



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

October 5, 2007

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 recently approved a Final Rule to amend the regulations implementing the Atlantic Large Whale Take Reduction Plan (ALWTRP). **Although most requirements will be effective April 5, 2008, there are some regulations that will become effective November 5, 2007, and a broad-based sinking and/or neutrally buoyant groundline requirement that will become effective October 5, 2008.** The Final Rule, published on October 5, 2007, can be found in its entirety at 72 FR 57104.

In response to the continued serious injury and mortality of large whales from entanglement in commercial fishing gear, and the necessity to meet the goals of the Marine Mammal Protection Act (MMPA) and Endangered Species Act (ESA), NMFS determined that additional modifications to the ALWTRP were warranted. Amongst other requirements, this final rule implements broad-based gear modifications (e.g., expanded weak link and sinking and/or neutrally buoyant groundline requirements) in specific times and areas that would replace the Seasonal Area Management [SAM] and Dynamic Area Management [DAM] programs, folds in additional trap/pot and gillnet fisheries under the ALWTRP regulations, expands exempted waters, requires additional gear marking requirements, and includes other regulatory changes for the purposes of clarification and consistency.

This letter includes the following enclosures: 1) Small Entity Compliance Guide, summarizing the revised ALWTRP regulations; and 2) Gear Modification Techniques for Complying with the Atlantic Large Whale Take Reduction Plan (and its supplement).

Please note that these documents are not a substitute for the regulatory text. NMFS strongly urges all commercial trap/pot and gillnet fishermen to obtain a complete copy of the final rule and also encourages lobster trap/pot and gillnet fishermen to be familiar with the current ALWTRP requirements. To obtain a complete copy of the final rule or the current regulations, please contact Marcia Hobbs (Marcia.Hobbs@noaa.gov, 978-281-9300 ext. 6505) or visit the ALWTRP website at <http://www.nero.noaa.gov/whaletrp/>. For questions on the ALWTRP, please contact Diane Borggaard (Diane.Borggaard@noaa.gov, 978-281-9300 ext. 6503).

Sincerely,

Patricia A. Kurkul
Regional Administrator

Enclosure

