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New England Fishery Management Council

MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

Summary of Comments

from Advisory Panel members and public

on

Vessel Baselines

June 2026

Prepared by the Vessel Baselines Workgroup of

New England and Mid-Atlantic Fishery Management Council staff

and Greater Atlantic Regional Fisheries Office staff

Corrections made 6/8/2026 to add two written comments

Key Points and Recommendations from Comments

- It can be very challenging to find suitable replacement vessels and engines under the current baseline restrictions for permits with smaller baselines.
- The baselines create challenges for safety at sea for smaller vessels.
- There is no one size fits all solution to vessel baselines. The considerations vary greatly by fishery, vessel size, and gear type.
- Vessel baselines impact the value of permits, with larger baselines having a higher value. Permits are an investment, and removing the baselines would devalue some permits and negatively impact those who have invested heavily in their permits.
- Catch is constrained by other factors besides the vessel baselines, including gear type, quotas, possession limits, and other management measures. However, these constraints vary by fishery.

- If the Councils initiate an action, options to revise the baseline restrictions could include:[1]
    - Remove the horsepower restrictions, at least for some fisheries (e.g., static gear fisheries, ITQ fisheries).
    - Provide more flexibility for smaller vessels, such as:
        - Define a small size class of vessels which would not be subject to the baseline restrictions, or
        - Allow the smallest and lowest horsepower vessels to increase to a certain extent. Suggestions included allowing all vessels to increase to 35, 40, or 45 feet and to 350, 400, or 600 horsepower. The up to 10% increase in length and 20% increase in horsepower would be allowed on top of this minimum length and horsepower
    - Allow permit splitting.
    - Allow the least, rather than the most, restrictive baseline to apply.
    - Establish a new permit type, like the groundfish Handgear A permit, to exempt hook and line fisheries from the vessel baselines.

Introduction

The Mid-Atlantic and New England Fishery Management Councils (NEFMC and MAFMC) are evaluating vessel baseline restrictions to inform whether to prioritize a future management action to consider possible modifications. The Councils held three joint public webinar meetings for all Advisory Panels (APs). There were two meetings on May 21 and one meeting on May 26. During each meeting, members of the Vessel Baseline Workgroup briefly presented on the baseline regulations, fishing vessel data, and questions to prompt discussion. The meetings then opened to answer questions and receive input from AP members and the public. The meetings were run by Council staff, a quorum of AP members was not necessary, and formal AP recommendations were not made at this preliminary stage. This report summarizes input provided during the AP meetings and written comments received by the deadline of May 29, 2026. This report does not respond to the comments.

Description of Commenters

A total of 85 individuals attended the AP meetings, including 34 members of a Council Advisory Panel, 23 members of the public, 6 Council members, and 22 staff from the Councils, NOAA, or

[1] This list represents the recommendations of individual advisors and members of the public. These are not consensus recommendations from the advisory panels.

state agencies. Verbal comments were received from 22 AP members and 8 members of the public across the meetings. Meeting participants are further described in Appendix I.

Five written comments were received during the comment period (Appendix II).

AP Member Comments During AP Meetings

Challenges with Vessel Baselines

Advisors were asked what challenges they personally faced when replacing or modifying vessels or engines under the baseline restrictions. As described in more detail below, 10 advisors described challenges they personally faced and 5 advisors described challenges faced by others they knew. It was not always the case that these advisors opposed having some baselines in place.

Relinquishing Permits

Four advisors said they have had to relinquish permits to replace vessels. One of these advisors said the requirement to carry an observer was especially challenging on their 19 foot boat, which contributed to their decision to give up their permit.

One advisor described purchasing a new permit this year and needing to decide between dropping a permit or using a lower baseline. They decided it was most worthwhile to keep the permit but lower their baselines.

Ability to Modify Vessels

One advisor described challenges refitting their boat after it almost sank in 2013, noting that prices for new engines are astronomical and it took their family until last year to pay off the line of credit to add two remanded engines to the boat. Ultimately, they had to purchase two replacement engines due to the baselines, which took seven months to complete. They would have rather purchased just one which would have been far more economical. This advisor also said some businesses which repair boats have closed, which forces vessel owners to travel further when they need work done. This also limits options for getting vessel or engine repairs, modifications, or replacements done at a reasonable price.

One advisor summarized challenges the small boat commercial hook and line fishery in New Jersey has faced with replacing or modifying vessels and engines. For example, three fishermen had to reduce the horsepower of their engines when the permits were transferred to a second owner. Another had to reduce their boat by inches just to fit within the baselines.

Finding Replacement Vessels or Engines

Six advisors said it is challenging to find suitable vessels or engines under the baseline restrictions. Two advisors emphasized that the baseline restrictions pose challenges for replacing aging vessels. However, another advisor said this is less of a challenge for vessels with larger baselines compared to those with smaller baselines. For example, some pelagic fisheries have

been able to modify larger factory trawlers that originally came from Alaska for use on the East Coast under the baseline restrictions. These boats are younger than the averages shown during the AP meetings, around 20 years old rather than around 40 years old.

One advisor who works for a company that operates several vessels in multiple fisheries with a variety of baselines said they are regularly looking but struggle to find vessels that are suitable for their fisheries.

One advisor said the 10% restriction on length isn't much for smaller vessels. It was challenging to find a replacement the two times they swapped out vessels. They have seen people make extreme changes to their boats, like cutting off parts, to make the length restrictions work.

Two advisors described challenges of individuals with lobster vessels, which do not have vessel baselines, attempting to get into fisheries that do. There can be mismatches between the lobster vessel specifications and what is allowed for the permits with baselines. This can make it challenging to find permits with baselines that fit with their current vessels.

Five advisors said modern engines are very different from when the baselines were established. This poses challenges for finding engines that fit the baselines. One advisor said vessel owners need to consider things like tuning down, not repowering, or getting a used engine. Another advisor said a modern 300 horsepower engine can't move a boat in some cases. Another advisor said they've seen a permit with a 180 horsepower baseline, but it's impossible to find a modern 180 horsepower engine that will last. Another advisor said modern smaller engines are more geared towards recreation, not commercial fishing. When commercial vessels are forced to use these engines, they don't last as long.

