



Massachusetts Lobstermen's Association

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National Oceanic Atmospheric Administration
National Marine Fisheries Service

RE: NOAA-NMFS-2026-2080

Comments submitted via: <https://www.regulations.gov/commenton/NOAA-NMFS-2026-2080-0001>

To whom it may concern,

The Massachusetts Lobstermen's Association ("MLA"), on behalf of the ~1800 members, I respectfully submits these comments in response to the National Marine Fisheries Service's ("NMFS") request for information concerning ropeless fishing gear, on-demand fishing systems, timed-retrieval devices, grappling methods, digital gear marking, and related regulatory frameworks.

Established in 1963, the MLA is a member-driven organization that recognizes and supports the interdependence of marine resource conservation and the economic sustainability of Massachusetts' commercial fishing industry. For more than six decades, the MLA has worked collaboratively with the Massachusetts Division of Marine Fisheries, the Atlantic States Marine Fisheries Commission, and the National Marine Fisheries Service to ensure that lobster management remains both environmentally responsible and economically viable.

The MLA appreciates the opportunity to provide comments on the 52 questions provided in the Request for Information **NOAA-NMFS-2026-2080**. However, the Association must be clear regarding its position:

The Massachusetts Lobstermen's Association **DOES NOT** support the broad authorization, implementation, or mandatory use of ropeless, on-demand, timed-retrieval, or grappling-only fishing systems as a replacement for traditional fixed-gear lobster fishing.

The MLA further opposes any regulatory framework that would directly or indirectly condition a Massachusetts lobster fisherman's continued access to the fishery on the acquisition, use, leasing, operation, or maintenance of expensive, technologically complex, proprietary, or experimental ropeless fishing systems.

The central regulatory issue is not whether ropeless technology can be developed, tested, or operated under certain circumstances. The relevant question is whether NMFS possesses sufficient scientific, operational, safety, economic, and regulatory evidence to justify imposing or facilitating a regulatory transition away from traditional fixed gear that has been used successfully for generations.

1. What experience do you have with ropeless fishing gear?

The Massachusetts commercial lobster industry has limited practical experience with ropeless fishing gear compared with decades of experience operating traditional fixed gear. The limited experience that does exist has largely occurred through experimental programs, research projects, and Exempted Fishing Permits.

The MLA does not believe that limited experimental use demonstrates that ropeless fishing is ready for broad commercial authorization. Commercial lobster fishing requires reliable, repeatable, safe, and economically viable gear performance under all the conditions encountered in the fishery, including rough weather, poor visibility, strong currents, deep water, high seas, heavy fishing pressure, vessel traffic, and equipment failure.

A system that performs adequately during a controlled trial or limited deployment may not be suitable for full-scale commercial fishing.

The industry should not be used as a testing ground for unproven technology, particularly when the consequences of failure include lost gear, lost catch, lost fishing time, safety risks, and potential conflicts with other fishermen.

2. Under what specific environmental, seasonal, or operational circumstances should NMFS authorize the use of ropeless fishing gear? Conversely, under what circumstances should its use be denied?

The MLA does not support broad authorization of ropeless fishing gear as a replacement for traditional fixed gear.

If NMFS allows continued limited experimentation, it should be restricted to carefully controlled, voluntary pilot programs with defined geographic boundaries, limited participants, comprehensive monitoring, independent evaluation, and no impact on the right of other fishermen to continue operating traditional gear.

Ropeless gear should not be authorized in a manner that creates a de facto requirement for fishermen to adopt the technology.

Authorization should be denied where:

- The technology has not demonstrated consistent commercial reliability;
- The system creates unacceptable safety risks;
- Gear locations cannot be accurately and consistently identified;
- Gear conflicts cannot be prevented;
- The system cannot be effectively inspected and enforced;
- The cost creates an unreasonable economic burden;
- The system is dependent on cellular, satellite, acoustic, internet, or other communications that may fail;
- A fisherman cannot safely retrieve the gear under real-world conditions;
- There is insufficient evidence that the system performs reliably in the specific fishery, depth, and environmental conditions where it would be used.

The burden of proof must rest with the developers and proponents of ropeless fishing.

3. One-end ropeless gear: Under what specific circumstances should NMFS authorize the use of one-end ropeless gear? When should it be explicitly denied?

The MLA does not support the authorization of one-end ropeless gear as a general solution.

One-end systems create additional uncertainty regarding the location, orientation, and retrieval of fishing gear. They also create significant concerns regarding gear conflicts, loss of gear, retrieval reliability, and the ability of fishermen and enforcement personnel to determine where gear is located.

