

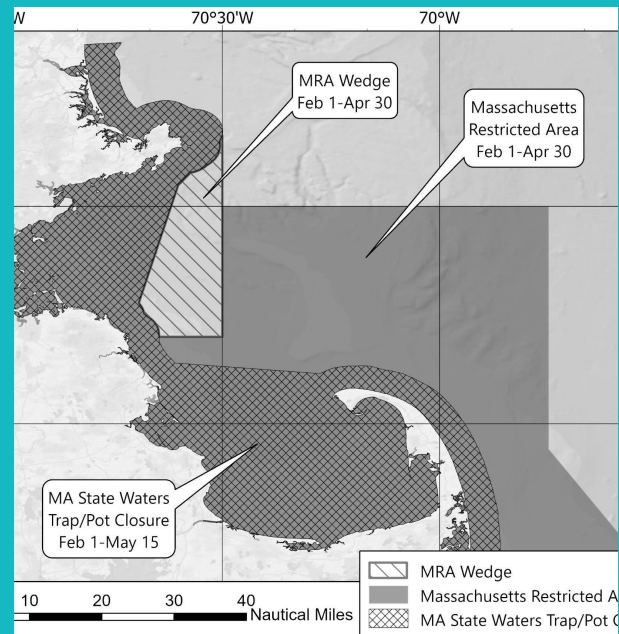


**NOAA  
FISHERIES**

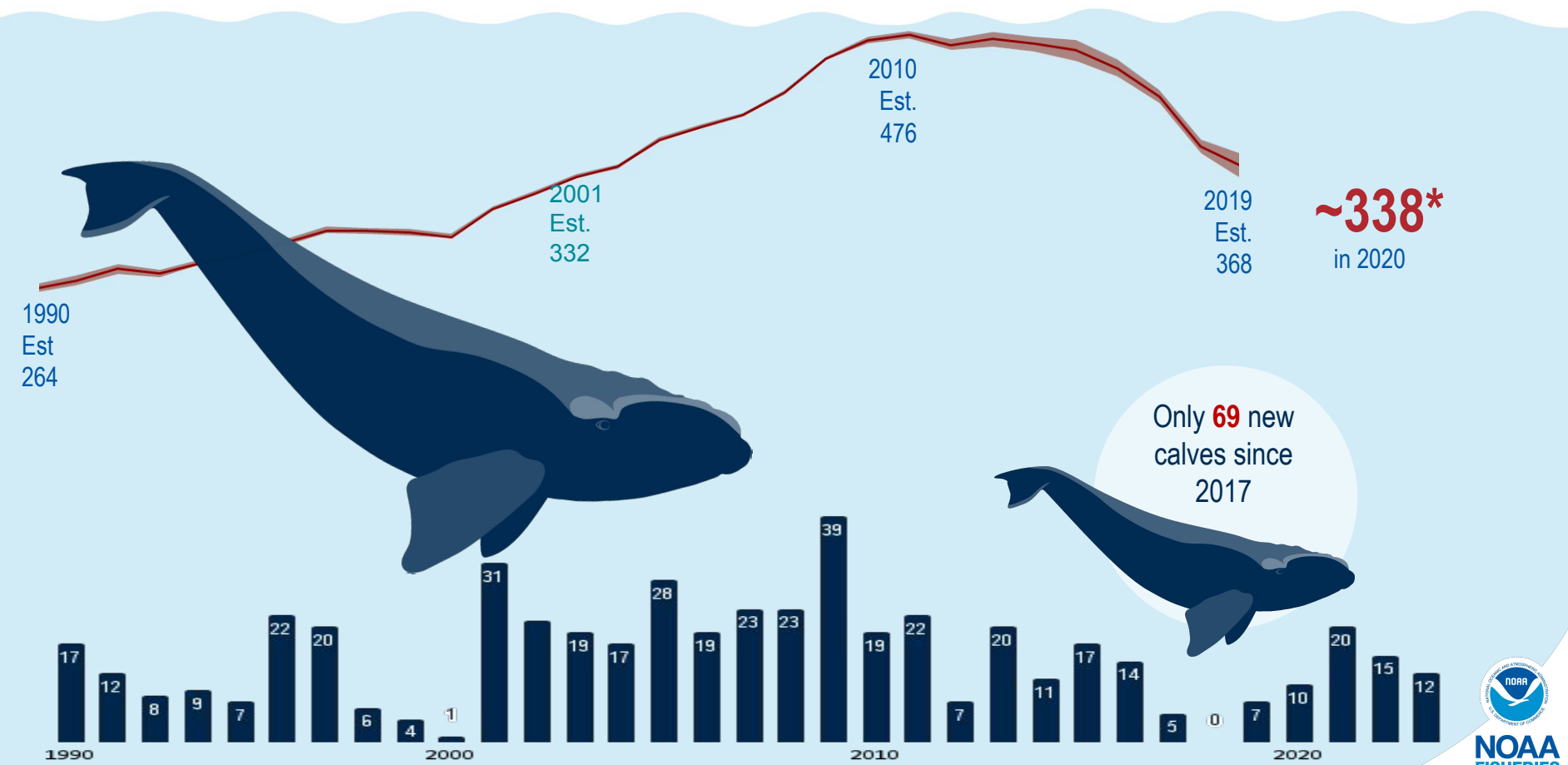
# Public Comment Period

## Proposed Modifications to the Massachusetts Restricted Area to Make Final the MRA Wedge Trap/Pot Buoy Line Closure from February 1 Through April 30 Annually

