



New England
Fishery Management
Council



July 10, 2026

Mr. Michael Pentony
Regional Administrator
Greater Atlantic Regional Fisheries Office
NOAA Fisheries
55 Great Republic Drive
Gloucester, MA 01930

Dear Mike:

During the recent June New England and Mid-Atlantic Fishery Management Council meetings, both Councils passed the following motion:

“to develop a letter to NMFS-GARFO requesting additional information on the effectiveness of current Harbor Porpoise Take Reduction Plan measures and whether modifications could reduce negative socioeconomic impacts on relevant fisheries, consistent with concerns raised during the spring 2026 monkfish and skate listening sessions”

Impetus for Request: In April 2025, [Executive Order 14276](#) titled “Restoring American Seafood Competitiveness” was issued to reduce overregulation in the seafood industry, including actions to “stabilize markets, improve access, enhance economic profitability, and prevent closures.” Evaluating the current Harbor Porpoise Take Reduction Plan measures would help our continuing efforts to address Executive Order 14276 in light of recent input from fishermen.

The Councils held listening sessions in April and May to solicit comments on ideas for fishery improvements in the monkfish and skate fisheries. These sessions were designed to identify the challenges the monkfish and skate fishing sectors are grappling with and to identify possible management measures for the Council to address those challenges in the future. During these sessions, Council staff repeatedly heard comments from participants in the Mid-Atlantic region that regulations designed to prevent harbor porpoise interactions with commercial fishing gear may now be outdated or unnecessary in some areas and are adversely affecting fishing operations, including monkfish and skate commercial fishing. The concerns raised pertain to the closures in the Mid-Atlantic region. Specifically:

- Participants raised concerns about protected species regulations, particularly regarding sturgeon measures and harbor porpoise closure areas. Closures may be outdated as harbor porpoise distribution has shifted further north, and we received a comment indicating that zero porpoises were caught last year in the Mid-Atlantic region.
- Industry members did not think it was efficient to fish for a couple of weeks in the spring when monkfish were closer to shore and then haul gear out and back, with potential interactions with sharks, to accommodate the April harbor porpoise closure off the coast of New Jersey. A couple of commenters further described that sharks are arriving earlier, bringing a new additional restriction to fishing operations. Note, there is also a harbor porpoise closure earlier in February through March, as well as a turtle closure; taken together, these various closures result in limited fishing opportunities.
- Another person suggested requiring observers and/or pingers instead of closures so that they can keep fishing.

Specific Joint Council Request: The Councils request that the Take Reduction Team (TRT) provide or review several updates and information/data during the next annual monitoring meeting (and/or as follow up), tentatively scheduled for October or November 2026, and an update on observer coverage in the Mid-Atlantic and Northeast regions. Requested information includes:

- Updates on harbor porpoise population/abundance estimates and the trend in distribution shifts. During the last annual monitoring update in 2024, the TRT discussed the trend in distribution shift of harbor porpoise from the Mid-Atlantic to the Northeast, and future planned survey efforts to track harbor porpoise distribution.
- Harbor porpoise take data by 1) fishery (monkfish and skate fisheries; spiny dogfish; other gillnet fisheries), 2) statistical area, 3) month, and 4) year; and an update on observer coverage in the Mid-Atlantic and Northeast regions. During the 2024 monitoring update, the data showed that there was zero observed bycatch for the Mid-Atlantic in recent years and that updates would be provided during the fall 2026 monitoring update on bycatch estimate methodology research given the low observer coverage in the Mid-Atlantic and low catch. Given this request may result in data confidentiality issues, Council staff would appreciate confidential versions of the data and technical analyses (versus aggregate versions that will be presented to the TRT) to fully understand the magnitude, spatial, and temporal resolution of any bycatch interaction concerns.
- Evaluation of other available science, data, information from the states, NEFSC, fishery dependent data, miscellaneous ocean planning surveys (such as offshore wind surveys), exempted fishing permit (EFP) data, etc. to help inform whether, and to what extent, the current closures mitigate harbor porpoise takes. The Councils are interested in understanding what information and data are needed to potentially modify or rescind the current closures.
- Discussion on potential alternative management measures that could be implemented in lieu of the existing closures in the Mid-Atlantic region. Alternatives might include pinger requirements, higher observer coverage, etc. The Councils are interested in understanding the feasibility for a stepwise approach for the TRT to consider removing, conditioning, or modifying closures. We recommend working with the gillnet fishing industry directly to evaluate tradeoffs of potential alternatives. While there are fishing industry representatives on the TRT, broader outreach may be warranted.
- Investigation of opportunities to conduct scientific research on MMPA species interactions through exempted fishing permits, cooperative research, enhanced monitoring, or other appropriate mechanisms. The Councils are especially interested in research that could help evaluate current harbor porpoise bycatch rates by fishery in the closure areas.

Thank you in advance for considering these requests. Please contact us if you have any questions.

Sincerely,



Dr. Cate O'Keefe
Executive Director



Dr. Chris Moore
Executive Director