One-end ropeless gear should be denied unless the system can demonstrate reliable performance in the specific conditions in which it would be used and can provide precise, accurate, and accessible information regarding gear location.

No one-end system should be used in a manner that increases the risk to traditional fixed-gear fishermen or creates additional navigational hazards.

4. Do you support the use of grappling-only ropeless fishing gear? What limitations or guidelines should accompany its use?

The MLA **DOES NOT** support grappling-only or ANY other ropeless fishing as a substitute for traditional fixed gear.

Grappling introduces significant risks of gear damage, lost gear, entanglement, damage to other fishermen's gear, and uncertainty regarding the precise location of fishing gear. The process is inherently dependent on successfully locating and grappling the gear from the surface.

Grappling should not be treated as a simple or equivalent replacement for a buoy line. Any authorization would need to be extremely limited and subject to strict geographic, depth, weather, gear-density, and operational restrictions.

The MLA's position is that the inherent uncertainty associated with grappling-only retrieval makes it inappropriate for broad commercial use.

5. What are the human safety-related concerns with and benefits of on-demand fishing? How do these concerns and benefits compare with traditional fishing gear?

The principal safety concern is that ropeless gear removes the direct and immediate connection between the fisherman and the gear.

Traditional fixed gear provides a visible, physical connection between the vessel and the gear. A fisherman can locate it, approach it, retrieve it, and respond to problems using established methods.

Ropeless gear introduces additional failure points, including:

- Release-mechanism failure;
- Acoustic communication failure;
- Timed-release failure;
- Battery failure;
- Software failure;
- Sensor failure;
- GPS or location errors;
- Communication failures;
- Device loss;
- Premature release;
- Failure to release;
- Equipment incompatibility;
- Human error.

A fisherman who cannot retrieve gear when needed may be placed in a dangerous situation, particularly when weather deteriorates, equipment malfunctions, or the vessel must leave the fishing area quickly.

The MLA does not believe that ropeless fishing provides a safety benefit sufficient to offset these additional risks.

6. What safety requirements or standards should be considered as part of approving a ropeless system for use?

The first safety requirement should be that no ropeless system be authorized unless it demonstrates 100% reliability equal to or greater than traditional gear under actual commercial fishing conditions.

Safety testing must include:

- Heavy seas;
- Strong currents;
- Low visibility;
- Deep water;
- Cold temperatures;
- Long deployments;
- Repeated deployments;
- Battery degradation;
- Equipment damage;
- Communication failure;
- Vessel emergency situations.

Manufacturers should not be permitted to establish their own safety standards without independent verification.

The fisherman must always have a reliable means of locating and retrieving the gear without dependence on a single electronic component, software platform, internet connection, or manufacturer-specific system.

7. Is “man overboard” functionality helpful for improving safety? If so, should it be a mandatory requirement for some or all types of ropeless gear? Are there other features that could increase safety of ropeless gear?

A man-overboard function may be helpful, but it does not solve the fundamental safety concerns associated with ropeless gear.

The presence of a man-overboard function should not be used as evidence that an otherwise unreliable system is safe for commercial use.

Additional safety features should include:

- Independent emergency retrieval capability;
- Redundant communication systems;
- Emergency release mechanisms;
- Independent backup location systems;
- Clear audible and visual alarms;
- Battery status monitoring;
- Failure alerts;
- Manual override capability.

No system should be authorized if a single component failure can prevent the fisherman from safely recovering the gear.

8. How could timed-retrieval devices or grappling methods be modified to increase safety?

Timed-retrieval devices should not be relied upon as the primary safety mechanism.

A timed device may release at a time when the fisherman is not present, creating an unmarked buoy line in the water column. Conversely, failure to release could prevent retrieval.

Grappling methods may increase the risk of fouling, damage, or entanglement. The MLA does not support the assumption that modifications to grappling systems can eliminate these risks.

The safest approach is not to replace a proven retrieval system with a technologically complex system that creates additional failure modes.

9. Should individual makes and models of ropeless fishing gear be subject to minimum reliability standards prior to approval for use? If so, how would you approach implementing this? Specifically, which components of a ropeless system (e.g., the release mechanism, the on-demand/timed-retrieval device, other) should be subject to minimum reliability standards? What success criteria and testing parameters (e.g., duration of deployment, depth, specific fishery conditions) should be used to evaluate reliability?

Yes. Any ropeless system must be subject to rigorous minimum reliability standards before authorization.

However, the MLA does not believe that meeting a minimum reliability standard should be interpreted as proof that the technology is appropriate for widespread commercial use.

