



February 7, 2022

The Honorable Gina Raimondo
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Avenue NW
Washington, DC 20230

Dear Secretary Raimondo:

We are writing to you with renewed urgency requesting a short delay in the National Marine Fisheries Service's (NMFS) implementation of the new Atlantic Large Whale Take Reduction Plan (ALWTRP) rule. The economic harm imposed by the gear conversion deadline will be severe, and the scarcity of required gear is making it difficult – if not impossible – for lobstermen to achieve timely compliance.

The final ALWTRP rule requires U.S. lobster and Jonah crab fisheries to modify their gear by May 1, 2022. In addition to the flaws in the data informing the rule, this timeline disrupts the longstanding seasonal rotation of gear in the lobster fishery and is not correlated to whale migration patterns. Specifically, the rule cuts short a highly productive period for many lobstermen who will have to bring their gear ashore sooner than usual to make the required changes. Analysis has shown that extending the deadline by 60 days would present negligible additional risk to whales, but would meaningfully reduce the economic harm to the lobster fishery. Should the compliance date change to July 1, the NMFS Decision Support Tool shows a potential increase in risk to whales of just 0.9 percent. On the other hand, failure to delay the rule will cost the industry \$7.3 million. Despite these analyses, NMFS has declined requests to extend the compliance date.

As the May 1 compliance date approaches, lobstermen are working earnestly to conform to the new requirements and preparing to absorb anticipated losses. They are encountering, however, a new obstacle that demands attention: a scarcity of the very materials they need to comply, including manufactured weak links and special weak rope. The installation of manufactured weak links into end lines is an option that many boats are planning to utilize, but with a current production rate of only 3,000 links per week by the sole NMFS-approved manufacturer (Seaside Rope), there is a significant shortfall in supply. At the peak of the fishing season later this year, there will be about 800,000 vertical lines in use requiring a weak point. Furthermore, Maine lobstermen who might prefer using weak rope (or who are facing a shortage in manufactured weak links) are also bottlenecked—right now, there is only one company producing weak rope that is likely to be used in the Maine fishery (Rocky Mount) and one supplier carrying it

(Ketchum). NMFS approved very recently a Maine-specific rope with a purple tracer made by Rocky Mount, but it is highly unlikely that its production will meet demand by this spring.

In addition, lobstermen are planning to modify their gear to comply with the rule by tying specific weak knots in their end lines. Yet NMFS has left the industry with the impression that the agency will not certify simple knots because it claims they could pose new entanglement risks to whale baleen. This is unjustified given the absence of scientific evidence indicating such a risk and the fact that manufactured weak links are similar in size to the knots. It is also illogical since NMFS plans to allow the same knots to be used to connect approved braided line. Given the lack of availability of weak rope and manufactured weak links, the certification of knots is critical.

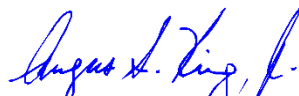
The large projected economic losses, the negligible change to risk, and the unavailability of rope and weak links are all clear reasons to direct NMFS to extend the compliance date to July 1, 2022. This is a critical opportunity for NMFS to review updated information, demonstrate good faith, and bolster trust with stakeholders. It must not be overlooked.

We thank you for your attention to this matter and look forward to your prompt response.

Sincerely,



Susan M. Collins
United States Senator



Angus S. King, Jr.
United States Senator



Chellie Pingree
Member of Congress



Jared Golden
Member of Congress



Janet T. Mills
Governor of Maine