Two advisors spoke to how ship building has greatly decreased in the U.S. in recent decades, which limits the availability of affordable new vessels, irrespective of the baselines. Both advisors also agreed that in prior decades it was easier to afford new vessels because quotas or profits were higher. One advisor said commercial fishery profits are at their lowest in the history of fishing in this region, as shown in the annual state of the ecosystem reports.

One advisor said many vessel owners are forced to replace old vessels with other old vessels because new vessels aren't affordable. They said this is true for both small and large boats, with most of the large fishing vessels being built in the 1980s and early 1990s. Many restrictions limit the availability of new vessels, including the Jones Act, Coast Guard restrictions, and American Bureau of Shipping requirements. Compared to other countries, new commercial fishing vessels in the U.S. are much more expensive. For example, this advisor said new vessels in the European Union are one third of the cost here, and even lower in other countries with less restrictions. This advisor said relaxing the vessel baseline restrictions alone would simply have more people replacing older vessels with larger old vessels. Thought needs to be given to how to make it more feasible to build new boats. For example, the Jones Act could be waived to allow imports from other countries or the federal government could help finance new boat building in the U.S. They

noted that the current federal administration has an office of ship building and recognizes the need to modernize boats. Another advisor agreed that U.S. fishermen should be able to buy vessels from Canada or Europe.

Safety

Seven advisors were concerned about how the current vessel baseline restrictions impact safety at sea, especially for smaller and/or older vessels. Two advisors said safety at sea is less of an issue for larger, higher horsepower vessels as they are already capable of safely operating farther offshore and for longer periods of time.

One advisor who uses multiple gear types and has permits in multiple fisheries said their vessel is currently maxed out with its baselines. This advisor mostly targets monkfish and skates. They used to target both species in the summer and fall; however, as of about 5 years ago, it is no longer safe to participate in the fall fisheries because they take place farther offshore. They essentially lost their ability to participate in the fall fisheries because they can't upgrade their vessel under the current baselines. When they have attempted to fish farther offshore in the fall, they struggled to catch up to the fish and didn't feel safe with weather conditions. If they could upgrade, they would be better able to use their multiple permits to their best potential.

Two advisors said they know of multiple lives that have been lost due to fishing on vessels that were smaller than was safe for the conditions. One advisor said safety at sea should be the primary consideration and the Councils should document how many lives have been lost since the Councils were created in 1976. They requested this include the number of vessels and the number of crew lost due to all causes each year from 1976-2025.

Four advisors noted that several fisheries now take place further offshore than they used to. One advisor said fishermen now need to spend more time in the ocean and work harder to make a living. Therefore, many smaller and lower power vessels need to increase in size or horsepower to fish safely.

Administrative Complications

One advisor summarized their experience getting back into commercial fishing about eight years ago after fishing as a kid. This advisor has bought, sold, and upgraded vessels and put permits in Confirmation of Permit History (CPH). This advisor said trying to get back into commercial fishing while doing it safely and making an income has been frustrating with the baseline restrictions. They had to do motor work, add bulkheads, and change the structure of the boat to ensure they fit with the permits, and also needed naval architects to confirm the measurements. This work can be costly.

One advisor described the situation of friends who had trouble finding suitable replacement vessels because their vessel size was not properly documented. Their corrected baseline length was lower than what their original paper work indicated. Another advisor said they personally faced a similar issue with inaccurate documentation that needed to be corrected through a survey

by a marine architect, which was an expense.

Cost/Benefit Trade-Offs

Advisors were asked what cost/benefit trade off considerations are typically made to determine if an upgrade is worthwhile. For example, how close a vessel would be to its maximum length/horsepower that pursuing an upgrade is unrealistic. Seven advisors spoke about trade-offs without providing specific length or horsepower ranges to answer this question. Instead, they said the considerations vary greatly based on the fishery, size of the vessel, gear type, and reason why an upgrade is being pursued.

Two advisors said these types of business decisions are all about economics. Three advisors said the cost/benefit tradeoffs can vary considerably depending on the type of fishery and type of business. For example, processor houses with multiple boats will have more access to capital than smaller family businesses. In addition, larger operations may be able to do their own work to modify vessels. As an example of how the considerations vary by fishery, one advisor noted that some southern New England fisheries depend on large volume, low value species.

One advisor said no one would spend a lot of money to purchase a new boat just to increase the length by a small amount. However, if they need to replace a vessel for another reason, such as the age of the vessel, and it's feasible to increase by a foot, they will.

Two advisors said the costs to replace a vessel have increased dramatically since the 1980s and 1990s. One of these advisors emphasized that the fleet is aging and all vessels will need to be replaced eventually once they are no longer repairable.

Benefits of Current Baseline Restrictions

Advisors were asked about their views on the benefits of the current baseline restrictions. Five advisors said the vessel baselines are still important and should be maintained, at least in some fisheries, potentially with some modifications. Advisors highlighted the scallop and squid fisheries as examples of fisheries that should maintain some type of vessel baseline restrictions.

Permit Value

Six advisors described permits as investments, with the value of the permit varying in part based on the baselines. Permit holders have invested heavily in permits with larger baselines. If the baselines were eliminated, those permits would lose some of their value and the permit holders would be negatively impacted, especially for the permits with larger baselines. One advisor emphasized that the monetary value of vessels and permits is very important for fishermen's retirement planning.

One advisor emphasized that everyone is aware of the baselines when they purchase permits. Therefore, some of the stated struggles with the baselines may be exaggerated.

Two advisors noted that permits with small baselines can be useful for new entrants to the fisheries as they can be more affordable than permits with larger baselines. This can help individuals enter the fishery and ideally save enough to later purchase a different permit with a larger baseline. They can then sell their smaller baseline permit to the next generation of new entrants.

Prevention of Overcapitalization

Four advisors spoke to the role that vessel baseline restrictions play in preventing overcapitalization of the fleets. For example, one advisor expressed concern that without vessel baselines, a few super trawlers could catch the full scallop or squid quotas. Another advisor added that the baselines have helped match capacity to the quotas for offshore fleets.