Testing should include:

- Hundreds or thousands of deployment and retrieval cycles;
- Extended deployments;
- Different depths;
- Different bottom types;
- Strong currents;
- Rough weather;
- Cold temperatures;
- Battery degradation;
- Device damage;
- Real-world commercial fishing conditions with multiple gear types i.e. mobile and dredge.

A system should not be approved based solely on manufacturer testing or limited pilot deployments.

The release mechanism, containment system, communication device, acoustic system, software, batteries, sensors, and any other component necessary for retrieval must be evaluated as an integrated system.

10. If a ropeless system no longer meets a reliability standard, what should the process be for re-approval?

If a system fails to meet reliability standards, authorization should immediately be suspended until the cause is identified and corrected.

Re-approval should require:

- Independent testing;
- Documentation of the failure;
- Identification of corrective action;
- Demonstration that the problem has been resolved;
- A new period of operational testing.

Repeated failures should result in permanent removal of the system from the approved list.

11. Should fishermen be allowed to design and use their own rope containment systems to pair with approved on-demand or timed-retrieval release mechanisms or should complete-only designs be approved (with all or some modifications prohibited)?

The MLA does not support a regulatory system that allows fishermen to combine individually designed containment systems with separately approved components without comprehensive testing of the entire configuration.

A system is only as reliable as its weakest component.

Any configuration authorized for commercial use must be approved as a complete system. Mixing components creates substantial uncertainty regarding safety, performance, reliability, compatibility, and enforcement.

12. Should there be a periodic inspection requirement to ensure gear safety or viability?

Yes. If ropeless gear is authorized, periodic inspections must be mandatory.

Inspection should include:

- Release mechanisms;
- Batteries;
- Acoustic equipment;
- Containment systems;
- Retrieval devices;
- Software;
- Identification systems;
- Location-marking systems.

However, inspection requirements will create additional costs and burdens that do not exist to the same degree as traditional gear. These costs must be fully recognized in any economic analysis.

13. Should fishermen be required to report premature releases of on-demand or timed-retrieval fishing gear?

Yes, if ropeless gear is authorized, premature releases must be reported.

The number of required reports will provide important evidence regarding the reliability of the technology.

Repeated premature releases should trigger immediate review and potential suspension of the system.

14. Should premature release notifications be automatically sent to the gear owner and/or NMFS?

Yes, automatic notification may provide useful information, but it also demonstrates the increasing complexity and cost of ropeless systems.

Every additional device creates another potential failure point and another cost imposed on the fisherman.

NMFS should mandate automatic notification technology so it can demonstrate that it is 100% reliable and secure.

15. How precisely do you need to know the geographic location of ropeless fishing gear to ensure safe operations and prevent gear conflicts (e.g., within 25 feet of the true location)? In what specific areas, depths, or fishery conditions do you need to have this level of location precision?

Location information must be extremely precise.

A gear mark that is inaccurate by even a relatively small distance can result in a gear conflict, particularly in areas with high gear density.

The MLA does not support any system that provides a false sense of precision. If the system cannot accurately identify the location of gear, it should not be authorized.

16. Should ropeless systems be required to automatically mark their deployment locations to eliminate human error, or is manual input (e.g., via a mobile app or chartplotter) sufficient?

Manual marking creates significant opportunities for human error.

However, automatic marking is itself dependent on complex technology that can fail.

The existence of this choice demonstrates one of the fundamental problems with ropeless fishing: the industry is being asked to choose between human error and technological failure.

The MLA does not believe either option has been demonstrated to be sufficiently reliable for broad commercial use.

17. If manual marking is permitted, what measures or penalties should be considered to deter the creation of false marks or the failure to mark deployed gear?

False marking and failure to mark must be addressed seriously if ropeless fishing is authorized.

However, penalties cannot be imposed without first establishing that the technology itself is accurate and reliable.

Fishermen should not be penalized for failures caused by defective equipment, inaccurate location systems, software errors, or communication failures.

18. How should NMFS balance the high cost and complexity of reliance on through-hull transducers for automatic acoustic marking against the need for highly reliable spatial data?

The cost and complexity of through-hull transducers are additional evidence of the significant economic and operational burdens associated with ropeless fishing.

NMFS should not require expensive equipment simply to compensate for the limitations of a technology that has not demonstrated sufficient reliability.

19. How desirable is it to be able to mark ropeless gear and trigger release mechanisms with a chartplotter as opposed to using a manufacturer's mobile application?

The MLA strongly opposes a system in which fishermen are forced to rely on proprietary manufacturer applications.

Fishermen should not be required to carry multiple systems, applications, subscriptions, or devices simply to operate legally.

Any system that is authorized must be interoperable, accessible, secure, and independent of a single manufacturer.

