New England Fishery Management Council
50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492
Rick Bellavance, *Chair* | Cate O'Keefe, PhD, *Executive Director*

MEETING SUMMARY

On-Demand Fishing Gear Conflict Working Group

via Webinar
July 23, 2025

The On-Demand Fishing Gear Conflict Working Group (ODWG) met on July 23, 2025 via webinar to: continue addressing the Terms of Reference; address Term of Reference 3B by developing recommendations for the Council; receive updates regarding on-demand fishing gear related activity, as available; and discuss other business, as necessary.

MEETING ATTENDANCE: Michael Pierdinock (Chair), Ted Platz (Vice-Chair), Terry Alexander, Erica Fuller, Jennifer Goebel (GARFO), Toni Kerns (ASMFC), Henry Milliken (NEFSC), Drew Minkiewicz, Alli Murphy (GARFO), Scott Olszewski (NEFMC), Marc Palombo, Ross Pearsall, Erin Wilkinson (NEFMC), Renee Zobel (NEFMC) (ODWG members); Emily Bodell, Robin Frede, David McCarron, Alex Dunn (NEFMC Staff); Sam Duggan (NOAA Office of General Counsel); Brian Galvez (NEFSC), Caroline Potter (GARFO) (Presenters). In addition, about 34 members of the public attended.

KEY OUTCOMES:

- The working group received a presentation on the joint alternative gear-marking framework and an update on upcoming Atlantic Large Whale Take Reduction Team work.
- The working group followed up on several topics from the April 29th ODWG meeting and began developing recommendations to include in the TOR 3B report due to the Council in September.
- The ODWG drafted a series of consensus statements that will be revisited at the August 26th ODWG meeting.

Chair Pierdinock opened the meeting at approximately 9:00 am. There were no changes to the agenda. Working group members introduced themselves, including Renee Zobel, the new Council representative on the working group in place of Cheri Patterson, who retired earlier this year.

AGENDA ITEM # 1: UPDATES REGARDING ON-DEMAND GEAR-RELATED ACTIVITY (GARFO STAFF)

Alternative Gear-Marking Framework: Caroline Potter (NOAA GARFO) presented a brief overview of the joint alternative gear-marking framework being developed by the NEFMC and

MAFMC. The Councils are anticipated to take final action on the framework in September (NEFMC) and October (MAFMC).

A working group member asked if any fishermen were being denied letters of authorization (LOAs) for trialing on-demand gear. GARFO staff explained that fishermen are trialing gear under exempted fishing permits (EFPs) rather than LOAs. NEFSC staff stated that the gear research team is continuing to bring on new fishermen as long as they have resources/equipment available. EFPs are necessary because on-demand gear does not have surface markings and therefore does not comply with current gear-marking regulations. The working group member asked if an LOA could do the same thing as an EFP but faster. GARFO staff noted that there are a few different ways to authorize various fishery actions, including LOAs. The working group member also asked if this process would make it easier to implement closures that only allow on-demand gear. GARFO staff explained that the framework would provide a pathway for fishermen to continue fishing in vertical line restricted areas but would not make it easier to implement closures.

A working group member noted that Alternative 1B seemed to be the most flexible, but that there could be some restrictions, and asked if those would be determined by the Regional Administrator (RA). GARFO staff confirmed that those decisions would be made on a case-by-case basis by the RA. They also confirmed that Alternatives 1C and 1D would apply to current and future Take Reduction Plan vertical line closure areas, and that the alternatives would apply to any type of vertical line closure (dynamic closures, one end ropeless, etc). A working group member suggested including more details on the RA's authority and the decision-making process for things like approving various alternative gears. Another working group member felt that the more spatially distinct alternatives might be good options and suggested getting more input from fishermen on whether they would opt to use on-demand gear or not. GARFO staff also clarified that the framework would not place any restrictions on the mobile fleet.