Colleen.Coogan@NOAA.gov  
Jennifer.Goebel@NOAA.gov



# ENDANGERED NORTH ATLANTIC RIGHT WHALE IN DECLINE

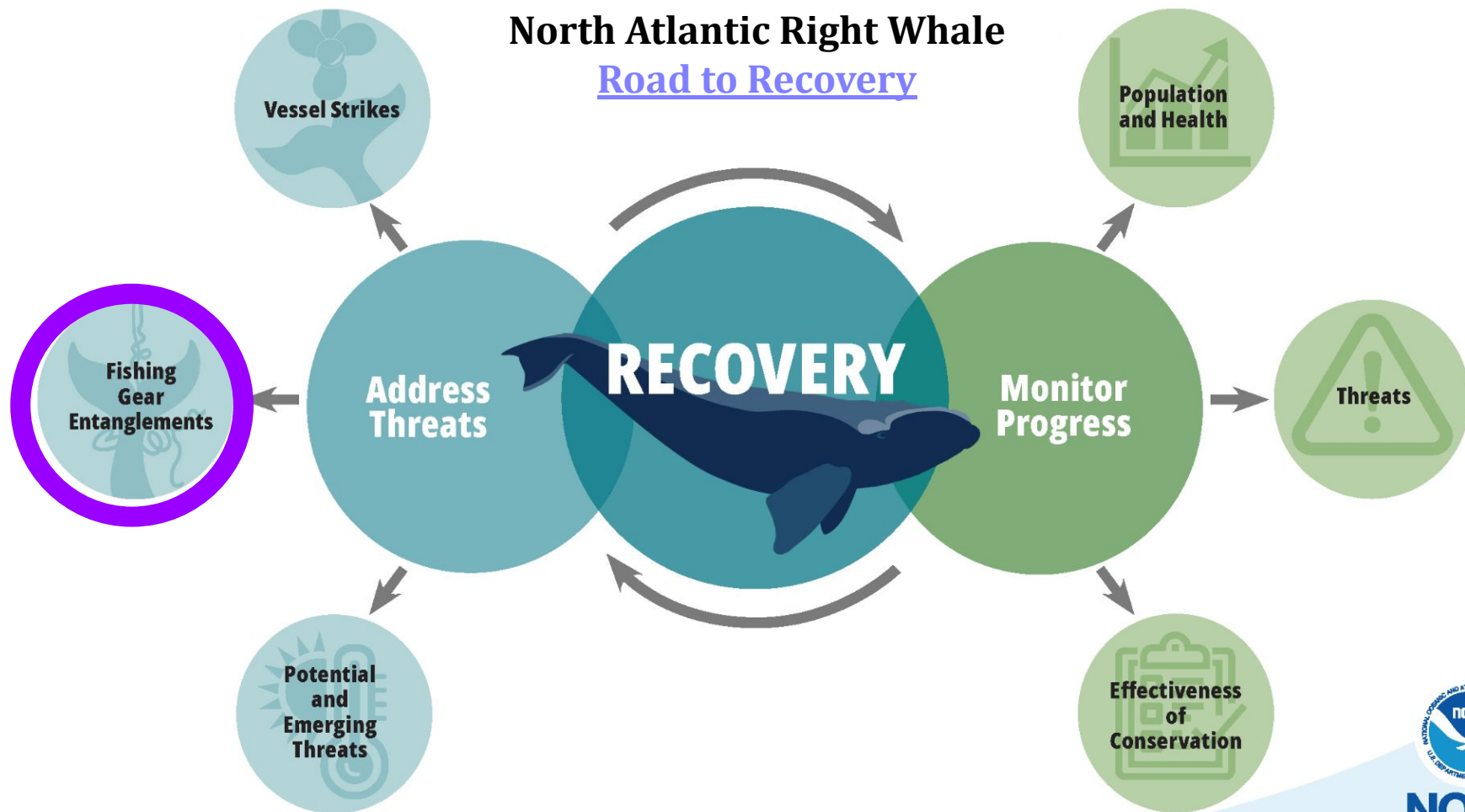


\*Abundance reflects the latest official estimate from NMFS 2022 draft stock assessment report, which represents the population as it was in November 2020..Following Pace et al., 2017 (doi.org/10.1002/ece3.3406)



# North Atlantic Right Whale

## Road to Recovery



**NOAA**  
**FISHERIES**

# MMPA Take Reduction Process

## ALWTRT:

- Convened when mortality and serious injury of right, humpback or fin whales exceed the Potential Biological Removal Level (0.7/year for North Atlantic right whales)
  - 60 member team including 23 fishermen
  - Create recommendations on Plan modifications to reduce impacts - Consensus as goal
  - Measures implemented across 11 commercial “fishery” groupings
- State and federally managed gillnet and trap/pot fisheries from ME thru FL