Option for Sharing Ropeless Gear Location Data

Option 4: Fully Public

- *Process*: The data aggregator publicly shares all ropeless gear location data.
- *Priorities/tradeoffs*: This places the highest priority on vessel location privacy. However, it essentially eliminates on-demand gear location privacy and has a comparatively high data transmission cost.

The MLA supports Option 4 making precise ropeless gear-location information fully publicly available, including access from shore, because this is the closest digital equivalent to the traditional system of visible gear marking.

For generations, traditional fishing gear has been marked with surface buoys, flags, radar reflectors, and other identifying markings. Those markings are visible to all mariners and fishermen operating in the area. A fisherman does not have a reasonable expectation that the location of traditionally marked gear is private or proprietary simply because that gear is being actively fished.

Ropeless fishing gear should not receive special treatment or greater location privacy solely because its location is being communicated digitally rather than through a surface buoy. If ropeless gear is deployed in the same ocean and presents the same potential for gear conflicts, navigation concerns, and interactions with other fishing operations, the location of that gear should be equally available to the fishing community and other mariners.

In fact, providing less information about the location of ropeless gear than is available for traditional gear could create an inequitable and potentially unsafe system. Traditional gear allows fishermen to visually identify the location of gear and make informed decisions about navigation and fishing operations. A ropeless system should provide an equivalent or better level of transparency—not less.

Accordingly, we support **Option 4: Fully Public** for the location of deployed ropeless fishing gear. The public availability of gear-location data would:

- Allow all fishermen to identify where ropeless gear is deployed;
- Reduce the potential for gear conflicts;
- Improve navigational safety;
- Provide transparency regarding the location of fishing gear;
- Prevent a two-tiered system in which traditional gear is visible, but ropeless gear is concealed;
- Allow fishermen to make informed decisions about where and how to operate; and
- Ensure that the fishing community is not disadvantaged by the use of new technology.

This position does not mean that a vessel's location should be made public. There is an important distinction between the location of deployed fishing gear and the location of the vessel that deployed it. The location of the gear should be publicly available, while vessel-location information should be protected to the extent reasonably possible.

Similarly, publicly displaying the location of deployed gear does not necessarily require publicly displaying the permit holder's name, vessel name, or other identifying information. The critical information for safety and fishing operations is where the gear is located.

20. Which of the four data-sharing options (or combination thereof) is preferable, and why? How should data transmission costs, privacy of a vessel's location, and privacy of the fishing gear's location be prioritized against each other?

The preferred approach is a combination of options that provides fishermen with direct, timely, and reliable access to the information necessary to safely navigate and fish while minimizing unnecessary disclosure of vessel and gear locations. Any system adopted must be designed first and foremost around maritime safety, fishing operations, and the protection of fishermen's proprietary information.

Commercial fishermen should not be required to bear substantial additional data-transmission costs simply to comply with a regulatory system that is being developed to address broader conservation and management objectives. The costs associated with data transmission, maintenance, cybersecurity, and system administration should be borne by the entities requiring or benefiting from the data system.

The privacy of a vessel's location is important, particularly because vessel movements can reveal fishing patterns, business operations, and economically sensitive information. However, the location of deployed fishing gear is also sensitive and must not be made broadly available in a manner that could facilitate gear conflicts, theft, or the targeting of productive fishing areas.

At the same time, safety must take precedence over unnecessary privacy restrictions when a vessel is operating in the immediate vicinity of deployed gear. A fisherman or mariner approaching an area must have access to accurate and timely gear-location information sufficient to avoid entanglement, gear damage, and collisions.

Accordingly, the preferred system should provide nearby gear information to vessels operating in the area without requiring the broad or continuous public disclosure of vessel locations. Data should be collected and transmitted securely, with access limited according to legitimate operational, safety, enforcement, and management needs. Fishermen should have meaningful access to the data being generated about their own gear and fishing activity.

21. Under what circumstances is it necessary or desirable that ropeless fishing gear markings be viewable and updated in near real-time? Under what circumstances is it unnecessary?

Near-real-time updates are necessary when gear is actively deployed in areas where other fishing vessels, commercial traffic, or other marine users may reasonably be operating. This is particularly important in areas with high fishing density, changing weather conditions, significant vessel traffic, or a history of gear conflicts.

Near-real-time information is also necessary when gear is being moved, redeployed, retrieved, or otherwise relocated. A digitally marked location that is not current can create a false sense of security and may be more dangerous than having no information at all.

The information should be updated promptly whenever the location of the gear changes materially. The system must also clearly identify when information is stale, unavailable, or unreliable.