There was a question about the capacity to transition to wider use of on-demand gear. NEFSC staff relayed that they are working with nine different manufacturers, and that some could ramp up production but would need more information on the market to begin that process. At this point, it is difficult to determine what the market will look like. The working group member stated that it would be helpful for the ODWG to hear from gear manufacturers. They also felt that alternative 1C would be a good first step, noting that they do not foresee a complete switch to on-demand gear in the near term. There was a question about how the educational requirement would work. GARFO staff explained that there are several potential options for an educational requirement, but it is not currently defined because determining how it should be structured depends, in part, on the type of gear-marking alternatives that are approved.

A member of the public asked for clarification on the timing element of functional equivalence. GARFO staff noted that the PDT/FMAT discussed the need for markings to be real time, including removing markings from the visualization tool once gear is removed from the water. NEFSC staff stated that they have been approached by groups who are interested in promoting on-demand caught lobster – the full benefit of this would not be available if gear was restricted to particular areas. Another working group member explained that the National Marine Fisheries Services uses an approval process for vessel monitoring systems (VMS), but it is a burdensome

process. They also noted that the cost of on-demand gear remains high. GARFO staff noted that VMS is one example of technology that NOAA Fisheries approves, but the electronic vessel trip reporting (eVTR) approval process may be a closer comparison to the potential on-demand gear approval process. Information for developers regarding requirements and industry guidance on what is needed to electronically report is available on a NOAA website. A member of the public stated that Sub Sea Sonics is in the process of scaling up with west coast fisheries, with some systems ranging from $900-$1,300, and flagged that the west coast Dungeness crab fishery is also working on developing on-demand gear.

Atlantic Large Whale Take Reduction Team (ALWTRT): Jennifer Goebel (ALWTRT Coordinator) relayed that the ALWTRT's timeline has been moved back approximately a year, with the ALWTRT scheduled to meet in November 2026 to begin deliberations. The National Marine Fisheries Service is still on track to develop and publish a final rule with an effective date of December 31, 2028. There were no questions or comments on the timeline.

AGENDA ITEM #2: ADDRESSING TERM OF REFERENCE 3B (EMILY BODELL, COUNCIL STAFF)

Satellite Connectivity Costs and Options

NEFSC staff provided a brief overview of a recent report titled "Unlocking Ropeless Fishing: A Satellite-Driven Path to Sustainable Fisheries". Overall, the report found that Starlink is the best option for on-demand gear applications at this point. Council staff also presented some additional information and questions about accessing on-demand gear data.

A working group member who uses Starlink on their vessel stated that their costs were higher than those listed in the report, noting the unit and hookup costs also need to be considered. NEFSC staff explained that even high use of on-demand gear would not exceed 50% of data on a vessel. Another working group member felt that the group should focus on the cost of getting hardware on a vessel and the data used for on-demand gear, noting that additional data use is beyond the scope of the working group's discussion. A working group member asked about cancelling Starlink for periods of time, such as when a vessel is docked for a few months. It is possible to cancel and restart service as needed. The Chair asked if there were any connectivity issues using Starlink in the on-demand gear trials. NEFSC staff have not heard of any issues other than dropped calls when transitioning between satellite areas, with another participant confirming that the technology works well overall for on-demand applications. Another working group member noted that a recent report found that if there were more than 7 users per square mile, they could lose service, which would not be effective in scallop access areas where fishing effort is concentrated. A working group member who uses Starlink observed that it has worked well in offshore areas. A member of the public from Blue Ocean Gear stated that the company is working on a system that uses Iridium for internet. A cost analysis should be available for the Ropeless Consortium in the fall, but it will likely be less expensive than Starlink.

In response to the additional discussion questions, the Chair stated that cell phone service generally works 4-5 miles offshore, while another working group member noted that cell phones may not be a dependable option even inshore. One limitation of the EarthRanger app is that internet connectivity is required for use, though NEFSC staff noted that an offline version is in development that would allow the user to download locations in a certain radius and view them

as they move around. A member of the public pointed out that the Sub Sea Sonics app has a public version that loads data for use offline within a certain radius of the vessel's position.