Baselines as a Conservation Measure

Three advisors said vessel baselines still play an important role as a conservation measure in some fisheries, including the scallop and squid fisheries. These advisors were concerned that without the vessel baselines, catch rates could increase too much. One of these advisors said everyone in the fishery will suffer if accountability measures are triggered or if allocations are reduced as a result of increased catches. This advisor was also concerned that a few vessel owners could benefit if baselines were eliminated, but everyone would eventually be negatively impacted if catch rates increase too much.

Two advisors said the Councils have prioritized freezing the footprints of the fisheries in the past, and vessel baselines have been a means of achieving that goal. One of these advisors said maintaining size diversity also helps to control effort.

One advisor said there would be too much uncertainty in how other management measures would constrain catch if the vessel baselines were removed.

Variation by Gear Type

Five advisors said considerations about the challenges and benefits of vessel baseline restrictions vary greatly by gear type. Many advisors said there is no one size fits all solution to the challenges of vessel baselines.

One advisor noted that the commercial hook and line fishery in New Jersey operates on very small boats. Another advisor provided an example of the constraints on a 31 foot vessel with a monkfish permit because the gillnet gear takes up so much space.

Three advisors said the considerations are very different for static versus mobile gear. Having high horsepower is much more relevant for mobile gear such as trawls, purse seines, and dredges compared to static gear such as traps, gillnets, and hook and line. For example, increasing the horsepower on a vessel that uses traps or gillnets may allow fishermen to reach their fishing grounds faster, but it would not increase their catch as much as it would for a trawl or dredge vessel.

Considerations for Smaller, Lower Horsepower Vessels

One advisor said the baselines do not appear to be a major issue for the larger vessels; therefore, the Councils may wish to focus on providing additional flexibility for smaller vessels, such as vessels less than 55 feet in length.

Another advisor recommended considering a defined size class of small vessels which would not be subject to the baseline restrictions. Three advisors recommended allowing the smallest and lowest horsepower vessels to increase to a certain extent to provide additional flexibility and address safety concerns. Suggestions included allowing all vessels to increase to 35, 40, or 45 feet and 350, 400, or 600 horsepower. These advisors thought this would not have a major impact on the fleet as a whole. One advisor added that the current allowable 10% increase in length and 20% increase in horsepower should still be allowed on top of this minimum length and horsepower.

Other Constraints on Catch

Six advisors discussed how other management measures besides the baselines constrain catch in the fisheries. This includes annual catch limits (ACLs) and accountability measures (AMs) in most fisheries, as well as tiered permit systems, possession limits, days at sea, individual transferable quotas (ITQs), and/or access areas for some fisheries. These advisors generally agreed that if the Councils were to eliminate or relax the vessel baselines, these other types of management measures would still constrain catch in many fisheries.

One advisor said these other management constraints make it unlikely that there would be many new entrants in the fisheries if the vessel baselines restrictions were removed. Another advisor said that when vessels are constrained by other measures such as possession limits, they should be able to fish in a more economically feasible way without being constrained by the baselines.

Four advisors said the types of measures currently in place vary by fishery, which results in differences in how the vessel baselines are impacting catch rates. For example, some fisheries tend to catch as much as they can, as fast as they can, and therefore baselines are more constraining than in other fisheries that are more limited by daily or trip limits.

Three advisors noted gear type as an important consideration for how the vessel baselines do or do not impact catch rates. One advisor said catch rates with hook and line gear would not greatly increase if vessel length or engine horsepower increased.

Permit Suites and Permit Splitting

Three advisors spoke to how the current restriction on permit splitting interacts with vessel baselines.

One advisor recommended greater consideration of how grouping permits together in suites impacts the vessel baselines. For example, a vessel's primary fishery may not have a baseline, but it may have other permits with baselines. This advisor elaborated that some fisheries may

need baselines more than others, but permits in different fisheries are grouped together as suites which currently cannot be split.

Two advisors recommended consideration of allowing permit splitting, which would also require consideration of how latent effort may be impacted. One of these advisors said allowing permit splitting could help provide more flexibility and make it easier to replace aging vessels under the baseline restrictions. Another advisor suggested allowing permits to be split and permits with more restrictive baselines to be put in CPH.

One advisor recommended that when a vessel is subject to multiple different baseline restrictions, the largest baseline should apply, rather than the most restrictive baseline under current requirements.

Other Ocean Uses

One advisor noted that the size of a vessel can impact its ability to fish around offshore wind turbines and other structures at sea, which is a relevant tradeoff to consider in the evaluation of vessel baselines.

Another advisor said construction of an offshore wind project in their area will impact how they fish and the ability to upgrade to a bigger boat could be very important. Another advisor expressed support for these comments.

Comments on the Data

Three advisors said the data presented during the meetings showed fewer length and/or horsepower upgrades than they expected based on their observations of the fisheries. One advisor said they helped with 30-35 scallop vessel replacements in the past and they always increased in length or horsepower.

One advisor said the ex-vessel value for many species has remained essentially unchanged for many years. This can help explain why more vessels aren't being replaced, as suggested by the data on average vessel age.

One advisor noted there were significant congressionally funded vessel buyback programs in the early and mid 2000s which resulted in some older steel boats being taken out of the fisheries. This may help explain some of the trends in average vessel age shown during the meeting.

Another advisor described subsidies in the Gulf of Mexico shrimp fisheries around 2014 which brought in some newer vessels. This program was used to replace several boats; however, the shrimp boats don't match the baselines.

One advisor asked for clarification on how the vessel baselines are enforced, including what information is required and how it's reported. Staff clarified that documentation of length and horsepower should be provided each time the permit is renewed. This advisor said there may not be strong enough checks and balances to ensure accurate reporting on length and horsepower,

which could impact the available data. Changes are more obvious when a permit is put on a new boat, but modifications to existing vessels or engines may not always be reported accurately.