Near-real-time updates may be unnecessary for historical data, scientific analysis, long-term management, or aggregated information where the immediate location of individual gear is not needed. However, any delay must not compromise navigational safety or the ability of fishermen to locate and avoid active gear.

22. At what specific distance from deployed ropeless gear should its location become visible on a vessel's display? Should this distance vary for specific fisheries, users, or circumstances?

The location of deployed ropeless gear should become visible $\frac{1}{2}$ nm before a vessel reaches the gear, with the information becoming increasingly detailed as the vessel approaches.

A fixed distance that applies universally to every fishery and every vessel may not be appropriate. The appropriate warning distance should account for:

- Vessel speed;
- Vessel size and maneuverability;
- Weather and sea conditions;
- Visibility;
- Traffic density;
- The type and configuration of fishing gear;
- The density of fishing operations; and
- The amount of time reasonably necessary for a vessel to alter course safely.

As a minimum principle, gear should be displayed at a distance sufficient to allow a vessel to safely alter course and avoid the gear without creating a navigational hazard. In high-density fishing areas, the warning distance may need to be greater.

Most importantly, the system should not wait until a vessel is immediately adjacent to the gear before displaying its location. The gear marking should be visible as close to the actual gear location as technologically possible, rather than relying on a broad or inaccurate symbol that could mislead a mariner about where the gear is actually located.

23. Should digitally marked gear be viewable from shore? If so, which specific user groups (e.g., law enforcement, researchers, the general public) should have shoreside access? Would you support shoreside viewability if it only provided aggregated and anonymized information (e.g., a heat map)?

Yes, shoreside access may be appropriate for legitimate purposes, but access should be carefully controlled.

Law enforcement and authorized regulatory personnel should have access to detailed information when necessary for enforcement, safety investigations, compliance, or emergency response. Authorized researchers may also need access to appropriately controlled datasets for legitimate scientific and management purposes.

The general public should have unrestricted access to the precise, real-time locations of deployed fishing gear.

We would support aggregated and anonymized shoreside information, such as a heat map, provided that the information is sufficiently generalized so that individual vessels, permit holders, or specific gear locations cannot be identified or reverse-engineered. The level of aggregation must be sufficient to prevent the disclosure of commercially sensitive information.

24. Should there be a tiered-distance threshold where *only* the gear's location is viewable from a certain distance away, but detailed identifying information (e.g., permit or ownership details, as appropriate) becomes visible only when the vessel is in very-close proximity?

Yes. A tiered system is preferable to always making all information available to every user.

At a greater distance, a vessel should receive a clear and accurate indication of the location of deployed gear sufficient to allow the operator to safely plan and alter course.

As the vessel approaches the gear, additional information may become available when operationally necessary, such as:

- Gear type;
- The date and time of the last update;
- Whether the gear is actively deployed;
- Relevant navigational warnings; and
- Other information necessary to safely avoid the gear.

Detailed identifying information, including permit or ownership information where appropriate, should generally be restricted to authorized users or made available only under circumstances where there is a legitimate operational, enforcement, or safety need.

The fundamental principle should be maximum safety information with minimum unnecessary disclosure of proprietary information. The system should identify the presence and precise location of gear well before a vessel reaches it, while limiting sensitive ownership and permit information.

25. Should vessel location data be shared with a data aggregator so it may curate and provide only the gear data within a specific radius (Option 1; akin to sharing your location with a mapping application for driving directions)? If not, what are your concerns regarding this option?

We would have significant concerns with requiring fishermen to continuously share their vessel locations with a centralized data aggregator.

Although the concept of providing only nearby gear information may have operational benefits, the system would require a high degree of trust in the aggregator and strong, enforceable protections against:

- Unauthorized access;
- Cybersecurity breaches;
- Misuse of location data;
- Commercial exploitation of fishing patterns;
- Government or third-party use beyond the original purpose;
- Data retention beyond what is necessary; and
- The potential disclosure of sensitive vessel movements over time.

A vessel's location can reveal highly valuable information about where a fisherman is operating, when they are fishing, the areas they are targeting, and potentially the productivity of a particular area. **Continuous vessel-location tracking should not become an unintended consequence of a system designed to provide gear-location information.**

26. What are the gear conflict-related benefits and concerns of ropeless fishing? How are those benefits or concerns different for one-end ropeless?

The principal concern is that ropeless fishing may not eliminate gear conflicts—it may make them more difficult to identify, prevent, and investigate.

Traditional gear is visible. Ropeless gear is not.

The absence of a visible buoy does not mean that the gear is absent from the water column.

