



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

(617) 626-1520 | [www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)



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Director

October 28, 2025

### **Notice of Public Hearing and Comment Period**

#### **Emergency Regulations to Limit Entry into Commercial Striped Bass Fishery, Establish Striped Bass Permit Endorsement as Owner-Operator and Non-Transferable, and Update the Control Date**

Under the provisions of G.L. c. 30A, and pursuant to the authority found at G.L. c. 130 §§ 2, 80, and 104, the Division of Marine Fisheries (DMF) is taking public comment on a series of emergency regulations to amend 322 CMR 6.07, 7.01, and 7.04 relevant to the permitting of the commercial striped bass fishery beginning in 2026.

1. Establish Striped Bass Regulated Fishery Permit Endorsement as Limited Access (322 CMR 7.01). Beginning in 2026, limit the issuance of commercial striped bass regulated fishery permit endorsements to only those people who held the endorsement in 2024 or 2025.
2. Owner Operator (322 CMR 6.07 and 7.01). Require the named permit holder be present when commercial striped bass fishing is occurring under the authority of their commercial striped bass regulated fishery permit endorsement.
3. Moratorium on Transferability (322 CMR 7.01). The commercial striped bass regulated fishery permit endorsement will be established as non-transferable.
4. Control Date (322 CMR 7.04). Update the control date for regulated striped bass fishery permit endorsements from June 14, 2022 to December 31, 2025 so as to have a more current control date should future action be taken to further restrict access.

### **Public Hearing and Comment Schedule**

DMF will accept written public comment through 5PM on Friday, December 12, 2025. Please submit written comments to Director Daniel McKiernan by e-mail ([marine.fish@mass.gov](mailto:marine.fish@mass.gov)). Additionally, DMF will host a virtual public hearing on Tuesday, December 2, 2025 at 6PM via Zoom. You can register to attend this public hearing via this [Zoom registration link](#).

## Initial Small Business Impact Statement

(As required by M.G.L. c. 30A §§ 2, 3 & 5)

**CMR No: 322 CMR 6.00 and 7.00**

**Estimate of the Number of Small Businesses Impacted by the Regulation:** DMF estimates that approximately 5,000 small business obtain a striped bass permit annually. That subset of entities that did not obtain the permit in 2024 or 2025 will not be eligible to renew their permit in 2026.

### Select Yes or No and Briefly Explain

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to create, file, or issue additional reports? <b>This rule affects permit issuance and does not require new reporting requirements.</b>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? <b>This rule affects permit issuance and does not require new record keeping procedures.</b>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight? <b>This rule affects permit issuance and does not require additional administrative oversight.</b>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to hire additional employees in order to comply with the proposed regulation? <b>This rule affects permit issuance and will not necessitate the hiring of new employees for compliance purposes.</b>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, <b>This rule affects permit issuance and will not necessitate the hiring of professionals for compliance purposes.</b>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation? <b>This rule affects permit issuance and will not require capital investment to comply.</b>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.)  <b>Limiting access to this permit is a necessary first step to managing this fishery given the current status of the stock. Performance criteria may be considered as part of future rule making to amend how the fishery is managed.</b>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation? <b>There are no other duplicative or conflicting state regulations.</b>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? <b>All audits and inspections are done in accordance with M.G.L. c. 130. No additional inspections are required under this amendment.</b>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?

		<b>This rule affects permit issuance and will not require educational services to comply.</b>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? <b>This regulation will restrict access to the fishery moving forward by making it limited entry and non-transferable. However, DMF intends to develop future rules (early 2026) to establish a program for 2027 to accommodate attrition and entrance.</b>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? <b>Fishing Yes.</b> <b>This regulation will restrict access to the fishery moving forward by making it limited entry and non-transferable. However, DMF intends to develop future rules (early 2026) to establish a program for 2027 to accommodate attrition and entrance.</b>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? <b>This rule affects permit issuance and does not address reporting requirements.</b>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? <b>This rule affects permit issuance and does not address reporting requirements.</b>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? <b>This rule affects permit issuance and does not address reporting requirements.</b>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? <b>Limiting access to this permit is a necessary first step to managing this fishery given the current status of the stock. Performance criteria may be considered as part of future rule making to amend how the fishery is managed.</b>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? <b>Limiting access to this permit is a necessary first step to managing this fishery given the current status of the stock. Performance criteria may be considered as part of future rule making to amend how the fishery is managed.</b>