Recommendations for Further Evaluation

Six advisors had recommendations for additional analyses, including:

- How many permits exist in each category and how easy it is to obtain each type of permit.
- Clarification of the number of vessels and the permits associated with each vessel. Focusing on the number of vessels may be more useful than focusing on the number of permits because some vessels rarely use some of their permits.
- Use length cutoffs to define the difference between small and large vessels when further evaluating the baseline restrictions. Advisors had multiple suggestions for a length cutoff to distinguish smaller vessels from larger vessels, including 35, 40, 45, or 55 feet.

Other Comments

One advisor said the Councils should more clearly articulate why maintaining size diversity is important.

One advisor recommended a different approach to fisheries management in which a dollar value would be assigned to vessels based on their original baselines and vessels would be required to retain all catch that can be sold. This advisor said this would result in total utilization, with no discards, no bycatch, no highgrading, and no regulatory waste. This advisor was very concerned with the high level of discards in fisheries, especially discards driven by management. This advisor said this change in management would help provide affordable American seafood, would reduce the market share of imports, and would result in all species being available to consumers all year. They added this would allow the Council to reward fishermen for fishing responsibly. The yearly dollar amount could be increased or decreased as reflected by the landings of individual permits. For example, if a vessel was found to be high grading, their dollar amount for the subsequent year could be reduced. This advisor also said the need for at-sea enforcement would be eliminated as vessels fishing in the same area should land similar species. They said this type of management approach would eliminate the need for vessel baselines and reiterated that total utilization of all catch is best for the nation and fishermen.

Public Comments During the AP Meetings

Eight individuals who are not members of a NEFMC or MAMFC Advisory Panel provided comments during the meetings.

One individual who mostly fishes for groundfish in the Gulf of Maine said their fishery has become very limited due to closed areas, the loss of the ability to catch cod, and low prices for yellowtail flounder. They now cannot fish in their area for almost 6 months of the year because

of closures. Most boats in their small groundfish sector are under 50 feet long. They described replacing their vessel three times with a longer vessel, with the most recent upgrade requiring them to spend $75,000 on a new permit because the new boat was one inch longer than the maximum allowable. This allowed them to fish inside of 50 miles, rather than 20 miles. They have some permits now in CPH because their baseline length is too small. This individual said with ACLs, AMs, and monitoring, it shouldn't matter if a boat is a foot or two larger. They thought the 10% restriction on upgrades in length is too small. A higher percentage such as 20% would provide more flexibility, while preventing negative impacts on those who have invested in permits with larger baselines. This individual said the fisheries need to stay profitable, noting there are few new entrants and people are retiring. People should be allowed to buy bigger, safer boats. This individual is very concerned about safety and had a crew member quit due to safety concerns after the *F/V Lily Jean* sank this past winter.

This same individual also agreed with the Advisory Panel comments that many commercial fishing vessels are very old, but vessel replacements, repairs, or modifications can be very costly. Buying a new permit to fit a new boat or engine can be a substantial additional cost, on top of the cost of the vessel or engine. For example, this individual spent $60,000 to have work done on a boat and $75,000 on a new permit to fit the boat. They were concerned that without more flexibility, these types of costs will continue to reduce the number of participants in the fisheries.

Another individual agreed that costs are a major challenge. For example, it is hard to find a bank that will help fishermen unless they have great credit. The government is no longer offering low interest loans to help fishermen. It is also hard to find crew.

One individual said baselines are still important input controls and they do not have any problems fishing under their current baselines. This individual is concerned that harvest would increase without the baselines, noting that larger vessels with higher horsepower engines can harvest more and cover more bottom. They provided an example based on their boats, which include a 50 foot boat with two scallop dredges and two 80 foot single-dredge boats. They said they can almost double their landings on an 80 foot boat with only one dredge compared to the 50 foot boat with two dredges, because they can load the deck more and highgrade. This individual said this could happen in any fishery and is not specific to scallops. In addition, large vessels can fish in any weather. They said they've already taken away from smaller vessels. They said everyone knows the relevant baselines when they purchase a permit. Permits are an investment and people can have bigger baselines with bigger investments. They cautioned against turning an inshore fleet into an offshore fleet. They also noted a limited availability of larger vessels in the 70 - 85 foot range.

Four individuals agreed with comments that many important differences across fisheries need to be considered, including differences in size and gear type. Three individuals recommended considering smaller vessels separately from larger vessels, to use 30 or 40 feet as a distinction between smaller and larger vessels. Three individuals recommended that small boat hook and

line commercial fisheries be considered separately. One individual elaborated that on their 25 foot boat, they need to fit their hook and line gear, a life raft, and sometimes a federal fisheries observer and their equipment. This can lead to dangerously cramped conditions. Sometimes they need to cut back on coolers and ice due to space constraints, which can negatively impact the price they receive for their catch. They also said they struggle to outrun bad weather with their small vessel size and under powered engine.

One individual said they have upgraded in the past but needed to reduce their horsepower due to their baselines. They would like to be able to use a more powerful engine to fish safely offshore using their small boat.

One individual who does not own a commercial vessel but has some experience buying and selling boats said it can be very challenging to find suitable vessels and engines. They said the fishing industry is dying out and the baseline restrictions are making it worse.

Two individuals who commercially fish exclusively with hook and line gear recommended considering a new permit type, similar to the groundfish Handgear A permit, to exempt hook and line fisheries from the vessel baselines. Both individuals fish from smaller boats (less than 30 feet) and said allowing them to increase in size wouldn't have a major impact on their catch rates due to the gear they use. Both individuals put their permits in CPH when they felt their smaller, lower horsepower vessels were no longer safe and they were not able to find suitable replacement vessels or engines given their baselines. One of these individuals said it is especially challenging to find an outboard engine that matches their low horsepower baseline. Both individuals noted they are fishing for species with state managed quotas, which also restricts their landings and would further prevent their catches from increasing if the baselines were removed.

One individual suggested that if the Councils are concerned about effort in commercial hook and line fisheries, limiting crew size would be more effective than the vessel baselines. They suggested a cap of 10 people, including the captain, mate, and other crew, noting that hook and line fishermen are not going to buy a large boat and fill it with crew due to quota fishing.

