



New England Fishermen's Stewardship Association  
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July 29, 2025

Atlantic States Marine Fisheries Commission  
Robert Beal, Executive Director  
1050 N Highland St, Suite 200 A-N  
Arlington, VA 22201

Dear Commissioner,

Thank you for the opportunity to provide comments on the Gear Marking Framework that the New England Fishery Management Council (NEFMC) is scheduled to consider this September.

As Chief Operating Officer of the New England Fishermen's Stewardship Association (NEFSA), I represent a broad and unified voice of thousands of commercial fishermen, seafood dealers, and coastal stakeholders across New England. Our membership spans both fixed gear and mobile gear sectors—placing NEFSA in a unique position to speak on behalf of the full spectrum of affected fishing communities.

On behalf of these constituents, I urge the Atlantic States Marine Fisheries Commission (ASMFC) to recommend that the Council not move forward with this framework at all. However, if the Council proceeds despite widespread opposition, NEFSA can only support Alternative 1A, which reflects the need for further evaluation and caution.

### **The Framework Is Unwarranted Given the Regulatory Pause**

The proposed Gear Marking Framework is unnecessary at this time. Congress, through the Consolidated Appropriations Act of 2023, has paused further Atlantic Large Whale Take Reduction Plan (ALWTRP) regulations until at least December 31, 2028. This pause affirms that the 2021 ALWTRP rule is sufficient for legal compliance under both the Endangered Species Act and the Marine Mammal Protection Act during this period.

The Atlantic Large Whale Take Reduction Team (ALWTRT) has recognized this pause by delaying its own process until 2026, with final rule making not expected before 2028. The Council should align with that timeline—not override it—especially when the gear technologies under discussion are still in developmental stages, untested in real-world commercial use, and riddled with unresolved questions around safety, cost, and feasibility.



## **Industry-Led Caution on Ropeless Gear Is Justified**

The rush to mandate on-demand or ropeless gear is misplaced. These technologies lack reliable testing, have uncertain safety profiles, and would impose severe economic burdens on fishing operations. Concerns include:

- Crew safety risks in entanglement scenarios where rapid gear removal is critical.
- Significantly lower gear recovery rates compared to standard rope-based gear.
- Excessive replacement costs, particularly for small-boat operators.
- Increased risk of lost gear and ocean pollution.

Fishermen, who are already struggling with narrow margins and growing regulatory burdens, should not be treated as test subjects for experimental solutions that have not undergone adequate industry validation.

## **NEFSA's Unique Role: Representing Both Fixed and Mobile Gear Sectors**

NEFSA is uniquely positioned in that it represents both fixed gear and mobile gear fishermen, giving us a full-spectrum understanding of the impacts of these proposals. It is vital that policymakers recognize the important distinction between these two sectors.

The mobile gear fleet—including trawl and scallop vessels—has become an innocent bystander in the ropeless conversation. These vessels do not use vertical lines and pose no entanglement risk to North Atlantic Right Whales. Yet under the current Framework, they may be forced to adopt costly gear-marking or detection technologies meant to address a problem that does not apply to their operations.

Imposing additional requirements on mobile gear fishermen is unjustified, illogical, and deeply unfair. They should not be penalized or burdened by rules designed for a completely different fishery. NEFSA urges the Commission and Council to recognize this and remove mobile gear vessels from the scope of any gear-marking mandates tied to ropeless detection.

## **Recommendation: Reject the Framework; If Not, Support Only Option 1A**

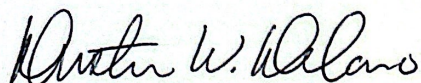
For all these reasons, NEFSA urges the Commission to strongly recommend that the Council not advance this framework. Moving forward now disregards the federal regulatory pause, places unnecessary burdens on both fixed and mobile gear fisheries, and risks undermining the livelihoods of thousands of working families across the region.

If the Council insists on action, Alternative 1A is the only approach that NEFSA and the broader fishing community can support at this time. This alternative provides the minimum level of regulatory imposition and acknowledges that more time and research are needed before advancing further.



We respectfully request that the Atlantic States Marine Fisheries Commission stand with the fishing industry in advocating for common-sense decision-making, rooted in science, safety, and the lived realities of those who work on the water every day.

Respectfully,

A handwritten signature in black ink, appearing to read "Dustin W. Delano". The signature is fluid and cursive, with the first name "Dustin" being more prominent and the last name "Delano" following in a similar style.

Dustin W. Delano  
Chief Operating Officer  
New England Fishermen's Stewardship Association