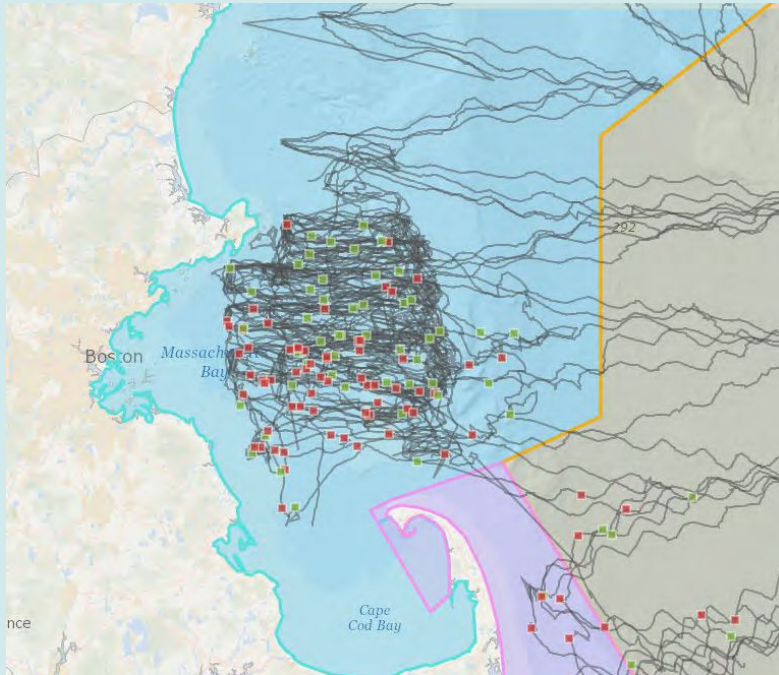


**NOAA**  
**FISHERIES**

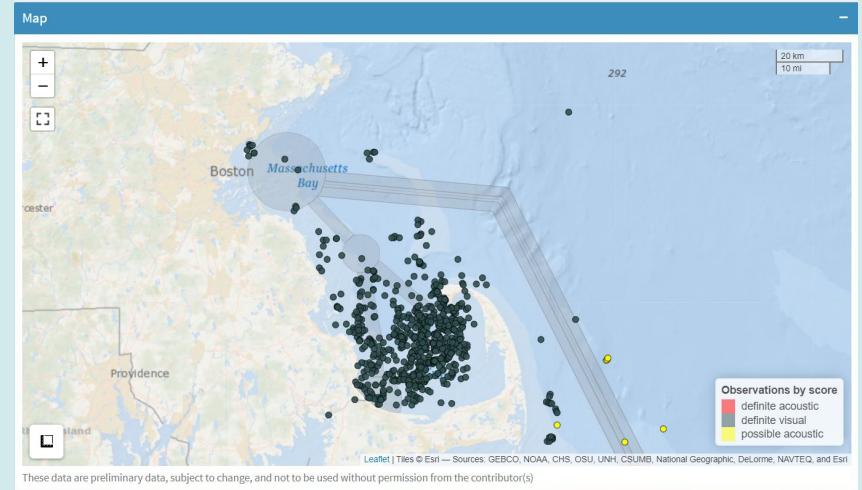
# Purpose and Need for Proposed Rule



## Acoustic