A working group member asked if acoustic signaling is still an option under consideration. Another working group member stated that while it has not been taken off the table, there are substantial costs associated with installing transducers on all vessels. If users are interested in acoustic technology, it could still be pursued. A working group member explained that the necessary visibility distance of on-demand gear depends on how quickly a vessel is moving and what distance provides a reasonable heads-up that gear is there. Another working group member noted that using digitally marked gear and satellite connectivity would allow for seeing gear at a designated distance rather than relying on a transducer which needs to be fairly close to gear to detect it.

A working group member felt that the need for real-time data depends on where on-demand gear is in use. For example, in high gear density areas, real-time data might be more critical. Another member noted that enforcement and many commercial fisheries have expressed a preference for real-time data to minimize gear conflict. For commercial fisheries, it seems clearer which user groups need real-time data, but it is unclear what portions of the recreational fishery in federal waters might be coming into contact with the seafloor and possibly on-demand gear. The Chair also pointed out that anchoring could result in gear conflict, likely more in inshore areas.

Council staff clarified a question about accessing data, asking whether there might be differences in cost if vessels were not continuously receiving data. NEFSC staff explained that there are some tests occurring with Iridium data plans, but the amount of data used makes it less applicable for on-demand gear users. A working group member suggested possibly identifying a certain level of connectivity or continuous awareness of gear location that providers would be required to meet. A working group member also noted that the risk of gear conflict for various user groups should be considered – high risk users might want real time data, while lower risk would not require constant connectivity.

Potential On-Demand Fishing Gear Activity

Council staff presented several slides with some background information and a few discussion questions on the potential footprint of on-demand fishing gear, noting that past or current fixed gear use is not necessarily equivalent to future on-demand use for a variety of reasons. GARFO staff provided vertical line estimates for lobster/Jonah crab and gillnet/other trap/pot gear in Atlantic Large Whale Take Reduction Plan restricted areas.

A working group member stated that on-demand gear is essentially fished the same way as traditional gear, with another noting that there has been no indication that fishermen would fish differently using on-demand gear. Another member flagged the maximum trawl lengths in regulations, which would apply to on-demand gear as well. A working group member explained that vessels are typically configured to fish a certain number of traps or strings. A member of the public noted that the Maine Department of Marine Resources is trialing some on-demand gear with larger lift bags that could have the potential for a longer groundline.

With regards to the lobster landings map shown in the meeting, a working group member clarified that vessel trip reporting in the lobster fishery was not mandatory until 2024, so it may not be entirely representative of lobster fishing effort. Another working group member also caveated that it did not accurately reflect Gulf of Maine lobster fishery activity. The working group member also noted the different trap/trawl minimums in Maine lobster management zones in addition to federal regulations.

Vessel Maneuverability and Requirements for Visibility

Council staff provided a brief overview of past ODWG discussions about the window of visibility various vessels might need to see on-demand gear. A working group member expressed interest in hearing from industry members, noting that the visibility window can be modified. A working group member stated that with mobile gear, they could likely safely pass within ¼ mile of fixed gear if they are aware of locations ahead of time. It would be helpful to see at least 1-1.5 miles ahead while actively fishing in order to plot a course, but that would depend on the amount of gear in the water and other factors. Vessels also need adequate time to maneuver and to ensure that they are not fouling towed gear. A working group member asked if the NEFSC gear research team has trialed different viewing distances with mobile gear participants. NEFSC staff explained that they have always used a 5-mile radius, but that was selected as a proxy for current buoy viewing distance and could be changed. Another working group member/NEFSC staff noted that the mobile fleet has expressed interest in a larger viewing distance. A working group member relayed concerns from the fixed gear fishery about other users being able to see gear locations from shore. NEFSC noted that the viewing range could vary user to user if desired. Others felt that it would be helpful to see gear locations further out to plan where to fish or areas to avoid. A working group member asked the fishermen in the meeting how far away they can see traditional buoys in ideal fishing conditions. A working group member noted that it varies, but generally they can see 4-5 miles using radar. Other working group members agreed that being able to see further could be a benefit to using the gear.

