



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

June 3, 2008

Dear Commercial Trap/Pot and Gillnet Fishermen:

This letter is to inform you that NOAA's National Marine Fisheries Service (NMFS) will publish a proposed rule to amend the Atlantic Large Whale Take Reduction Plan (ALWTRP). This proposed rule would provide an additional six months (through April 5, 2009) for **trap/pot** fishermen along the Atlantic east coast to comply with the broad-based sinking groundline requirement. Additionally, this proposed rule would delete the "neutrally buoyant line" term and definition from the ALWTRP regulations, so that only the "sinking line" term and definition would remain.

Since implementation of the ALWTRP in 1997, NMFS has modified the plan on several occasions to address the risk of large whale entanglement in commercial fishing gear. The most recent amendments, finalized in October 2007, expanded the scope of the plan to regulate additional fisheries, established new gear modification and marking requirements, and implemented a number of other regulatory changes (72 FR 57104, October 1, 2007; 73 FR 19171, April 9, 2008). Most modifications became effective November 5, 2007, and April 5, 2008, except for the broad-based sinking groundline requirement which becomes effective on October 5, 2008. A previous permit holder letter was sent regarding these amendments. If you have any questions or need additional information on your trap/pot or gillnet requirements, please contact the ALWTRP coordinator or visit the ALWTRP webpage (see information below).

Based on the availability of sinking groundline and the time needed to reconfigure gear, NMFS built into the final rule a one year phase-in period for the broad-based, sinking groundline provision. Since the publication of the final rule, NMFS has monitored the availability of sinking groundline as well as the progress of commercial trap/pot fisheries in converting to sinking groundlines. Based on its findings, NMFS has determined that additional time to convert to sinking groundline is warranted. This proposed rule would provide an additional six months (through April 5, 2009) for trap/pot fishermen along the Atlantic East Coast to comply with this major requirement. Additionally, this proposed rule would delete the "neutrally buoyant line" term and definition from the regulations, so that only the "sinking line" term and definition would remain. This change would facilitate both industry understanding of the regulations as well as enforcement efforts.

All public comments on this proposed rule must be received by 5 p.m. EST **July 7, 2008**.

Mail comments to: Mary Colligan
Assistant Regional Administrator for Protected Resources
NMFS, Northeast Region
1 Blackburn Dr.
Gloucester, MA 01930
Attn: ALWTRP Proposed Rule

Email comments to: The Federal eRulemaking Portal at <http://www.regulations.gov>

FAX comments to: (978) 281-9394; Attn: Diane Borggaard



To obtain a complete copy of the proposed rule, please contact Holly Morin (978-281-9300 ext. 6516 or Holly.Morin@noaa.gov) or visit the ALWTRP web page (www.nero.nmfs.gov/whaletrp/). For questions regarding this proposed action, please contact the ALWTRP Coordinator, Diane Borggaard, 978-281-9300 ext. 6503 or Diane.Borggaard@noaa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia A. Kurkul". The signature is written in a cursive style with a large initial "P" and "K".

Patricia A. Kurkul
Regional Administrator