Ropeless fishing may create:

- Unmarked gear;
- Inaccurate digital marks;
- Conflicting location data;
- Delayed data transmission;
- Technology incompatibility;
- Uncertainty regarding ownership;
- Difficulty identifying responsibility for damage.

One-end ropeless gear creates additional uncertainty because the precise position and orientation of the gear may be difficult to determine.

27. Are specific steps or regulatory measures necessary to proactively decrease gear conflicts related to ropeless fishing? If so, what are they?

The MLA does not believe digital mapping alone will prevent gear conflicts.

Any authorized ropeless program would require:

- Clearly defined areas;
- Separation distances;
- Mandatory marking standards;
- Accessible real-time information;
- Reliable ownership identification;

- Clear responsibility for damage;
- Strong enforcement.

However, these requirements should not be imposed on traditional fishermen merely because a new technology creates additional complexity.

28. Is it necessary for fishing vessels operating around ropeless gear to view digital gear markings in near real-time? Does this depend on the fishery or location?

Yes, vessels operating in the area must have access to accurate, timely, and reliable information.

A delayed or inaccurate mark is not adequate to prevent gear conflicts.

No, this does not depend on the fishery as ALL fisheries need to have access to real time gear location.

29. Should fishing vessels operating near ropeless gear be required by regulation to carry the technology necessary (e.g., internet and a visualization tool, such as a chartplotter) to view digital gear markings in near real-time? Or are the consequences of causing a gear conflict enough deterrence that such regulatory requirements are not necessary?

The MLA opposes forcing traditional fishermen to purchase additional technology simply to avoid conflicts created by another gear system.

It is unreasonable to require a fisherman operating traditional gear to purchase internet access, visualization software, chartplotters, subscriptions, or other equipment merely because ropeless gear has been introduced.

The burden of proving that ropeless gear can coexist safely with existing fishing operations must rest with those proposing and testing or fishing ropeless gear.

30. Should fishermen be required to report gear conflicts?

Yes, ALL gear conflicts involving ropeless gear should be reportable.

Reports must include accurate location data, gear ownership, equipment information, and the circumstances of the conflict.

31. Does the digitization of fishing gear locations improve situational awareness of gear locations at sea?

Digitization may improve situational awareness in theory.

However, digital information is only useful if it is accurate, current, accessible, and reliable.

A false, delayed, or incomplete digital mark may create less situational awareness than a traditional visible buoy.

32. What specific equity concerns do you have regarding the authorization and use of ropeless fishing gear?

The equity concerns are substantial.

Ropeless fishing creates a system in which the fishermen with the greatest financial resources may be best positioned to purchase and operate expensive technology.

Small businesses, owner-operators, and family fishing operations may be disproportionately affected.

The industry should not be divided into fishermen who can afford expensive technology and fishermen who cannot.

The MLA strongly opposes any system that effectively excludes traditional fishermen from the fishery because they cannot afford ropeless technology.

33. What measures could NMFS implement to address equity concerns?

The most effective way to address equity concerns is not to force fishermen into expensive technology.

NMFS should:

- Stop funding ALL testing and development of the technology;
- Preserve access to traditional fishing methods;
- Avoid technology mandates;
- Avoid creating unequal regulatory burdens;
- Recognize the economic realities of small businesses;
- Avoid favoring large operators or technology developers.

No grant program can justify making an expensive and unproven technology a prerequisite for continuing to fish. Let the developers and fishermen fund their own technology and testing.

34. How does the current reliance on EFPs impact the development, fairness, and opportunity within the fishery?

The current reliance on EFPs creates concerns regarding fairness and transparency.

EFPs should not be used to gradually establish a new regulatory system before the technology has been fully evaluated through a transparent public process.

The industry must not be placed in a position where experimental authorizations become the foundation for permanent restrictions.

35. How can ropeless fishing programs be designed and managed to ensure fair access and equitable outcomes for all willing participants and affected parties?

Fair access requires preserving the right of fishermen to continue operating traditional gear.

The MLA does not support a system where participation in the fishery becomes dependent on a fisherman's ability to acquire expensive, proprietary technology.

36. Should ropeless users be required to demonstrate that they know how to properly deploy, retrieve, and/or mark ropeless fishing gear before being authorized to use it?

If ropeless gear is authorized, training should not be required as fishermen can learn on their own or from the developer if needed.

However, if there is a need for extensive training further demonstrates that ropeless systems are significantly more complex than traditional gear.

Traditional fishermen should not be forced to undertake extensive new training simply to comply with a technology mandate.

37. If a knowledge demonstration or training requirement is implemented, what specific elements or milestones should be required of the operator? Who should be responsible for developing and administering this training (e.g., NMFS, gear manufacturers, other)?