A member of the public asked how much time and space is needed to maneuver a vessel once gear is deployed. One working group member stated that they need about 2 miles of clear bottom to fully turn gear around, and would be comfortable setting gear if they had a 5-mile viewing radius. Another working group member noted that it depends on the size of the vessel and what they are towing. Others suggested reaching out to the Council's Advisory Panels for more input on this topic. A working group member asked how different detection/viewing radiuses would work for vessels with multiple permits. GARFO staff explained that it may be helpful to have one standard to avoid potential complications, but recognized the desire to balance the needs of different fisheries.

Strategies for Alerting Vessels to On-Demand Gear Presence

Council staff reviewed some past ODWG discussion on various strategies, including pre-trip notifications, geofences, letters to permit holders, and a universal marking/detection system. A working group member stated that pre-trip notifications may not be a viable option for the scallop fishery, where vessels already have various trip and other restrictions. It also may not add much of a benefit if there is real-time data on a chart plotter or app. Another working group member agreed, noting that the groundfish fishery is also subject to pre-trip notifications, and they would not want to further limit themselves in terms of fishing areas. The Chair also

explained that a pre-trip notification or geofence option would not work for the recreational fleet, which does not have these requirements.

TOR 3B Report Discussion, Develop Recommendations

Council staff reviewed TOR 3B as well as some background slides to help the working group with developing recommendations, including a few topics of discussion at past ODWG meetings such as a universal marking and detection system, gentlemen's agreements, and other communication strategies.

A working group member was interested in hearing from the industry about gentlemen's agreements and the potential to solidify them. There are some agreements in place already, though some vessels come from outside of the area and may be unaware of these agreements. Another member noted that existing agreements are working, and cautioned against creating more regulations. A member of the public pointed out past agreements between the lobster and groundfish fleets on Georges Bank, noting that a more recent attempt to develop additional agreements was not successful, and that the industry tends to work out these issues on its own. A working group member agreed that the industry could work out agreements without the need to create any additional regulations. Another member suggested bringing this question to the APs as well, and others agreed. Council staff offered some clarification about the timeline of the TOR 3B report and alternative gear-marking framework, both of which are being presented to the Council in September. A working group member recognized that the timing of making recommendations might be difficult given that the outcome of the alternative gear marking framework could impact recommendations.

The working group began to develop a few consensus statements regarding recommendations. A working group member suggested a consensus statement around the lack of support for using a pre-trip notification and formalizing gentlemen's agreements. Others were interested in discussing gentlemen's agreements further or were hesitant to count them out as an option, while some working group members noted that current agreements are effective and that it may not be necessary to formalize them at this point. A working group member noted that gentlemen's agreements may work better in discrete areas. Another working group member pointed out that the gear conflict amendment could be used to address issues if gentlemen's agreements are not working. A working group member suggested a change in wording, noting that the idea was to leave existing gentlemen's agreements to the fisheries. The working group separated the ideas about using pre-trip notifications and gentlemen's agreements into two consensus statements that are in draft form and will be revisited at the ODWG's August meeting.

A working group member suggested another consensus statement recommending the use of a universal marking and detection system, where "universal" would mean that vessels could see gear from all manufacturers on one system/platform. A member of the public asked for clarification on what is meant by "detection system", noting that it might be helpful to have some language around the system that displays all on-demand gear location information from all manufacturers. Another member of the public suggested adding "digital" to "gear marking", while another felt that "at this time" was ambiguous and suggested moving the phrase.

The draft consensus statements as discussed are provided below. The working group intends to revisit these statements at the next ODWG meeting.

- The ODWG is not supportive of implementing a new pre-trip notification for the purposes of reducing gear conflict at this time.
- At this time, the ODWG is not supportive of developing regulations that would replace (codify?) existing gentlemen's agreements. This would allow fisheries to continue to operate as they have been with existing gentlemen's agreements.
- The ODWG recommends the use of a universal (digital?) gear marking and detection system (that would display on-demand gear location from all manufacturers?) to address on-demand fishing gear conflict.

AGENDA ITEM #3: OTHER BUSINESS

With no other business, the On-Demand Fishing Gear Conflict Working Group meeting adjourned at approximately 1:06 pm.