

Advocacy Requests Delay of Compliance Deadline for NMFS Atlantic Large Whale Rule

On September 17, 2021, the U.S. Department of Commerce's National Marine Fisheries Service NMFS published a final rule implementing the Atlantic Large Whale Take reduction plan. The plan aims to reduce incidental mortality and serious injury to three species of whales in the northeast United States. On March 3, 2022, the Office of Advocacy of the U.S. Small Business Administration submitted a letter to NMFS asking the agency to grant a 60-day delay of the May 1, 2022, implementation deadline for the final rule to allow small businesses additional time to procure gear necessary for compliance with the rule. Advocacy made the following additional comments:

- Advocacy heard from small lobster fishermen and representatives from the Maine Lobstermen's Association regarding the challenges that they are facing in complying with NMFS' rule by the May 1, 2022, compliance deadline.
- Specifically, these small lobster fishermen indicated that there are delays in obtaining manufactured weak rope, and approved plastic weak links which are required by the rule. Without the proper gear, these small businesses would be forced to cease operations resulting in large sums of lost revenue.
- Granting the requested delay will ensure the fishermen have the necessary gear to comply with the rule and that they will not incur substantial financial losses.

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