



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

MAR 16 2010

Dear Gillnet Vessel Owner/Operator:

In a letter dated February 19, 2010, NOAA's National Marine Fisheries Service (NMFS) announced the publication of the final rule implementing modifications to the Harbor Porpoise Take Reduction Plan (HPTRP) intended to reduce the serious injury and mortality of harbor porpoises from entanglements in commercial gillnet fishing gear (75 FR 7383, February 19, 2010). These modifications include a suite of additional measures in both New England and the Mid-Atlantic that will reduce harbor porpoise mortality to acceptable levels. The modifications to the HPTRP were to become effective on March 22, 2010.

This letter is to inform you that NMFS has published a subsequent final rule **delaying the effective date for implementing new pinger requirements within the Stellwagen Bank and Southern New England Management Areas under the New England component of the HPTRP. As such, the effective date for new pinger requirements has been changed from March 22, 2010, to September 15, 2010. All other HPTRP amendments will become effective on March 22, 2010.**

Following publication of the February 19, 2010 final rule, the gillnet industry expressed concerns over the availability of pingers and the time needed for new gillnet vessels to complete their required pinger authorization training by the March 22, 2010 effective date. Based on these concerns, NMFS has monitored the availability of pingers and progress made on the pinger authorization training since publication of the final rule. Based on its findings, NMFS has determined that additional time to purchase and incorporate pingers onto gillnet gear and for gillnet vessel operators to receive the required pinger authorization training provided by NMFS is warranted to provide additional time for fishermen to comply with these conservation measures.

NMFS urges you to use the additional time to purchase and properly install pingers on your gear, and contact NMFS if pinger authorization training is needed. If you are unsure of whether you have received pinger training in the past, NMFS maintains a database of pinger authorized fishermen and will be able to tell you whether or not you have previously completed the training.

If you have questions on this action or would like additional information on HPTRP gillnet requirements, please visit the HPTRP website at www.nero.noaa.gov/hptrp or contact Amanda Johnson (978-282-8463; Amanda.Johnson@noaa.gov). If you would like to request pinger authorization training or are unsure if you have already completed the training, please contact John Higgins (207-677-2316; John.Higgins@noaa.gov) or Amanda Johnson.

Sincerely,

Patricia A. Kurkul
Regional Administrator