Training would need to include:

- Deployment;
- Retrieval;
- Emergency procedures;
- Equipment maintenance;
- Location marking;
- Device failure;
- Premature releases;
- Gear conflicts;
- Software and communication systems.

Training should be independently developed and not controlled solely by NMFS or the manufacturers.

38. Should other ocean users (e.g., mobile gear fishermen) be required to demonstrate proficiency in using the visualization technology necessary to detect digitally marked gear?

The MLA opposes placing the burden on traditional fishermen to become experts in a complex new digital system merely to avoid conflicts with ropeless gear.

If ropeless fishing is authorized, the system must be designed to coexist safely with existing fishing practices without requiring every other user to purchase and master new technology.

39. How should NMFS handle repeated instances of operator error? How would NMFS distinguish between an operator error and an equipment malfunction?

This distinction may be extremely difficult to make.

Manufacturers and regulators must not automatically blame the fisherman when equipment fails.

A complete investigation must determine whether the failure resulted from:

- Operator error;
- Equipment malfunction;
- Software failure;
- Battery failure;
- Communication failure;
- Environmental conditions;
- Inaccurate location information.

40. What concerns or suggestions do you have regarding enforcing ropeless fishing?

Ropeless fishing creates substantial enforcement challenges.

Officers may be unable to determine:

- Whether gear is present;
- Who owns the gear;
- Whether the gear is properly marked;
- Whether equipment is operational;
- Whether a system was prematurely released;
- Whether the gear was deployed legally;
- Whether the digital location is accurate.

A system that is difficult to enforce is not appropriate for broad authorization.

41. How should law enforcement address the inspection of ropeless gear that is rigged with timed-retrieval devices or that is grapple-only?

Inspection must include the entire system.

However, law enforcement must have the equipment, training, and authority necessary to inspect these systems.

The additional enforcement burden should be fully considered before authorization.

42. How should data for ropeless fishing be governed and managed?

The MLA has serious concerns regarding the collection and storage of fishing location data.

Fishing locations are commercially sensitive information.

Data should not be made publicly available in a manner that could expose fishing locations, fishing patterns, business practices, or proprietary information.

Any data system must have strict safeguards, limited access, clear retention rules, and strong cybersecurity protections.

43. Do you have any additional feedback or recommendations regarding the list of data elements in the report *A Proposal for Functional Data Specifications of On-Demand Fishing Gear* (Galvez, 2026, see ADDRESSES)? Are there any missing data elements, or elements that should be modified or removed?

NMFS should collect only information that is absolutely necessary.

The agency should not use ropeless fishing as a justification to create an expansive database of commercial fishing activity.

Data collection must be limited, secure, transparent, and subject to strict controls.

44. What specific security and operational requirements should be considered for independent third parties managing digitally marked gear locations and other associated data?

The MLA strongly opposes unrestricted reliance on private third parties to manage sensitive fishing location data.

Any third party must be subject to:

- Strict cybersecurity standards;
- Data ownership restrictions;
- Limited access;
- Audit requirements;
- Breach notification requirements;

- Prohibitions on commercial use of fishing data.

Fishermen must retain control over commercially sensitive information.

45. Is there any other information that you would like to share in response to this request for information or regarding ropeless fishing more generally?

The most important point is that ropeless fishing should not be treated as the inevitable future of the commercial lobster fishery.

The technology is expensive, complex, operationally challenging, and unproven at the scale necessary to replace traditional lobster fishing.

The MLA strongly opposes any effort to use ropeless fishing technology as a justification for eliminating or restricting traditional fixed gear.

46. NMFS has heard concerns regarding the cost of systems. For fishermen who choose to fish with ropeless fishing gear, there could be several ways to reduce the cost of acquiring ropeless systems, such as by leasing gear from gear libraries or utilizing grant or loan programs. How should NMFS balance the potential regulatory requirements for technologically complex features (*e.g.*, automated acoustic marking, real-time data transmission, *etc.*) against the potential cost of these features?

NMFS must not balance the cost of expensive technological requirements by simply assuming that fishermen will receive grants or loans.

A grant does not eliminate the cost of:

- Maintenance;
- Batteries;
- Repairs;
- Software;
- Subscriptions;
- Training;
- Lost fishing time;
- Equipment failures;
- Replacement costs.

The long-term operating cost may be far greater than the initial purchase price.

The cost of a technology is not acceptable merely because a subsidy may temporarily offset some of the initial expense.

47. Beyond the direct cost of purchasing ropeless gear, what are the other economic costs of ropeless fishing? What are the economic benefits?

