

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Sal N. DiDomenico, (BY REQUEST)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to protect and preserve the northern right whale and other resident endangered whale and sea turtle species.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Richard Maximus Strahan

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act to protect and preserve the northern right whale and other resident endangered whale and sea turtle species.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Pursuant to chapter 131A of the General Laws, the Division of Fisheries
2 and Wildlife’s Natural Heritage and Endangered Species Program (NHESP) shall conduct an
3 annual review to determine the adverse impacts of the Division of Marine Fisheries' licensing
4 and regulation of recreational and commercial marine fisheries on all marine wildlife species
5 listed under the Massachusetts Endangered Species Act (MESA). Said review shall also assess
6 the collateral impacts on listed marine wildlife species caused by vessel activities in
7 Massachusetts coastal waters. The first review shall commence in January 2026, and subsequent
8 reviews shall be conducted annually for a period of five years.

9 SECTION 2. In coordination with the National Oceanic and Atmospheric Administration
10 (NOAA), the New England Aquarium, the Center for Coastal Studies, and other reasonably
11 available wildlife non-governmental organizations, NHESP shall prepare and publish an annual
12 report for a period of five years, beginning in January 2026. Said report shall include:

13 (a) the annual sightings of all endangered whale species in Gulf of Maine coastal waters;
14 and

15 (b) any injuries inflicted upon these endangered whale populations because of
16 anthropogenic activities.

17 SECTION 3. NHESP shall evaluate the suitability of designating areas in Cape Cod Bay
18 and other Massachusetts coastal waters as MESA "significant habitats" for the Northern Right
19 Whale. This evaluation shall be conducted annually, commencing in January 2026, and
20 continuing for a period of five years.

21 SECTION 4. (a) Beginning in fiscal year 2027, NHESP shall issue licenses for the
22 commercial harvesting of crabs and lobsters using innovative fishing gear designed to prevent
23 bycatch or injury to MESA-listed marine wildlife species, hereinafter referred to as "Sustainable
24 Fishing."

25 (b) For the first year of issuance, NHESP shall authorize up to 25 Sustainable Fishing
26 licenses. An additional 25 licenses may be issued annually for the next four years. These licenses
27 shall be available to individuals and corporations, including nonprofit organizations, for a term
28 of five years.

29 (c) Applicants for Sustainable Fishing licenses shall enter into an agreement with NHESP
30 to ensure compliance with methods that:

31 (i) prevent bycatch or injury to MESA-listed marine wildlife species; and

32 (ii) prevent adverse modification of the coastal marine environment.

33 (d) NHESP shall not impose restrictions on the number of lobsters or crabs that may be
34 harvested or on the locations or dates of licensed Sustainable Fishing activities, provided
35 compliance with the terms of the license agreement.

36 SECTION 5. For purposes of financial assessment and environmental review by any
37 court or executive agency of the Commonwealth, the economic value of an individual Northern
38 Right Whale shall be set at \$2,000,000. Any killing or serious injury of a Northern Right Whale
39 shall be deemed an economic loss of equivalent value to the Commonwealth.