



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

August 29, 2008

Small Entity Compliance Guide

Dear Commercial Trap/Pot and Gillnet Fishermen:

This letter is to inform you that NOAA's National Marine Fisheries Service (NMFS) has published a final rule to amend the Atlantic Large Whale Take Reduction Plan (ALWTRP). This final rule will 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 final rule will **delete the "neutrally buoyant line" term and definition in the regulations**, so that only the "sinking line" term would remain in the regulations. Please note, that **the deletion of the "neutrally buoyant line" term does not change the ALWTRP requirements where this type of line was required**; i.e. the line must have a specific gravity greater than or equal to 1.03 and, for groundlines, does not float at any point in the water column.

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, establish new gear modification and marking requirements, and implement 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, for gillnet fishermen and now April 5, 2009, for trap/pot fishermen. 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).

To obtain a complete copy of this final 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 final action, please contact the ALWTRP Coordinator, Diane Borggaard, 978-281-9300 ext. 6503 or Diane.Borggaard@noaa.gov.

Sincerely,

Patricia A. Kurkul
Regional Administrator

