



New England Fishery Management Council

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

September 15, 2025

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

RE: Comments on ME DMR 2025 On-demand EFP (90 FR 42566)

Dear Mike:

On behalf of the New England Fishery Management Council (Council), I have reviewed the September 3, 2025 Federal Registry notice for an exempted fishing permit (EFP) that would allow for testing of alternative gear retrieval systems as well as gear geolocation technology to help minimize the risk of large whale entanglements in trap/pot and gillnet gear in the Gulf of Maine. The Council remains supportive of testing on-demand and other alternative fishing gear to reduce risk to large whales; however, gear testing efforts utilizing experimental trap/pot and gillnet gear may lead to increased interactions with other gear types, which should be considered in the review of pertinent EFPs such as this one. The Council continues to highlight the potential for gear interactions and the impacts they could have on Council-managed fisheries operating in the Gulf of Maine. We have also reviewed and commented on ME DMR's previous EFP applications (see comment letters dated [June 22, 2023](#) and [March 26, 2024](#)), and continue to support the recommendations made in these earlier comment letters, including: developing and implementing a communications plan to alert the public of EFP fishing activity; expanding trials of marking systems to mobile vessels (consistent with project objective 6); and, if law enforcement vessels use the technology, providing a report on the process to offer insights on the enforceability of on-demand fishing gear. The Council appreciates the steps listed in the EFP application to address potential gear conflicts, such as weekly mandatory gear loss reporting and providing updates through the ME DMR website for public awareness of EFP fishing activity.

Please contact me with any questions.

Sincerely,

Cate O'Keefe
Executive Director