

**Congress of the United States**  
**Washington, DC 20515**

September 17, 2019

Michael Pentony  
Regional Administrator  
National Marine Fisheries Service  
55 Great Republic Drive  
Gloucester, MA 01930-2276

Dear Administrator Pentony:

We are writing in response to NOAA Fisheries' call for input regarding the scope of analysis necessary to develop modifications to the Atlantic Large Whale Take Reduction Plan to effectively reduce North Atlantic right whale injury and mortality.

Over the last several months, we have had a number of conversations with lobstermen, the scientific community, environmentalists, and state regulators. The message has been undeniably clear: these whales require increased protections in order to ensure the viability of the species – and that focusing all of our risk reduction efforts on Maine's lobster fishery will not get us there.

Maine's lobstering community has demonstrated their commitment to protecting right whales through their use of weak links since 1997, gear marking since 2002, the 2009 implementation of sinking ground lines, and the vertical line reductions in 2014. Maine fishermen have made these modifications and they have worked. According to data collected by NOAA Fisheries, out of ten right whale entanglements in U.S. lobster gear from 1997 through 2017 for which the set location and type of gear are known, eight occurred before 2009 and the other two involved gear from Massachusetts that was successfully removed. The success of these regulations should lead us to implement similar precautions in other fisheries rather than continue to regulate one that has done so much already.

Maine lobstermen have said clearly that they stand ready to take reasonable measures to help protect right whales and reduce entanglements, including additional, Maine-specific gear markings and improved monitoring. We also support the Maine Department of Marine Resources' proposal to preserve the current regulatory exemption line and the state's willingness to implement its own measures in those waters to improve data collection. Whale observers have often cited data that shows nearly all of the rare right whale sightings in the Gulf of Maine have been in waters at depths greater than 300 feet. Maine's exemption line is confined to shallower waters.

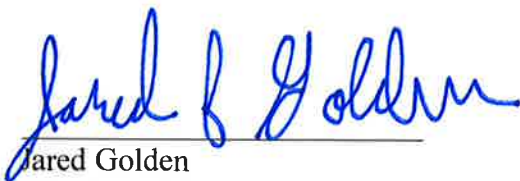
Preserving the exemption line that NOAA defended in 2015 to delineate whale's critical habitat would alleviate some of the serious concerns that fishing communities have raised with the proposed regulations. Maine's initiatives to improve lobster fleet's gear marking and monitoring systems will have the benefit of providing more data, which is critical if we hope to save this species.

We also urge NOAA to consider the safety and economic implications of any regulations that are ultimately put into place. Longer trawls will increase the risk of accidents that could put the very lives of our lobstermen at stake. This gear configuration also reduces the efficiency of each lobster trap, which may impact the profitability of individual lobstering operations. We hope that reasonable considerations for safety and economic harm are a priority and fully evaluated in this process.

The misperception that Maine's lobster fishery is the primary cause of North Atlantic right whale serious injury and mortality relies on data that was collected before Maine fishermen made critical changes to protect this species. We know that entanglement injuries and deaths in U.S. lobster gear have decreased because of these reforms; further, due to rising ocean temperatures in the Gulf of Maine, right whales are no longer present off the coast of Maine in the numbers they once were.

Continuing to place the burden squarely on lobstermen is not only unfair to them, but it will fail to accomplish our shared goal of saving this endangered species. We continue to stand ready to work with your agency, state regulators, and industry to protect the North Atlantic right whale while ensuring the success and economic viability of the lobster fishery.

Sincerely,



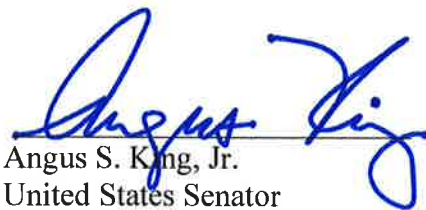
Jared Golden  
Member of Congress



Susan M. Collins  
United States Senator



Chellie Pingree  
Member of Congress



Angus S. King, Jr.  
United States Senator