Also, everyone on a boat that is engaged in commercial fishing must be permitted individually or the vessel must be listed on a vessel-based permit (Lobster or Boat permit), which would cover everyone commercially fishing from that boat. However, be aware that *all* commercial finfish trip limits are per vessel and per day. It is unlawful for any vessel to land more than one trip limit of any species per day regardless of the number of permit holders aboard the vessel. For the purposes of trip-level reporting, permit holders in this category must report the vessel they were fishing from, regardless of whether or not it is the vessel associated with their permit.

Reminder: A commercial trip is defined as a trip where fishing occurred under the authority of the commercial permit. This could be a trip where marine species were sold to a dealer *or* were taken for personal consumption under the authority of the commercial permit. This means that the fish you retain must conform to the commercial seasons, commercial fish sizes, and commercial bag limits.

Questions: If you have permitting questions, please contact our Boston office at 617-626-1520. If you have trip-level reporting questions, please contact the DMF Statistics Project at 978-282-0308 ext. 101 or dmf.stats@state.ma.us

FAQs:

Q: I have a Coastal Lobster permit with a shellfish endorsement on a 35' lobster boat. Do I need a second permit to drive my tin skiff to the clam flat and dig for soft shell clams?

A: No. You may still dig clams under the authority of your Coastal Lobster permit with the shellfish endorsement. The skiff used to get to the clam flat does not need to be listed on a permit.

Q: I have a Coastal Lobster permit with a shellfish endorsement on a 35' boat. Do I need a second permit to dredge for Bay Scallops out of my 20' boat?

A: Yes. You need a second permit with the 20' boat listed because you are conducting a commercial fishing activity (dredging) from the second boat. If you fish alone for Bay Scallops, you may get a Shellfish & Seaworms permit and list the second boat.

Q: I have a Boat permit on a 40' boat that I use for bluefin tuna fishing. Do I need a second permit to commercially fish for striped bass from my 18' outboard?

A: Yes. You need a second permit with the 18' outboard listed on it because you are conducting a commercial fishing activity from the second boat. If you fish alone, you may get a Rod & Reel permit and list the second boat.

Q: I have a Rod & Reel permit with no boat listed because I don't own a boat. Can I commercially fish on my friend's boat?

A: Yes. However, only if that vessel is already listed on a MA commercial permit. If your friend's boat is listed on a Rod & Reel permit, then you and anyone else on the boat will be fishing under the authority of your individual permits. Your friend does not have to be on the boat for you to commercially fish on it. Remember, the vessel you fished on must be reported on your trip-level reports.

Q: I have a Rod & Reel permit with my boat listed on it. Can I commercially fish on another boat that is listed on somebody else's permit?

A: Yes. You may fish on your friend's boat as long as it is listed on a commercial permit. However, you may not fish on another boat that is not listed on somebody else's commercial permit.

Q: Three Rod & Reel permit holders are commercially fishing on a boat. The boat is listed on one of the permits. How do they report on their trip-level reports?

A: The three permit holders can decide how the total harvest is split between the permits, if desired. It does not have to be reported on the permit that has the boat listed on it. Regardless of how the catch is split, the vessel must be listed on all trip-level reports. Remember, all commercial finfish trip limits are per vessel and per day. It is unlawful for any vessel to land more than one trip limit of any species per day regardless of the number of permit holders aboard the vessel.

Q: I have a Rod & Reel permit and fished on two boats in the same month? How do I report a second boat used during a month on my trip-level report?

A: You should use a second trip-level report form for all the trips that took place on the second boat during the month. Please make sure to list the vessel name and registration/doc number in the appropriate fields in the top portion of the report.

Q: My friend and I both have MA commercial permits. Can we take double the trip limits if we are fishing together on a boat?

A: No. All commercial finfish trip limits are *per vessel and per day*. It is unlawful for any vessel to land more than one trip limit of any species per day regardless of the number of permit holders aboard the vessel.

Q: I have a Rod & Reel permit and will be fishing on a for-hire vessel (charter or head boat). Can I sell my catch and if so, do I name the for-hire boat I was on?

A: No you may not unless the for-hire vessel (charter or head boat) is making a legitimate commercial fishing trip and the vessel is properly commercially permitted.