



UNITED STATES DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration
National Ocean Service
Office of National Marine Sanctuaries
Stellwagen Bank National Marine Sanctuary
175 Edward Foster Road
Scituate, MA 02066

September 23, 2008

Dear Tackle Shop Owner:

With the many whales and tuna now present in the Stellwagen Bank National Marine Sanctuary, we are receiving an increasing number of reports of tuna fishing gear hooked on whales and tuna boats trolling through active whale feeding areas such as bubble nets. All whales, dolphins, and porpoises in the sanctuary are federally protected by the Marine Mammal Protection Act (MMPA) and most large whales in the area are further protected under the Endangered Species Act (ESA).

Under these Acts, it is illegal to "harass, hunt, capture or kill" any marine mammal. Prohibited conduct includes any "negligent or intentional act which results in the disturbing or molesting of marine mammals." Guidelines for operating around whales are located in full at: http://www.nero.noaa.gov/prot_res/mmv/. This is an emerging and serious issue that will require considerable educational efforts to address on the part of both NOAA and fishing interests.

The first step is to increase awareness of the issue among fishermen, and to that end I encourage you to post the enclosed poster in some visible location within your shop. In addition to being a violation of the Marine Mammal Protection Act, hooking a whale is also bad publicity for the tuna fleet. The squid rig pictured in the photograph on the poster was seen by hundreds of whale watchers in 2007, many of whom called the whale disentanglement hotline of the Provincetown Center for Coastal Studies and overwhelmed it. Additional entanglements in tuna fishing gear have occurred this summer in the sanctuary and have been documented.

I hope you will help spread the word about maintaining safe trolling distances from whales in order to avoid hooking or hitting them. If you have any questions please call (781) 545-8026 x201.

Thank you very much for your cooperation,

Craig MacDonald
Sanctuary Superintendent