detections of right whales in Massachusetts Bay from February-April, 2018-2022

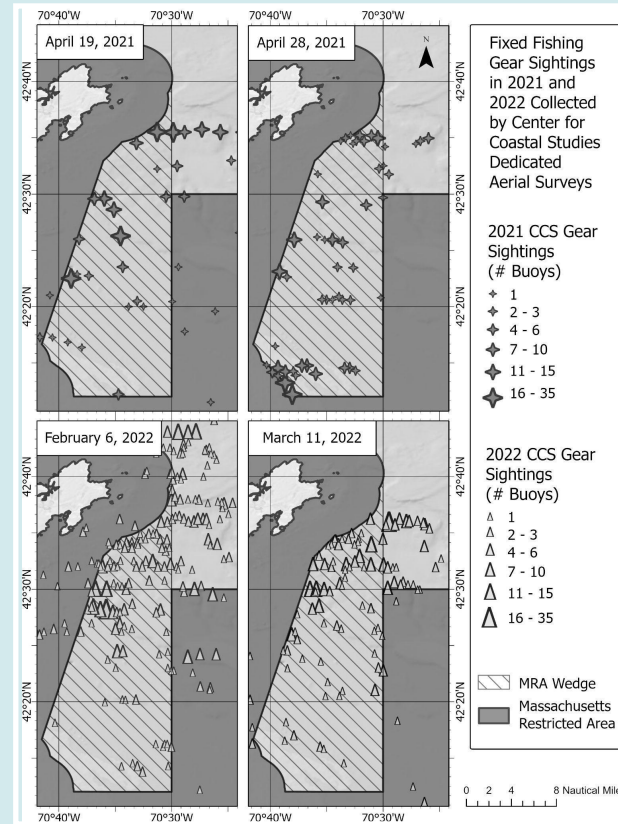
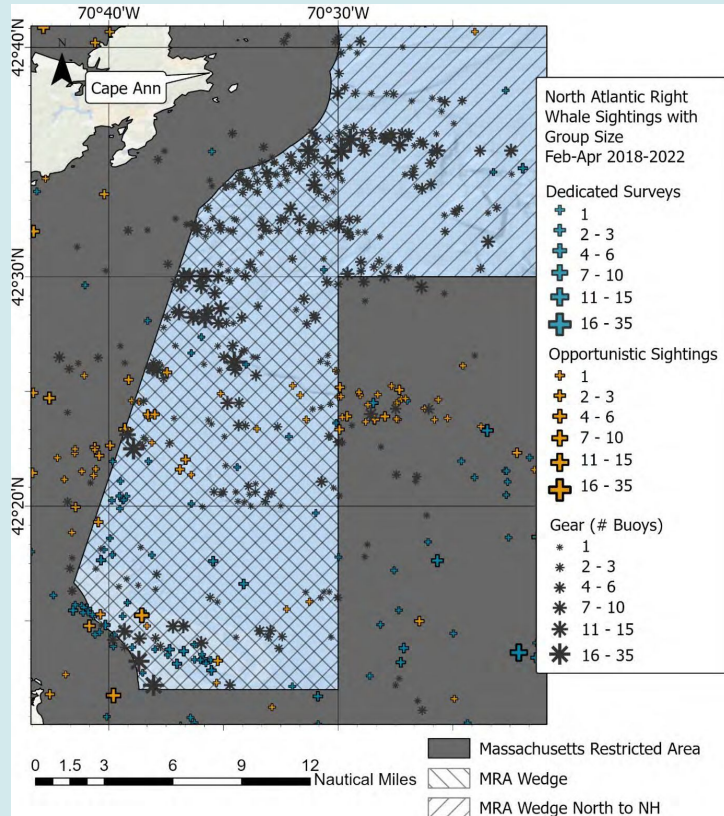


