



The Commonwealth of Massachusetts

Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114

p: (617) 626-1520 | f: (617) 626-1509

www.mass.gov/marinefisheries



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Governor

KARYN E. POLITO
Lt. Governor

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Secretary

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Marine Fisheries Advisory

Upcoming Amendments to the Federal Atlantic Large Whale Take Reduction Plan

NOAA Fisheries is currently taking public comment on potential changes to the Atlantic Large Whale Take Reduction Plan (ALWTRP) to further reduce the potential for right whale entanglements in fixed gear along the US East Coast.

In July 2022, a federal court found NOAA Fisheries violated the Endangered Species Act and the Marine Mammal Protection Act by failing to adequately protect right whales from entanglements and inaccurately depicting the risk posed by the lobster trap fishery. Accordingly, the May 2021 Biological Opinion was invalidated. Moreover, the final federal ALWTRP rules—implemented in September 2021—were determined to not sufficiently protect right whales, where a 90% reduction in entanglement risk was required but only a 46% reduction in risk was achieved.

In response, NOAA Fisheries is proceeding to rule-making to amend the ALWTRP rules on an accelerated timeline. Accordingly, the agency is currently conducting a public scoping process to take comments from industry on how to achieve the 90% risk reduction threshold across all fisheries managed by the ALWTRP (lobster and crab pot/trap; mixed species pot/trap; sink gillnet). The proposals provided as part of this scoping process will then be evaluated and discussed at the next Atlantic Large Whale Take Reduction Team meeting in November 2022.

For more information on the proposed action, current scoping process and to view the recent webinar, please visit NOAA Fisheries' [website](#). Public comments on the current scoping are being accepted through October 11, 2022 and written comments may be submitted through the [online portal](#).

Please visit our website (www.mass.gov/marinefisheries).