One individual was frustrated that the original baseline for their permits was established in 1994 but later modified through the 1999 Omnibus Consistency Amendment. Their permit was originally on a larger vessel, but they transferred it to a smaller vessel in the late 1990s. At the time, they reached out to NOAA to ask how this would impact their baselines. They were told their original baseline would still apply and they would not be constrained to a new baseline based on their newer, smaller boat. However, the 1999 Omnibus Consistency Amendment changed that and restricted them based on their newer, smaller boat. This individual felt they had been caught between the changes in requirements and asked for the ability to upgrade their vessel based on their prior baselines. They did not want to wait for a new amendment to play out. They wanted a more immediate solution.

Summary of Written Comments Received by May 29, 2026

Five written comments were received by the deadline of May 29, 2026 (Appendix II), four from advisors and one from a member of the public.

An advisor wrote on behalf of several New Jersey hook and line commercial summer flounder fishermen. Multiple fishermen who contributed to this comment also provided verbal comments during the Advisory Panel meetings. Therefore, these written comments largely mirror some of the comments summarized above. These comments recommended allowing New Jersey commercial summer flounder hook and line vessels to increase to 35 feet in length and 600 horsepower to improve safety, operational efficiency, fish quality, and economic sustainability. They also noted that the baseline restrictions are less relevant as conservation tools given other modern management measures such as total allowable catch limits, quotas, open/closed seasons, and reporting requirements.

An advisor wrote on behalf of an organization and recommended a broader evaluation of fleet capacity, harvest opportunity, safety, economic viability, and long-term resilience. These comments encouraged the Councils to modernize how capacity is measured and managed so regulations better reflect actual fishing power and safety needs, while preserving opportunities for small and medium-scale owner/operators. These comments encouraged consideration of fishery-specific approaches including evaluating whether certain fisheries still require baselines; reviewing how baseline restrictions interact with other management measures; considering minimum baseline thresholds that allow smaller vessels to safely upgrade; re-evaluating horsepower restrictions to account for engine efficiency and safety needs; examining permit suite interactions that restrict vessel replacement opportunities; and reviewing impacts of baseline restrictions on permit marketability, new entrant opportunities and latent effort. These comments supported defining categories of small, intermediate, and large vessel categories with minimum and maximum ranges for vessel length and horsepower to help maintain safeguards against uncontrolled expansion while improving safety at sea and access to replacement vessels. They emphasized there is no one size fits all approach to vessel baselines. They also encouraged analysis of how active fleet capacity compares to available quota and harvest opportunity; whether quota is going unharvested due to safety, vessel, crew, economic, or market constraints; how much current capacity is active versus latent; and whether current baseline restrictions disproportionately burden smaller owner operators and aging vessels.

An advisor who wrote on behalf of an organization said they are increasingly concerned about the potential impact that vessel baseline restrictions have on safety at sea. They said regulations should support the safe pursuit of natural resources, particularly as warming waters are driving fish deeper and farther offshore. They said the role baselines play in preventing overfishing likely varies by fishery. They encouraged consideration of how the baselines potentially impact access to affordable permits and how removing the baseline restrictions might support the economic vitality of existing fishermen as well as open opportunities for new entrants. They

requested consideration of the need to maintain an upper bound to prevent consolidation and ensure that modernization does not undermine conservation objectives. They also requested consideration of the role electronic technologies, such as electronic monitoring, can play to support catch accountability if the baseline restrictions were to be removed.

An advisor wrote on behalf of an organization with concerns that the vessel baseline regulations are misaligned with fishery operations today. They felt that the baseline restrictions are not needed for quota-managed fisheries or should be made more flexible to allow upgrades to fish safely where stocks are moving (further offshore). They encouraged consideration of the specific needs of each fishery, the market availability of engines, and constraints on the ability to use and transfer permits. They encouraged prioritization of a vessel baseline action

A member of the public who manages six vessels from New Bedford, Massachusetts described prior work with NOAA Fisheries to ensure correct documentation of vessel specifications. They recommended elimination of vessel length and horsepower restrictions, particularly for the *Illex* squid, longfin squid, and mackerel fisheries. They felt that the current restrictions are misaligned with market realities and fisheries would be appropriately managed via permit availability, quotas and other measures. They also encouraged consideration of more flexibility in transferring and splitting permits and/or increasing the length restriction to 20% and the horsepower restriction to 30%.

Appendix I - Lists of Participants in May 2026 Joint AP meetings

Advisory Panel Members

Member (n=34)	NEFMC AP	MAFMC AP	Meeting Attended			Verbal Comment	Written Comment
			May 21 AM	May 21 PM	May 26		
Katie Almeida	1	1			1		
Rick Bellavance	1			1		1	
Carl Benson		1	1	1	1	1	1
Bonnie Brady	1	1	1		1	1	
Todd Bragdon	1				1	1	
Aubrey Church	1		1		1		1
Greg DiDomenico		1	1				
Tom Dignes	1			1		1	
James Dopkin	1	1	1			1	
Jay Elsner	1		1		1	1	
Jeremy Firestone		1	1			1	
James Fletcher		1	1	1	1	1	
Peter Hughes	1		1		1	1	
James Gutowski	1				1		
Jeff Kaelin	1	1		1		1	
Meghan Lapp	1	1		1		1	
Joe Letourneau	1		1			1	
Brady Lybarger	1				1		
Michael Marchetti	1			1			
Ben Martens	1		1			1	1
Sam Martin	1	1	1		1	1	
Drew Minkiewicz	1			1		1	
Ed Mullis	1	1	1			1	
Joseph Myers		1	1				
Adam Nowalsky		1			1		
Gerry O'Neill	1	1	1		1		
Christopher Rainone	1	1			1	1	
Matthew Seeley		1	1		1		1
Michael Sorrell		1			1		
Liam Sullivan	1		1			1	
Alex Todd	1				1	1	
Mike Waine		1	1			1	
Kevin Wark		1		1		1	
Doug Zemeckis		1	1				
Totals	**23**	**20**	**19**	**9**	**17**	**22**	**4**

