



ATLANTIC OFFSHORE LOBSTERMEN'S ASSOCIATION

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August 31, 2026

The Honorable Bruce Westerman, Chair
The Honorable Jared Huffman, Ranking Member
Committee on Natural Resources
US House of Representatives
1324 Longworth House Office Building
Washington, DC 20515

Re: **H.R. 9436:** To amend the Consolidated Appropriations Act, 2023 to extend the time period for which certain regulations concerning the North Atlantic right whale are effective.

Dear Chairman Westerman and Ranking Member Huffman,

The Atlantic Offshore Lobstermen's Association represents American lobster fishermen from Maine, New Hampshire, Massachusetts, and Rhode Island. Our membership consists of the majority of vessels fishing in the offshore Lobster Conservation Management Area 3 (LCMA 3), harvesting over \$100 million of seafood annually. The several LCMAs can differ greatly in benthic habitat, size, and amount and configuration of deployed fishing gear; these comments are exclusive to LCMA 3.

We have no objection to implementation of HR 9436. LCMA 3 has few, if any, documented cases of right whale entanglement inside the area and no known mortality events. To minimize entanglement risk, by regulation LCMA 3 has the highest ratio of traps-to trawls in the Northeast areas, which results in a minimal number of vertical trawl lines in the water column and an extremely low possibility of right whale interaction.

In conjunction with all lobstermen, we deploy 'weak' rope gears designed to help any whale shed an entangled line, and adhere to a seasonal closure of a subsection of LCMA 3 during a period of right whale aggregations.

Our organization has calculated the LCMA 3 fleet's startup cost of mandatory ropeless gear to be over \$60 million, with annual revenue losses and additional costs exceeding 20%-30% of income. The latter is simply untenable for a low margin business such as commercial fishing. Furthermore, LCMA 3's marine environment is often harsh, with strong tides and high seas that generally do not occur closer to shore. Testing to date demonstrates ropeless gear retrieval in LCMA 3 is particularly unreliable, with failure rates often exceeding 20%.

We expect other fishermen have stated, and we concur, that there are also serious and genuine safety concerns surrounding ropeless gear deployment that need to be understood and mitigated. Commercial fishing is already one of the most dangerous jobs in the nation.

In recent years our organization became frustrated with the National Marine Fisheries Service's apparent fixation on ropeless fishing as the only solution to entanglement mortality. However, we do credit the current administration's willingness to explore other tools (e.g. temporary modifications to surface gear marking requirements; improved real-time whale location reporting). We had opportunity to visit NOAA Fisheries Assistant Administrator Eugenio Piñeiro Soler recently, to explain LCMA 3's unique fishery and discuss conservation alternatives. Both then and in recent federal Requests for Information. Mr. Piñeiro Soler has expressed his desire that fishermen help inform the Service of practical risk mitigation measures. We intend to do so via our work serving on the Atlantic Large Whale Take Reduction Team, the Area 3 Lobster Conservation Management Team, and elsewhere as appropriate.

H.R. 9436's extension from 2028 to 2035 would allow for development of alternatives to more ropeless gear, plus continued refinement of ropeless technology to reduce costs and increase efficiency. Existing entanglement risk reduction rules should remain in place. Conservation options, in conjunction with fishery participant input, can be expanded to include alternative and effective entanglement risk mitigation strategies. That combination of mitigation time and effort might produce a number of solutions and is worthy of support.

In appreciation for your consideration,

A handwritten signature in black ink, appearing to read 'Hank Soule', with a stylized, cursive script.

Hank Soule
Atlantic Offshore Lobstermen's Association