## Right whale sightings in Cape Cod Bay February-April 2023

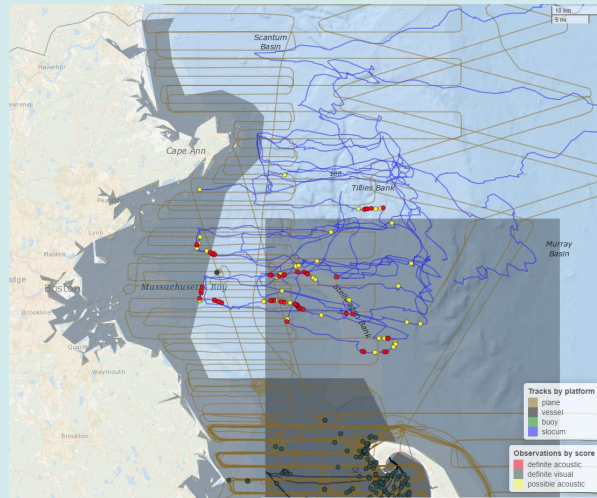




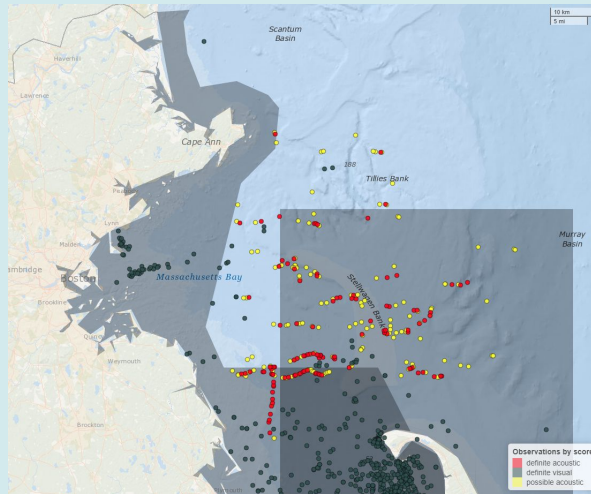
# Need for the Seasonal Restriction



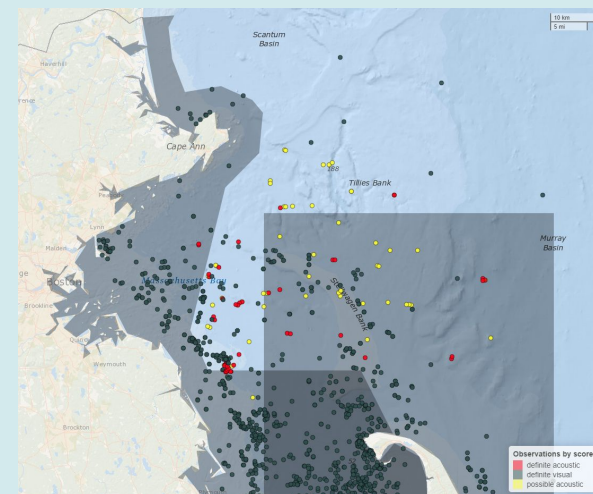