Members of the Public

Public (n=23)	Meeting Attended			Verbal Comment	Written Comment
	May 21 AM	May 21 PM	May 26		
Kirby Aarsheim	1				
Stacy Alexander			1		
Sam Asci	1				
Raymond Bogan		1		1	
Lillie Callaway	1				
Amber Castaneda			1		
Troy Dwyer			1		1
Ronald Enoksen		1			
Shauna Haines	1		1		
John Howell		1		1	
John Kolano			1	1	
Lane Johnston			1		
Hannah MacDonald	1				
Angelia Miller	1				
John Mihale			1	1	
Tim Medina		1			
Kevin Norton	1			1	
Ronald Onorato		1		1	
John Quinn			1		
Ryan Raber	1			1	
Allison Shields	1		1		
Robert Vanmeter	1				
Paul Weckesser	1			1	
Totals	**11**	**5**	**9**	**8**	**1**

Other Participants

Other (n=28)	NEFMC member	MAFMC member	Council staff	NOAA staff	State staff	Meeting Attended		
						May 21 AM	May 21 PM	May 26
Michelle Bachman			1					1
Julia Beaty			1			1	1	1
Connor Buckley			1			1		
Jennifer Couture			1					1
Jason Didden			1			1	1	
Hayden Dubniczki			1			1	1	1
Alexander Dunn			1			1		
Michelle Duval		1						1
Rachel Feeney			1			1	1	1
Claire Fitz-Gerald				1		1		1
Corrin Flora					1	1		
Travis Ford				1		1	1	1
Dave Gouveia				1		1		
Melanie Griffin	1							1
Sonny Gwin		1				1	1	1
Hannah Hart			1			1		
Ted Hawes				1		1	1	1
Carolyn Iwicki				1		1		1
David McCarron			1			1		
Laurie McKenna				1		1		
Meredith Mendelson					1		1	1
Jackie Odell	1					1		
Scott Olszewski	1							1
Sean Reilly					1			1
Alice Stratton				1				1
Sefatia Romeo Theken					1	1	1	1
Megan Ware	1							1
Kelly Whitmore					1	1	1	1
Totals	**4**	**2**	**10**	**7**	**5**	**19**	**10**	**19**

From: flukeman@aol.com <flukeman@aol.com>
Sent: Wednesday, May 20, 2026 3:27 PM
Subject: REVIEW OF LENGTH AND HOURSEPOWER REQUIREMENTS ON COMMERCIAL VESSELS

As we discussed, the NJ Hook and Line Summer Flounder Permit Holders have developed

our position with respect to the above subject matter. We may Indidually relate our issues with existing requirements.

Thanks, Carl

Reasons for Increasing HP and Length Limitations for the NJ Summer Flounder Hook and Line Fleet

Safety and Deck Space Limitations

Deck space is at an absolute premium on our small vessels. Federal permit requirements mandate that vessels carry a six-man life raft, which occupies a significant portion of already limited deck space. Fishermen are often forced to choose between carrying sufficient ice for proper fish preservation or having enough room to safely accommodate Federal Observers and their equipment.

These cramped working conditions create unnecessary safety risks for crews. Increasing vessel length limitations would provide additional working space, improve onboard safety, and allow fish to be properly processed, bled, and chilled immediately after harvest. Improved handling and storage conditions would significantly increase the quality and market value of the catch.

Outdated Horsepower and Length Restrictions

The current horsepower and vessel length restrictions are outdated and no longer reflect modern marine technology. These regulations were established approximately thirty-five years ago, during a time when vessel engines were far less efficient and reliable than they are today.

Modern engines provide substantially improved fuel efficiency, torque, reliability, and emissions performance compared to older engines. Restricting horsepower based on outdated assumptions unnecessarily limits vessel safety and operational capability.

Benefits of Removing or Increasing Horsepower Restrictions

1. Improved Vessel Safety

- **Weather Navigation:** Adequate horsepower allows vessels to maintain control and safely remain “on plane” in difficult sea conditions, including heavy head seas and dangerous following seas.

- **Emergency Response:** Increased power enables vessels to respond more effectively to rapidly changing weather conditions and return safely to port during emergencies.
- **Reduced Strain on Equipment:** Properly powered vessels experience less engine strain and improved maneuverability under load.

2. Operational Efficiency and Modernization

- **Modern Engine Upgrades:** Removing outdated restrictions would allow fishermen to install newer, more reliable engines with improved low-to-midrange torque and greater dependability.
- **Fuel Efficiency:** Properly matched modern engines are often more fuel-efficient than older underpowered engines that must operate under constant heavy load conditions.
- **Reduced Maintenance Costs:** Modern engines generally require less maintenance and provide improved reliability, reducing downtime and operational costs.

3. Business Competitiveness and Regulatory Flexibility

- **Competitive Equality:** Existing restrictions place New Jersey hook and line commercial fishermen at a disadvantage compared to fleets in other states and international markets where similar limitations may not exist.
- **Redundant Capacity Controls:** Modern fisheries are already managed through mechanisms such as Total Allowable Catch (TAC), quotas, seasons, and reporting requirements. These systems effectively control harvest levels, making strict horsepower and length limits less relevant as conservation tools.
- **Fleet Adaptation:** Allowing reasonable modernization ensures the fleet can evolve safely and economically while remaining compliant with existing harvest controls.

<u>Proposed Solution</u>

By consensus of the current hand line permit holders, the proposed solution is to:

- **Increase the maximum vessel length to 35 feet**
- **Increase the maximum allowable horsepower to 600 HP**

for the New Jersey Summer Flounder Hook and Line Fleet.

This proposal would improve safety, operational efficiency, fish quality, and economic sustainability

From: Matthew Seeley <mseeley@edf.org>
Sent: Tuesday, May 26, 2026 2:53 PM
To: comments@nefmc.org
Subject: AP comments on Vessel Baseline Restrictions

Hi Julia, Hayden and Rachel,

I hope you are all doing well! Please accept the below comments on behalf of EDF via my MAFMC AP seats on the Bluefish and Communication and Outreach APs.

EDF encourages careful evaluation of vessel baseline restrictions (VBR) to support industry needs while maintaining conservation efforts under the Magnuson-Stevens Act.

