



Massachusetts Lobstermen's Association

8 Otis Place ~ Scituate, MA 02066
781.545.6984

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Daniel McKiernan, Director
Massachusetts Division of Marine Fisheries
836 S Rodney French Blvd
New Bedford, MA 02744

Submitted via: marine.fish@state.ma.us

RE: Comments on Proposed Modifications to Offshore and Coastal Lobster Permit Rules
(322 CMR 7.03 and 7.06)

Director McKiernan:

On behalf of the ~1800 members of the Massachusetts Lobstermen's Association, we submit the following comments expressing **serious concern** regarding the Division of Marine Fisheries proposed modification that would allow existing Coastal Lobster Permit holders, whose vessels also hold federal lobster trap permits, to permanently surrender their Coastal Lobster Permit in exchange for an Offshore Lobster Permit.

Established in 1963, the Massachusetts Lobstermen's Association (MLA) is a member-driven organization and a steadfast advocate for the Commonwealth's commercial lobster fleet. We support fisheries management approaches that protect marine resources while ensuring that fishermen can operate viable, sustainable businesses. Regulations that are disconnected from economic reality, operational feasibility, or sound science threaten not only individual fishermen, but also the working waterfronts and coastal economies that depend on them.

The MLA works directly with the Division of Marine Fisheries (DMF), the Atlantic States Marine Fisheries Commission, and the New England Fishery Management Council to ensure that management decisions reflect real-world fishing practices and deliver measurable conservation outcomes. We urge policymakers to provide oversight and direction that prioritize science-based, economically sustainable policies, safeguard access to marine resources, and prevent unnecessary regulatory burdens that jeopardize the future of America's domestic seafood industry.

Concern Regarding Permit Consolidation and Stacking

The MLA's primary concern is that the proposed permit conversion program, if left open-ended, could create an opportunity for individuals or entities to **stack, accumulate, or amass multiple federal lobster permits over time**. This type of consolidation could fundamentally alter the structure of the Massachusetts lobster fleet, creating long-term access inequities and accelerating fleet consolidation beyond what has historically occurred in this fishery.

The Massachusetts lobster fishery has long been characterized by independent owner-operator businesses that support coastal communities and working waterfronts. Allowing repeated or ongoing conversions from Coastal permits to Offshore permits without limitation risks:

1. Concentrating fishing access into fewer hands;
2. Reducing entry and advancement opportunities for smaller-scale fishermen;
3. Increasing economic barriers within the fishery;
4. Permanently altering the balance between inshore and offshore fishing sectors;
5. Undermining the Commonwealth's long-standing public policy goals supporting diverse, community-based fisheries.

Because Offshore permits carry significant fishing opportunity and geographic range, unrestricted conversions could unintentionally create a pathway for speculative permit acquisition or long-term consolidation strategies that were never contemplated in prior management frameworks.

Recommendation: One-Time, Non-Transferable Conversion Opportunity

To address these concerns, the MLA strongly recommends that the DMF explicitly structure this initiative as a **one-time, limited conversion opportunity** with safeguards to ensure it cannot be used as a mechanism for permit accumulation.

Specifically, the MLA recommends that the DMF:

1. Clearly designate this program as a one-time authorization available only to currently eligible permit holders;
2. Prohibit individuals or business entities from using multiple vessels or permit holdings to obtain more than one Offshore permit through this conversion pathway;
3. Establish eligibility control date to prevent speculative permit transfers intended solely to qualify for conversion;
4. Require that surrendered Coastal permits be permanently retired to prevent future reissuance or indirect consolidation;
5. Conduct a post-implementation review to evaluate fleet structure impacts.

Recommendation to Postpone Action Pending Further Evaluation

We have serious concerns about the timing, scope, and potential long-term consequences of this proposal. While we understand that regulatory adjustments may at times be necessary to address evolving management needs, this modification carries significant structural implications for the Massachusetts lobster fishery. As such, it warrants careful, transparent consideration and broader industry engagement before any final action is taken.

First and foremost, many affected permit holders and coastal communities have not yet been fully informed of the details, nuances, and potential impacts of this proposed change. A permanent surrender of a Coastal Lobster Permit represents an irreversible decision with generational consequences. Without comprehensive outreach and clear explanation of how this shift would affect access, effort distribution, latent permits, trap allocations, area-based management, and future entry into the fishery, stakeholders cannot reasonably evaluate the risks involved.

Additionally, there has been insufficient analysis presented regarding the unintended consequences this action may produce. Changes to permit structures can alter fishing patterns, increase pressure in certain areas, disrupt established business models, and affect shore-side infrastructure and community economics. The interaction between state and federal permitting frameworks further complicates the matter, raising questions about enforcement, equity among sectors, and long-term resource sustainability.

We are particularly concerned that moving forward without adequate data collection and impact assessment could create regulatory imbalances that are difficult—or impossible—to reverse. Before implementing a permanent structural change of this magnitude, the Division should conduct a thorough evaluation of potential

biological, economic, and social impacts, and provide the industry with an opportunity to review and respond to those findings.

Therefore, we respectfully request that the Division of Marine Fisheries delay consideration and implementation of this proposed modification until:

1. Comprehensive outreach has been conducted to ensure all affected permit holders are fully informed;
2. A detailed impact analysis has been completed and shared publicly;
3. Adequate opportunity for stakeholder feedback and discussion has been provided; and
4. The long-term implications for access, effort distribution, and coastal communities have been clearly evaluated.

The Massachusetts lobster industry depends on stability, transparency, and collaborative management. We urge the Division to take the time necessary to fully vet this proposal with the industry before proceeding with a permanent and potentially far-reaching regulatory change.

Protecting Long-Term Fleet Stability

The MLA recognizes the operational challenges associated with maintaining dual state and federal trap authorizations and supports reasonable flexibility where it benefits active fishermen. However, any modification to permit structures must be carefully designed to avoid creating long-term unintended consequences that reduce participation opportunities and destabilize the fleet.

Permit consolidation is difficult—if not impossible—to reverse once it occurs. A measured, clearly defined one-time conversion opportunity would provide relief to eligible fishermen while preserving DMF’s ability to maintain a balanced and accessible fishery into the future.

Conclusion

The Massachusetts Lobstermen’s Association respectfully urges the Division of Marine Fisheries to adopt explicit safeguards ensuring that the proposed Coastal-to-Offshore permit conversion is implemented as a **single, limited opportunity** that prevents stacking or amassing of federal lobster permits. Taking this precautionary approach will help maintain fairness, prevent excessive consolidation, and protect the long-term sustainability and accessibility of the Massachusetts lobster fleet.

We appreciate the Division of Marine Fisheries continued willingness to engage with industry stakeholders and welcome further discussion on how to implement this proposal in a way that supports both fishermen and responsible fishery management.

Respectfully submitted,

Beth Casoni

Executive Director