# Acoustic (Definite and Probable) and Visual Detections Feb-April 2020-2023



**February**



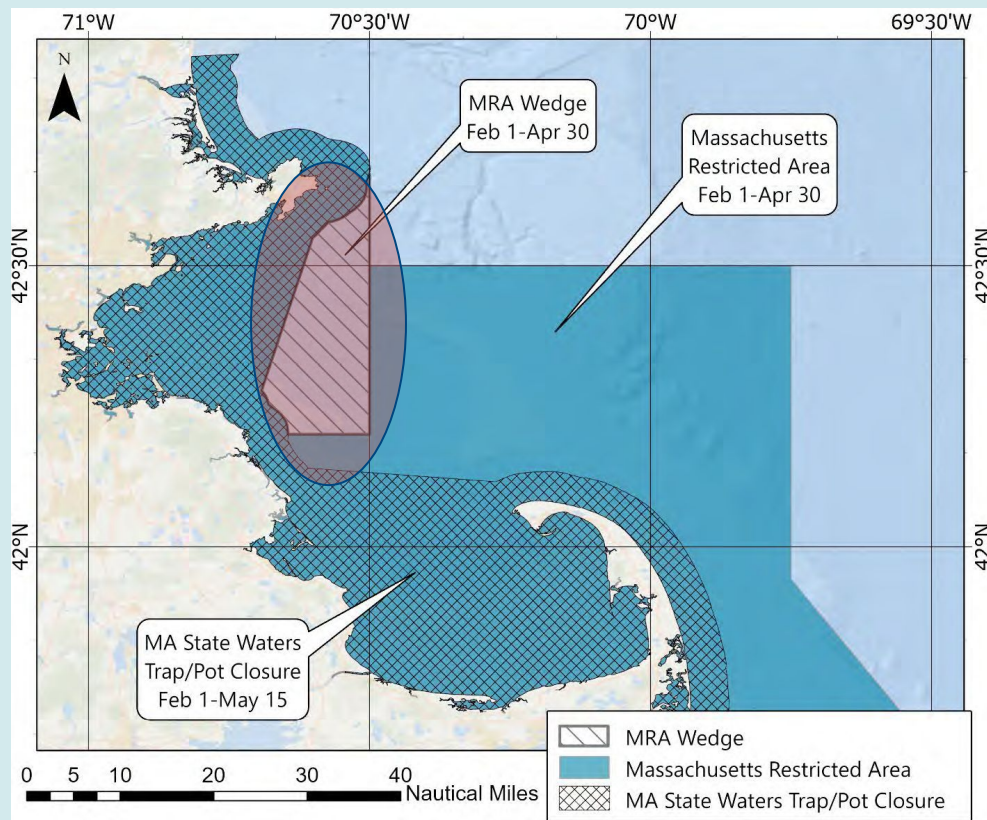
**March**



**April**



# The “Wedge” Area



In the wedge area:  
Prohibit the use of  
persistent trap/pot  
buoy lines from  
February through  
April

