



MAINE

Lobstermen's Association, Inc.

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American Lobster Board
Atlantic States Marine Fisheries Commission
1050 N Highland St, Suite 200 A-N
Arlington, VA 22201

Transmitted via email to Caitlin Starks

July 31, 2025

Dear American Lobster Board:

The Maine Lobstermen's Association (MLA) is writing to provide comment on the Joint New England and Mid-Atlantic Fishery Management Council (NEFMC) *Alternative Gear Marking Framework*. The MLA has serious concerns about both the timing of this framework and the lack of meaningful outreach to the lobster industry.

The Maine lobster industry accounts for the majority of fixed gear deployed in the region. It is imperative that lobstermen are engaged in the process, understand what is proposed, and how it would impact the lobster fishery. Given the significance of this issue and the inadequate engagement to date, the MLA strongly recommends taking no action at this time (Alternative 1A).

This framework is a complex regulatory proposal affecting fixed gear fisheries managed by the Councils, Atlantic States Marine Fisheries Commission (ASMFC), and through Federal regulations. If adopted, this proposal has the potential to radically change how fixed gear is marked and it would impact a broad range of fishermen across gear types and species. This action should not move forward in the absence of robust outreach to all affected stakeholders.

Our primary concern is the near-total lack of outreach to the lobster industry throughout the development of this framework. The MLA only became aware of the proposal during ASMFC's May 2025 American Lobster Board meeting. The MLA was not invited to represent the Maine lobster fishery during the development of the framework despite our long history working on whale rules and serving on the Take Reduction Team (TRT). The only outreach MLA has received regarding the framework was a May 30 email from Allison Murphy alerting

us that this topic would be discussed at the Mid-Atlantic and New England council meetings in June. The MLA has listened to the NEFMC discussion and has since received information from the Maine Department of Marine Resources (DMR) and ASMFC on this matter.

In July, National Marine Fisheries Service (NMFS) announced that it would delay the TRT's deliberative meetings to develop risk reduction measures by one year, to the Fall of 2026. This revised timeline still meets the December 2028 Congressional deadline for implementing new whale rules. The added time also provides a much-needed opportunity to engage the lobster industry on the alternative gear marking framework before any final decisions are made.

The MLA understands that this framework does not mandate, but could allow, fishermen to use gear without persistent buoy lines by changing Council-managed fixed-gear fishery management plans and Federal lobster regulations to allow alternative, likely digital, gear marking. Ultimately, this could allow ropeless gear to be fished without obtaining an exempted fishing permit. However, deploying fixed gear without visual, physical markers could lead to significant gear conflict, safety, and enforcement issues. An indirect impact of the framework would be the significant, still unknown, costs to fishermen who deploy this gear.

The framework describes “essential elements” of a “functional equivalent” to current gear marking regulations. The essential elements include 1) detectability, 2) retrievability, 3) identification, and 4) enforceability. The MLA is unclear on how alternative gear marking would be deemed “functionally equivalent” to current gear marking requirements. Lobstermen may define each of these essential elements differently depending on how gear is rigged, where they fish, what other gear is present in the area, and other vessels they may interact with on the water.

Additionally, the action identifies “beneficial elements” of a “functional equivalent” including 1) viewing distance, 2) set direction, and 3) timing. As with the essential elements, lobstermen are likely to define these differently depending on how, when and where they fish.

There is also a proposal to require a person to demonstrate knowledge of an approved gear-marking alternative before it could be used. This raises additional questions about training, compliance, and feasibility. Certainly, lobstermen would need more information on what this means so they could offer constructive feedback.

The MLA is opposed to this proposal and therefore urges the selection of Alternative 1A. The majority of the lobster industry is not aware that this proposal exists and deserves the opportunity to weigh in. At a minimum, NMFS should bring this issue forward for review, discussion, and receive input from Maine's zone councils and fishing industry associations.

Again, the MLA strongly recommends taking no action at this time (Alternative 1A). Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, reading "Patrice McCarron". The signature is written in a cursive, flowing style.

Patrice McCarron
Executive Director

cc. Carl Wilson and Megan Ware, Maine DMR
Cate O'Keefe, NEFMC
Christopher Moore, MAFMC

Tina Berger

Subject: FW: NEFMC Alternative Gear-Marking Framework Adjustment Comments for the Lobster Board meeting 8/5/25

From: Beth Casoni <beth.casoni@lobstermen.com>

Sent: Thursday, July 31, 2025 11:57 AM

To: Toni Kerns <TKerns@ASMFC.org>

Cc: Dan Mckiernan <dan.mckiernan@mass.gov>; Raymond Kane <ray@capecodfishermen.org>; Jennifer Armini <JENNIFER.ARMINI@MAHOUSE.GOV>; Julia Logan <jlogan@lobstermen.com>; Arthur H. Sawyer Jr <sooky55@aol.com>; Bill Lister <billylister1956@gmail.com>; Dave Casoni <lobsterteacher@hotmail.com>; Jarrett Drake <jarrettdrake@verizon.net>

Subject: [External] [New] NEFMC Alternative Gear-Marking Framework Adjustment Comments for the Lobster Board meeting 8/5/25

Good morning, Toni,

Thank you for keeping us in the loop about the NEFMC Alternative Gear-Marking Framework Adjustment. After reviewing the summaries of their discussions, the one thing that jumps out is the comment that Law Enforcement does not support grappling as an option.

This is very concerning as we were just awarded a 1 million dollars from NFMW to develop a geo-locator or pinger to be used along with grappling as a cost-effective solution. Lobstermen can grapple and all they need to do is have the location of their traps be identifiable and we are working on this cost-effective solution. The end price point per unit is going to land between \$300-\$500 dollars, a far cry from the thousands upon thousands of dollars for the version that are available now.

I would ask Law Enforcement how many of the other units have they hauled during the closure on their own and if they cannot grapple, we can train them as the locators will help them identify where the gear is on the bottom as it won't be in deep water. This exclusion comment seems very discriminatory and unjust as the lobstermen are already outfitted with grapples, and the price point is more realistic for them.

Also, another item that we keep getting nowhere with is, gear conflicts between mobile gear and fixed gear and with these geo-locators, pingers or GPS locations now on the traps, mobile gear will be outfitted with the ability to "see" the fixed gear on the bottom. In the event of a gear with this technology, would the mobile gear be liable for the cost of the fixed gear should they have a conflict with it? There will be a footprint of the two entities being in the same location and then the fixed gear being gone once the lobsterman goes out to haul.

There needs to be something in this Framework that clearly states what happens when a conflict arises and it is not for enforcement it is for economics.

Thank you for your help in getting these comments to the Lobster Board members.

Kind regards,

Beth Casoni

Executive Director

[Massachusetts Lobstermen's Association](#)

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