- First and foremost, consistent with NS1, conservation and management measures must prevent overfishing, but we are increasingly concerned about the potential impact that vessel baseline restrictions have on safety at-sea.
- Consistent with National Standard 10, we need to ensure that regulations support the safe pursuit of our natural resources, particularly as warming waters are driving fish deeper and farther offshore.

While the baselines are often viewed as outdated, any evaluation should still assess the baselines on a fishery-by-fishery basis to fully understand the benefit that may still provide for preventing overfishing. We encourage the evaluation to also include information on:

- How do VBRs potentially impact access to affordable permits, and how might removal of VBRs support economic vitality of existing fishermen as well as open opportunities for new entrants?
- Do we need to maintain some sort of upper bound to prevent consolidation and ensure that modernization does not undermine conservation objectives?
- What role can electronic technologies, such as EM, play to support catch accountability if VBRs are removed?

Please do not hesitate to reach out with any questions or concerns.

Thanks!
Matt
Matthew Seeley
Senior Manager, Resilient Fishery Solutions
EDF.org | Finding the ways that work

CAPE COD COMMERCIAL
FISHERMEN'S ALLIANCE
Small Boats. Big Ideas.

May 26, 2026

Dear Dr. O'Keefe,

Thank you for the opportunity to provide written comments to the New England Fishery Management Council regarding the ongoing review of current vessel baseline restrictions. We appreciate the Councils for undertaking this important evaluation and encourage the review to move beyond a narrow debate over vessel size and horsepower toward a broader discussion of fleet capacity, harvest opportunity, safety, economic viability and long-term resilience. Currently the regulations (50 CFR 648.4), require that vessel replacements/upgrades cannot exceed 10% of the length and 20% of the horsepower of the permit's baseline vessel. This applies to most limited access commercial fisheries managed by the Councils.

As discussed during recent Advisory Panels Input meetings, vessel baseline restrictions were originally developed in a very different management era. Prior to the 2007 reauthorization, vessel length and horsepower restrictions served as major tools for controlling fleet capacity and fishing effort in fisheries that lacked annual catch limits, accountability measures, sectors, IFQs, and hard catch caps. Today, many federally managed fisheries operate under quota-based systems that already place strict biological limits on total harvest.

From the perspective of Cape Cod fishermen, safety concerns are among the most urgent issues associated with current baseline restrictions. Fishermen are increasingly being pushed farther offshore due to changing ocean conditions, and shifting stocks, putting them in more challenging weather conditions and constrained to vessel sizes and horsepower levels established decades ago under very different operating conditions. This creates unnecessary operational and safety risk for owner operators and crews.

At these recent Advisory Panel meetings, numerous fishermen described situations where outdated baseline restrictions prevented them from upgrading to safer or more efficient vessels and engines. Participants highlighted the difficulty of finding suitable replacement vessels that fit within narrow baseline limits, the extremely high cost of modifying vessels to comply with permit restrictions, and the inability to repower older boats with modern engines due to horsepower caps that fail to account for advances in engine technology and efficiency.

Several comments described being forced to spend tens of thousands of dollars over marginal baseline differences measured in inches or a few feet of vessel length. Others explained that modern engines with equivalent horsepower ratings often function very differently than engines installed 40 years ago, making repowering difficult or impractical under current restrictions.

1566 Main Street, Chatham, MA 02633 (508) 945-2432 info@capecodfishermen.org www.capecodfishermen.org

We also recognize the legitimate concerns raised regarding fleet diversity, conservation safeguards, and avoiding overcapitalization. We are not advocating for the elimination of capacity controls. Rather, we encourage the Councils to modernize how capacity is measured and managed so that regulations better reflect actual fishing power, and safety needs, while preserving opportunities for small and medium-scale owner operators.

We also encourage the Councils to explore fishery-specific approaches and alternatives including:

- Evaluating whether certain fisheries still require existing baseline structures
- Reviewing how baseline restrictions interact with sectors, IFQs, ACLs, DAS programs and other accountability measures
- Considering minimum baseline thresholds that allow smaller permit holders to safely upgrade their vessels
- Revaluating horsepower restrictions to account for engine efficiency and safety needs
- Examining permit suite interactions that unintentionally restrict vessel replacement opportunities (i.e. the most restrictive permit baseline applies)
- Review impacts of baseline restrictions on permit marketability, new entrant opportunities and latent effort

The Alliance also supports evaluating a tiered vessel baseline framework that would preserve fleet diversity while allowing reasonable operational flexibility. A framework involving small, intermediate, and large vessel categories with minimum and maximum ranges for vessel length and horsepower may provide a more balanced alternative than rigid vessel specific baselines. This approach could help maintain safeguards against uncontrolled expansion while improving safety at sea and access to replacement vessels.

The Councils should also use fishery-specific analysis rather than assuming a one size fits all approach. The operational and capacity concerns facing scallop vessels, monkfish vessels, small-mesh fisheries, skates, dogfish, and multispecies vessels differ substantially and should be evaluated accordingly.

As the review moves forward, we encourage the Councils and staff to analyze:

- How active fleet capacity compares to available quota and harvest opportunity
- Whether quota is going unharvested due to safety, vessel, crew, economic, or market constraints
- How much current capacity is active versus latent
- Whether current baseline restrictions disproportionately burden smaller owner operators and aging vessels

The Fishermen's Alliance appreciates the ongoing work of the working group and looks forward to reviewing the white paper later this year. We encourage both Councils to continue engaging fishermen directly throughout this process and thank you for your consideration.

Sincerely,

Aubrey Church

Aubrey Church
Fisheries Policy Director

Cate O'Keefe, PhD, Executive Director
New England Fishery Management Council
50 Water Street, Mill #2
Newburyport, MA 01950

May 29, 2026

Re: Vessel Baseline Restrictions Comments

Dear Dr. Cate O'Keefe,

The Maine Coast Fishermen's Association (MCFA) appreciates the opportunity to submit comments on Vessel Baseline Restrictions. We write to urge the New England Fishery Management Council (NEFMC) to take up review of vessel baseline restrictions as they apply to quota-monitored fisheries. These regulations were established decades ago under a fundamentally different management framework. The shift to sectors in the groundfish fishery, and the expansion of quota-based management across multiple FMPs, has made the current baseline structure increasingly misaligned with how these fisheries actually operate today.

