



## New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492

Daniel Salerno, *Chair* | Cate O'Keefe, PhD, *Executive Director*

December 18, 2025

Mr. Michael Pentony  
Regional Administrator  
NMFS, Northeast Regional Office  
55 Great Republic Drive  
Gloucester, MA 01930

RE: Comments on NEFSC On-Demand Gear EFP (90 FR 55849)

Dear Mike:

On behalf of the New England Fishery Management Council (Council), I have reviewed the December 4, 2025 Federal Registry notice for an exempted fishing permit (EFP) that would allow for the continuation of Northeast Fisheries Science Center (NEFSC) efforts to trial on-demand fishing gear. As noted in Council comments on earlier NEFSC EFP applications (see comments dated June 30, 2023 and June 3, 2024), we have concerns about potential interactions between on-demand gear and other gear types, including the mobile, fixed, and recreational fleets.

The Council is appreciative of efforts to expand communications “to the broader fishing community, managers, and partners”, as well as the continued testing of the EarthRanger platform with vessels other than those fishing with on-demand gear. Given the potentially large geographic scope of EFP activity, it is imperative that communications are clear, frequent, and target all relevant user groups. Presentations from NEFSC Gear Research Team staff at Council Advisory Panel and On-Demand Fishing Gear Conflict Working Group meetings have been helpful forums for raising awareness about these projects and provide opportunities for industry members to ask questions. We recommend continuing to conduct outreach efforts to ensure that all user groups, including members of the fixed, mobile, and recreational/charter fleets, are aware of on-demand fishing activity to reduce potential gear interactions.

As noted in prior comments (see letter dated June 3, 2024), increased scallop fishing effort in Area I (Closed Area I), which overlaps with the Great South Channel Restricted Area, is of particular concern for gear conflict between scallop vessels (both commercial and survey vessels) and on-demand gear. Substantial scallop fishing effort is expected in this area in fishing year (FY) 2026. While this area would be open to scallop day-at-sea (DAS) fishing beginning only on May 31, 2026, up to 165 Limited Access scallop vessels could be expected to fish in Area I between April 1, 2026 and May 30, 2026 to harvest their remaining FY 2025 access area allocations. Communication with the scallop fleet, including survey vessels, should be included

in the expansion of communication efforts. In addition, periodic reports on EFP activity and progress should be provided to the Council along with the public.

Please contact me with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cate O'Keefe".

Cate O'Keefe  
Executive Director