



Atlantic States Marine Fisheries Commission

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Dr. Louis B. Daniel, III, (NC), Chair

Douglas E. Grout (NH), Vice-Chair

Robert E. Beal, Executive Director

Healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015

December 18, 2013

Thomas A. Nies, Executive Director
New England Fishery Management Council
50 Water Street
Newburyport, Massachusetts 01950

Dear ^{Tom}Mr. Nies,

This is in response to your May 15, 2013 letter regarding the New England Fisheries Management Councils' (Council) concerns over inconsistencies in lobster gear markings regulations and the potential for unsafe fishing conditions. In response to your letter, the Commission organized a meeting of the state directors from Massachusetts, New Hampshire, and Maine; and representatives from the Atlantic Large Whale Take Reduction Team, the Council, and the National Marine Fisheries Service to review these issues.

The Commission agrees that there may be some benefit in synchronizing gear markings between state waters and the Exclusive Economic Zone. States must consider several factors when implementing gear marking regulations including the potential for trawlers to get hung up on unmarked gear, for fishermen to lose gear if their lines break too easily, and for whale entanglement if lines don't break easily enough. However, the significant difference in the state's regulatory authority hinders the implementation and enforcement of similar regulations throughout the fishery. For example, in Maine the gear marking regulations extend out to twelve miles and are set in statute, while in Massachusetts and New Hampshire the regulations only extend out to three miles.

Increasing awareness of and compliance with the current regulations, especially for new fishermen, was discussed as a top priority to address the concerns of the Council. The Commission will work with the states to disseminate appropriate regulatory information directly to fishermen and at lobster-related events, such as Maine's Fishermen's Forum and Lobster Conservation Management Team meetings. The Commission will also take this opportunity to discuss with the fishermen any potential future changes to gear marking regulations. Additionally, the Commission has requested guidance from the Commission's Law Enforcement Committee on the issues pertaining to enforceability in territorial waters.

Thank you for bringing these concerns to our attention. We are committed to promoting safe fisheries practices and reducing loss of fishing gear. Please let me know if you have any questions or comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "RE Beal".

Robert E. Beal

cc: American Lobster Management Board

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