The economic costs include:

- Lost fishing time;
- Slower fishing operations;
- Additional labor;
- Training;
- Maintenance;
- Repairs;
- Replacement equipment;
- Software and subscriptions;
- Battery costs;
- Equipment failure;
- Lost gear;
- Lost catch;
- Reduced efficiency;
- Increased administrative burdens.

The MLA does not believe that sufficient evidence exists to conclude that ropeless fishing provides economic benefits that offset these costs.

Traditional fixed gear has been developed over generations and is operationally efficient, understood, repairable, and proven.

48. Should NMFS require a common acoustic protocol or signaling standard for all approved on-demand systems to ensure interoperability across the industry, or should manufacturers be permitted to maintain proprietary acoustic approaches? This topic is discussed in the MITRE technical report *Evaluation of On-Demand Gear Acoustic Interoperability Approaches in the Northeast U.S.* (see ADDRESSES).

If ropeless gear is authorized, interoperability would be essential.

The MLA does not support a system in which each manufacturer operates a proprietary system that may not communicate with other systems.

However, the need for a common protocol further demonstrates the complexity of the technology and the lack of an established, universally reliable system.

No proprietary system should be allowed to create a captive market for fishermen.

49. If NMFS allows the use of ropeless fishing gear, should the option to use it be phased in (e.g., by specific geographic regions, by fishery, or through pilot programs)?

The MLA does not support broad implementation of ropeless fishing.

If NMFS proceeds with any authorization, it should be limited to voluntary, highly controlled pilot programs.

There should be no geographic expansion, fishery-wide mandate, or regulatory phase-in unless the technology has first demonstrated long-term reliability, safety, economic viability, enforceability, and compatibility with existing fishing operations.

50. How can NMFS design ropeless fishing regulations to be flexible enough to accommodate future technological advancements?

Regulations should not be written in a manner that assumes future technology will solve current problems.

The regulatory framework must be based on proven performance, not anticipated innovation.

The existence of future technological possibilities should not be used to justify current restrictions on traditional fishermen.

51. What are the potential environmental benefits or consequences of fishing with ropeless gear? What are the potential benefits or consequences of ropeless fishing on fisheries operations?

The potential environmental benefits of ropeless gear remain uncertain.

Potential consequences include:

- Lost gear that cannot be located;
- Unretrieved gear;
- Ghost fishing;
- Additional electronic waste;
- Battery waste;
- Increased equipment manufacturing;
- Lost gear on the ocean floor;
- Increased retrieval attempts;

The environmental consequences of a technology must be evaluated over its entire lifecycle.

52. Ropeless fishing gear is currently being used in fisheries outside of the Greater Atlantic Region. Do you have examples of its use or management outside the Greater Atlantic Region that should be emulated or avoided within the Greater Atlantic Region?

The experience of other fisheries should be examined carefully, but no foreign or geographically different fishery should be treated as directly comparable to the Massachusetts commercial lobster fishery.

The conditions of the Massachusetts commercial lobster fishery—including gear density and diversity, vessel traffic, bottom conditions, currents, weather, fishing practices, and economic structure—are unique.

The MLA strongly cautions against importing regulatory models from other regions without demonstrating that they are appropriate for Massachusetts.

CONCLUSION

The Massachusetts Lobstermen’s Association **DOES NOT** support the broad authorization or mandatory use of ropeless, on-demand, timed-retrieval, or grappling-only fishing gear as a replacement for traditional fixed-gear lobster fishing.

The industry has serious concerns regarding:

- Safety;
- Reliability;
- Cost;
- Gear conflicts;
- Enforcement;
- Data security;
- Equity;
- Operational efficiency;
- Equipment failure;
- Lost gear;
- Human error;
- Proprietary technology;
- Dependence on electronic systems and communications.

Traditional fixed-gear lobster fishing is a proven, economically important, and operationally effective fishery. The burden should not be placed on traditional fishermen to prove that they can continue fishing while proponents of an unproven technology seek to establish a new and highly complex regulatory system.

The MLA strongly urges NMFS not to mandate ropeless fishing, not to restrict traditional fixed gear based solely on the availability of experimental technology, and not to use pilot programs or EFPs as a substitute for a full and transparent evaluation of the significant economic, safety, operational, and regulatory consequences.

Any future use of ropeless technology must remain voluntary, limited, fully evaluated, and separate from any effort to eliminate or restrict the traditional fixed-gear lobster fishery.

The Massachusetts commercial lobster industry should not be forced to abandon proven fishing practices in favor of expensive and unproven technology. Thank you for the opportunity to comment.

Best regards,

Beth Casoni

Executive Director