# Draft Environmental Assessment and Draft Regulatory Impact Review

## DEA Contains:

- Summary of Management Alternatives
- Description of Affected Environment
- Impacts of the Management Alternatives
  - Habitat
  - Human Community - economic and social impacts
  - Cumulative impacts

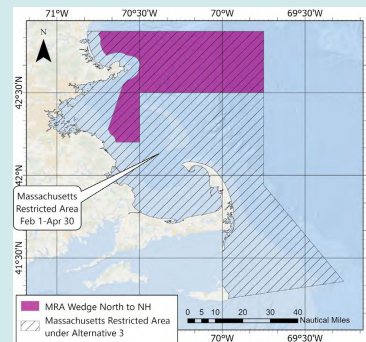
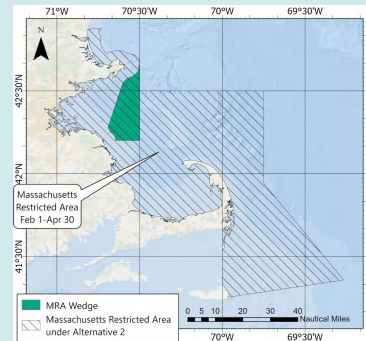
## RIR Contains:

- Economic baseline
- Benefit-Cost Framework
- Economic analysis of alternatives
- Compliance costs

[Requesting comments on the Draft EA and RIR](#)

# Analyzed 3 Alternatives

- Alternative 1: No Action Alternative
- Alternative 2: Preferred Alternative
  - Adds ~200 square miles of federal waters to MRA closure
  - Restricts the use of persistent trap/pot buoy lines from February-April.
- Alternative 3: Non-preferred Alternative
  - Adds ~1,297 square miles of federal waters to MRA closure - to NH border
  - Restricts the use of persistent trap/pot buoy lines from February-April
- Considered but Rejected: April-only closure
  - Risk of entanglements high during February and March



# Risk Reduction from Alternatives

Proposed Massachusetts Restricted Area	Feb	Mar	Apr	Feb 1-Apr 30	Feb	Mar	Apr	Feb 1-Apr 30
Risk reduction relative to MA portion of LMA 1	Gear Moved				Gear Removed			
with MRA Wedge (Alternative 2: Preferred)	-1.9%	3.6%	11.5%	<b>13.2%</b>	0.1%	4.1%	12.4%	<b>16.6%</b>
With MRA Wedge North to NH (Alternative 3)	9.3%	2.8%	10.2%	<b>22.3%</b>	14.9%	6.4%	16.1%	<b>37.4%</b>
Risk reduction relative to All Northeast Trap/Pot	Gear Moved				Gear Removed			
with MRA Wedge (Alternative 2: Preferred)	-0.3%	0.5%	1.7%	<b>1.9%</b>	0.0%	0.6%	1.8%	<b>2.4%</b>
with MRA Wedge North (Alternative 3)	1.4%	0.4%	1.5%	<b>3.3%</b>	2.2%	0.9%	2.4%	<b>5.5%</b>

# Economic Impacts and Risk Reduction

	<b>Alternative 2</b>	<b>Alternative 3</b>
Affected Vessels	26-31	53-66
Risk Reduction (of MA LMA 1 risk)	13.2-16.6%	22.3-37.4%
Total Annual Compliance Cost	\$339,819-\$608,361	\$898,249-\$1,452,797
Per Vessel Cost for Moving Gear	\$9,500-\$19,100	\$9,900-\$20,000
Per Vessel Cost for Removing Gear	\$11,000-\$18,000	\$11,400-\$20,500
Costs for each % of risk reduction	\$22,740-\$40,830	\$30,092-\$48,670



