



New England Fishery Management Council

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SUMMARY

Joint Alternative Gear-Marking Framework Public Engagement Session

Wakefield, MA and Webinar

August 26, 2025

MEETING ATTENDANCE: Allison Murphy, Caroline Potter (GARFO Staff); Emily Bodell, Robin Frede, David McCarron, Alex Dunn, Dr. Cate O'Keefe (NEFMC Staff); Hayden Dubniczki (MAFMC Staff). In addition, about 39 members of the public attended.

The New England Fishery Management Council (NEFMC), in coordination with the Greater Atlantic Regional Fisheries Office (GARFO), hosted a public engagement session to offer the public an opportunity to learn more about, and provide comments on, the joint alternative gear-marking framework action. The session began with a presentation from GARFO staff on the framework, followed by a question-and-answer period. There were no questions on the presentation. Council staff noted their plan to provide a written summary of comments to the Council before the September Council meeting. Six individuals provided comments on the framework.

A commenter from the Massachusetts Lobstermen's Association was generally opposed to all buoyless fishing. They felt that the framework action would result in inequities between fishermen due to the cost of alternatively-marked gear, which may only be accessible to those who can afford it. They felt that this was a step in the direction of the whole Gulf of Maine or even eastern seaboard being fished without buoys. Massachusetts Division of Marine Fisheries had completed a report on the economics of on-demand fishing, and the commenter felt that on-demand fishing may not be economically feasible for fishermen. Finally, they expressed some concerns about gear conflicts, particularly about a potential lack of accountability if gear is damaged.

A commenter with no stated affiliation was in support the framework action, particularly alternatives 1B and 2B. The framework would provide fishermen with an alternative to current surface marking requirements, reducing the current barrier to fishermen who want to fish in vertical line closure areas. Alternative 1B would also allow for future dynamic management outside of existing static closures should that be needed, such as removing buoy lines from one or both ends of a trawl to reduce entanglement risk. They preferred Alternative 2B in part because fishermen currently participating in alternative gear marking research have benefitted from training that allows them to adapt the technology to their vessels and operations. They felt that manufacturers should be encouraged to provide this training, as well as post-installation support for gear users. The action also focuses on alternative gear marking requirements rather

than on on-demand gear itself. While the action would not immediately result in implementation, it would pave the way for using virtual geolocation alternatives, and, in addition to providing fishing opportunities, would support the ability to develop a successful dynamic approach for protecting North Atlantic Right Whales. If dynamic management is implemented and demonstrably reduces risk to large whales, it could reduce the need for additional management measures such as modified or expanded static closures, and reduce the risk of serious injury and mortality events. The framework would not require fishermen to change their current gear marking methods if they are adhering to seasonal closures. They also supported additional outreach, particularly to the lobster fishery, but noted that there have been opportunities to engage throughout the development of the framework. Lobster fishermen and representatives have also been engaged in the Take Reduction Team process, on-demand gear testing, and other meetings and workshops.

A commenter representing the Conservation Law Foundation supported Alternative 1B. While the organization's position is not that ropeless fishing should be required everywhere all the time, allowing the gear in all federal waters would offer the most benefit for protected species as well as a chance for increased fishing opportunities in current and future closure areas. This would also allow access to areas where fishing is otherwise less possible because of gear loss in shipping lanes or ferry routes. They noted that the rulemaking process can also take some time, so allowing alternative gear marking in all federal waters would increase the flexibility NOAA Fisheries has to protect both whales and the fishery, including through dynamic management.

A commenter from the Massachusetts Division of Marine Fisheries (MA DMF) recommended a delay in implementation of the framework to allow for more time to conduct outreach with the mobile and fixed gear fisheries. They noted that Massachusetts is the most impacted state under the current Atlantic Large Whale Take Reduction Plan, but they did not think it was fair to say that there is a large contingent of lobstermen in the state that were aware of this meeting or the contents of the framework. If the framework were to move forward, MA DMF would be supportive of Alternative 1C, which limits the use of alternative gear marking to vertical line closure areas under the Atlantic Large Whale Take Reduction Plan during closure seasons. They were supportive of providing fishermen who are otherwise closed out of those areas the opportunity to fish if it is economically viable to do so, but only under the condition that the area had previously been closed to vertical buoy lines. They also encouraged mandatory use of virtual gear marking technology for fixed and mobile gear vessels, and urged NOAA Fisheries to develop minimum standards for implementation to minimize gear conflicts. They expressed support for training for fishermen on the virtual gear marking technology, but did not believe that training needs to be mandatory. Finally, the commenter encouraged NOAA Fisheries and the Council to work with states to conduct additional outreach and to engage with the lobster fishery.

A commenter, a member of the ASMFC's Lobster Advisory Panel from New Hampshire and Atlantic Large Whale Take Reduction Team member, expressed their opposition to the use of on-demand gear in the lobster fishery and felt that it would eventually lead to the industrialization of the fishery. The only vessels participating would be those that are large enough to handle the quantity of gear required to be successful. It could also restrict access to more areas by the small boat fishery. While the commenter disagreed with some of the conclusions regarding on-demand fishing gear's efficacy for risk reduction, they acknowledged

the need to allow fishermen to access closed areas during closure seasons if possible. They recommended adopting Alternative 1C, which would open areas to fishing without encouraging the industrialization of the fishery.

A commenter from Maine Center for Coastal Fisheries stated that no lobster fishermen they had communicated with were aware of the meeting, and felt that it was a missed opportunity to engage fishermen in the regulatory process that will impact them. They felt that taking action on the framework before the visualization technology or enforcement of on-demand gear violations are clarified is premature. Allowing ropeless fishing in all federal waters in the Northeast would enable fishermen to fish undetected in other zones or states. Between equity concerns and the lack of clarity around how the technology would work and be enforced, the commenter felt moving forward with the action was premature.

With no further comments, the public engagement session concluded around 5:04 pm.