Baseline Restrictions Are No Longer Appropriate for Quota-Monitored Fisheries: Vessel baseline restrictions were originally designed as a tool to prevent effort creep in fisheries managed through input controls. That rationale does not hold in fisheries where catch is directly monitored through individual quotas. When a fisherman's harvest is capped by the pounds on their permit, the size or power of their vessel does not translate into additional fishing mortality. MCFA's position is straightforward: baseline restrictions should be eliminated for quota-monitored fisheries. If full elimination is not immediately achievable, the Council should adopt more flexible and permissive standards for vessel upgrades within these fisheries.

Climate-Driven Species Shifts Are Putting Fishermen at Risk: Species are moving further offshore and at the same time, many choke species remain concentrated inshore. This combination is creating a serious and growing safety problem. Fishermen are increasingly facing a choice between leaving quota on the table or pushing their vessels beyond what is safe.

Baseline Changes Should Be Considered by FMP, Not as a Blanket Policy: MCFA recognizes that not every fishery has the same management structure. We encourage the Council to consider baseline modifications on a fishery-by-fishery basis rather than through a single, uniform policy change. The groundfish sector system provides robust catch monitoring that makes baseline restrictions particularly unnecessary in that context. Each FMP has its own history, gear types, and monitoring capacity, and the Council's approach should reflect those differences.

Horsepower Restrictions Are Outdated and Counterproductive: The horsepower baselines in place today were set against a generation of marine engines that no longer reflects what is available on the market. Modern engines are significantly cleaner, more fuel-efficient, and safer than those built 30 years ago. However, to meet current EPA emissions standards and produce comparable working torque, many new engines carry higher rated horsepower figures even when their actual performance is

equivalent to or less than older models. The practical result is that fishermen are effectively prohibited from installing cleaner, more efficient engines without triggering a baseline violation.

Baseline Restrictions Prevent Diversification: A fisherman holding permits across multiple fisheries is governed by the most restrictive baseline among them. A lobsterman who also holds a groundfish permit, for instance, may find that the vessel requirements associated with the groundfish permit constrain what they can do in their primary fishery. This discourages diversification and undermines the resilience of fishing businesses.

Permit Marketability and Economic Viability: Vessel baseline restrictions reduce the economic value of permits, particularly smaller limited access permits that would otherwise be transferable across a broader range of vessels. Without baseline constraints, these permits could be matched to appropriately sized vessels and operated more efficiently by new entrants. This has meaningful implications for permit values and for the ability of fishing families to transfer assets to the next generation.

MCFA urges the Council to place vessel baseline reform as a priority, with particular attention to quota-monitored fisheries where the original rationale for these restrictions no longer applies. We are happy to engage further on any of the points raised above and welcome the opportunity to participate in any scoping process the Council may initiate.

Thank you for your consideration.

Sincerely,

Ben Martens

Executive Director
Maine Coast Fishermen's Association

May 29, 2026
Re: Vessel Baseline Evaluation

To the National Marine Fisheries Council,

As part of the Joint Advisory Panel Meeting regarding Vessel Baseline Evaluation Confirmation, I submit this response as a lifelong commercial fisherman.

My name is Troy Dwyer, I have been a commercial fisherman for four decades. I am currently a partner and Shore Captain for Austin C. Fisheries, and I oversee six other vessels out of New Bedford, where I have worked for 30 + years.

Over the last two years, I have submitted multiple statements and hav**e** had multiple dialogues as well in person meetings with Ted Hawes to establish a baseline correction of 6.3' on one of the permits we own. I have submitted multiple pieces of evidence to support my request. After considerable research and analysis, I am asking the Council to eliminate the horsepower and length baselines because it does not reflect current industry realities and the changes will not have a significant impact on fishery sustainability. It is also prohibiting smaller fisheries to compete in this current market. I am confident that this reasonable change will not have a significant impact on ilex, lolilgo, and mackerel fisheries.

The idea that lifting these restrictions would crowd the fishery is immediately null due to the very limited availability of permits in this market. It's not the length and horsepower that dictates overfishing, the permits are what control that function and the quota for that fishery.

I am asking for a small length correction and have submitted statements, photographic evidence, and analysis to support my request.

I am respectfully asking the council to eliminate length and horsepower regarding ilex, loligo, and mackerel because the current regulations are primarily based on capacity; there is a lack of significant reason for length and horsepower to be involved, and groundfish is based on your individual quota. It does not matter if you have a 40 ft. or 100 ft. boat; if you don't have the quota, you can not catch it. As far as the scallop baseline of length and horsepower, I understand why that should stay the same because of the nature of scalloping - it appears to be an apples and oranges comparison when it comes to groundfishing, squid, or mackerel fishing.

While my primary goal is to ask the Council to drop the baseline of horsepower and length, I have also spoke to Ted Hawes about alternatives to addressing these bottlenecks. Such as making it easier for people to move around permits, or marrying a permit to get the length and horsepower, and or forfeiting a permit to get the baseline or capacity needed. This would also reduce fishing effort considerably.

After trying to come up with many ideas, one idea was to combine a larger permit and/ or forfeit a permit and other permits, which would also reduce fishing effort. It has become very difficult to find the exact fit for the permit that we have for a vessel that is in decent shape. We have found a vessel that is in decent enough shape to use the permit for its full potential. But the vessel is 6.3 feet longer than the maximum permitted. Now that capacity has come into play as a vessel baseline, the capacity fits the vessel perfectly, but the length is off by 6.3 feet.

My additional recommendation is to raise the length to 20 percent and the horsepower up to 30 percent. This would help the fleet navigate permits to newer vessels. Whereas the fleet is on average over 40 years old.

Thank you for considering these adjustments and for these ongoing discussions. I am available to answer any additional questions. I am requesting immediate relief after two years of being unable to use a valid permit to its potential.

Sincerely,
Troy Dwyer
617-957-1146