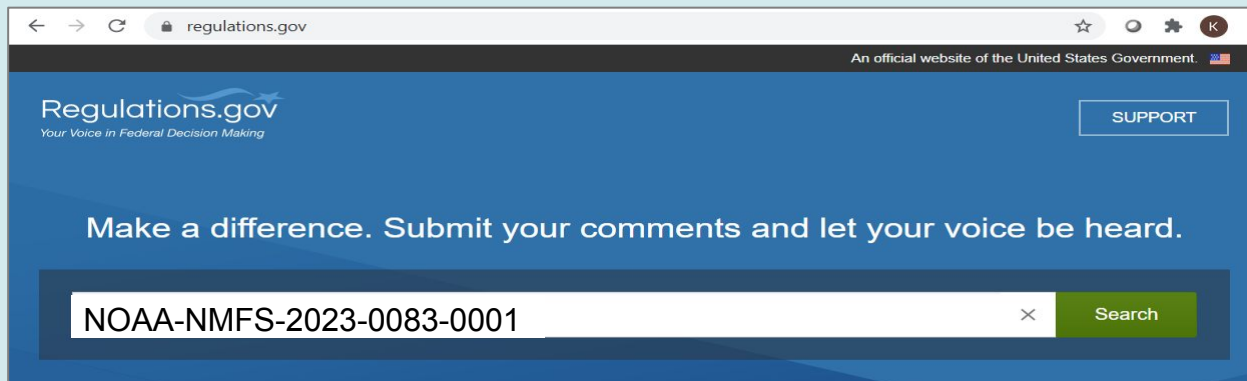
# Tips for Effective Public Comments

- Relevant to the proposed action, eg.:
  - Suggestions on improvements to time/area
  - Information that we did not consider (operational, economic, etc)
  - Your preferred alternative and why
- Clear and concise
- Solution-oriented and specific

Can submit written comments through the [regulations.gov](https://www.regulations.gov) portal or can enter oral comments into the record through attending a public hearing.

# How to Provide Written Public Comment

*Comments are due by midnight on October 18, 2023*



The screenshot shows the Regulations.gov website. The browser address bar displays 'regulations.gov'. The website header includes the text 'An official website of the United States Government.' and the Regulations.gov logo with the tagline 'Your Voice in Federal Decision Making'. A 'SUPPORT' button is located in the top right. A large blue banner contains the text 'Make a difference. Submit your comments and let your voice be heard.' Below this is a search bar with the text 'NOAA-NMFS-2023-0083-0001' and a green 'Search' button.



The screenshot shows the details for a proposed rule on Regulations.gov. It features a 'PROPOSED RULE' icon with 'PR' and the title 'Taking or Importing of Marine Mammals: Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations'. Below the title, it lists the 'Agency' as 'National Oceanic and Atmospheric Administration', the 'Posted' date as 'Sep 18, 2023', and the 'ID' as 'NOAA-NMFS-2023-0083-0001'. A 'Comment' button is visible on the left, and the text 'Comments Due Oct 18, 2023' is on the right.

[Regulations.gov](https://www.regulations.gov) or through [Federal Register Notice](https://www.federalregister.gov)



# Two Public Hearings

**Tuesday, September 26, 2023 from 5 to 7 p.m.**

Greater Atlantic Regional Fisheries Office  
55 Great Republic Drive  
Gloucester, MA 01930

**Thursday, September 28, 2023 from 5 to 7 p.m.**

Massachusetts Maritime Academy  
Admiral's Hall  
101 Academy Drive  
Buzzards Bay, MA 02532

These are in-person, and there is no remote option.

# Comment at Regulations.gov By October 18

Questions? Contact  
[Jennifer.Goebel@noaa.gov](mailto:Jennifer.Goebel@noaa.gov) or  
[nmfs.gar.alwtrt@noaa.gov](mailto:nmfs.gar.alwtrt@noaa.gov)

Naevus (#2040) with her 2022 calf. Clearwater Marine Aquarium Research Institute, taken under NOAA permit #20556-01.