



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

AUG 15 2011

Dear Gillnet Vessel Owner/Operator:

Preliminary analyses for the first of two management seasons suggest that harbor porpoise bycatch rates in the Gulf of Maine and Southern New England areas may be above the target rates established for those areas which, if not reduced, could lead to closures to gillnet fishing.

If the target harbor porpoise bycatch rates have been exceeded after two consecutive management seasons than the areas will be closed to gillnet fishing during times of the year when the fishery and harbor porpoise tend to overlap, leading to historically high bycatch levels (see other side of this letter for specifics on times and area closures). To help prevent this, fishermen are urged to comply with pinger requirements during the upcoming Harbor Porpoise Take Reduction Plan (HPTRP) management season which begins on September 15.

A "consequence closure" strategy was implemented in 2010 to ensure compliance with HPTRP pinger requirements to reduce harbor porpoise bycatch. Consequence closure areas are specific areas of historically high levels of harbor porpoise bycatch that will seasonally close if the average bycatch rates over two consecutive management seasons in these areas exceed a specified rate (see Figure 1). If any of the consequence closure areas are triggered, they will remain in effect until harbor porpoise bycatch levels are significantly reduced or until the Harbor Porpoise Take Reduction Team and NMFS develop and implement new measures.

We have conducted preliminary analyses from the first full management season (September 15, 2010 through May 31, 2011). Based on these analyses, you are strongly urged to be aware of the times and areas in which HPTRP management measures are in effect and to comply with pinger requirements during the upcoming HPTRP management season. Bycatch rates from September 15, 2011 through May 31, 2012 will directly impact the determination of whether any of the consequence closure areas will be triggered during the September 15, 2012 through May 31, 2013 HPTRP management season.

The first HPTRP management season has ended. The analyses completed to date are only preliminary. Once the full analyses are complete, we will send you official notification of:

1. Whether harbor porpoise bycatch has exceeded the target bycatch rates for the September 15, 2010 through May 31, 2011 fishing season and;
2. The harbor porpoise bycatch rate for the upcoming September 15, 2011 through May 31, 2012 fishing season required to prevent the implementation of additional closures.

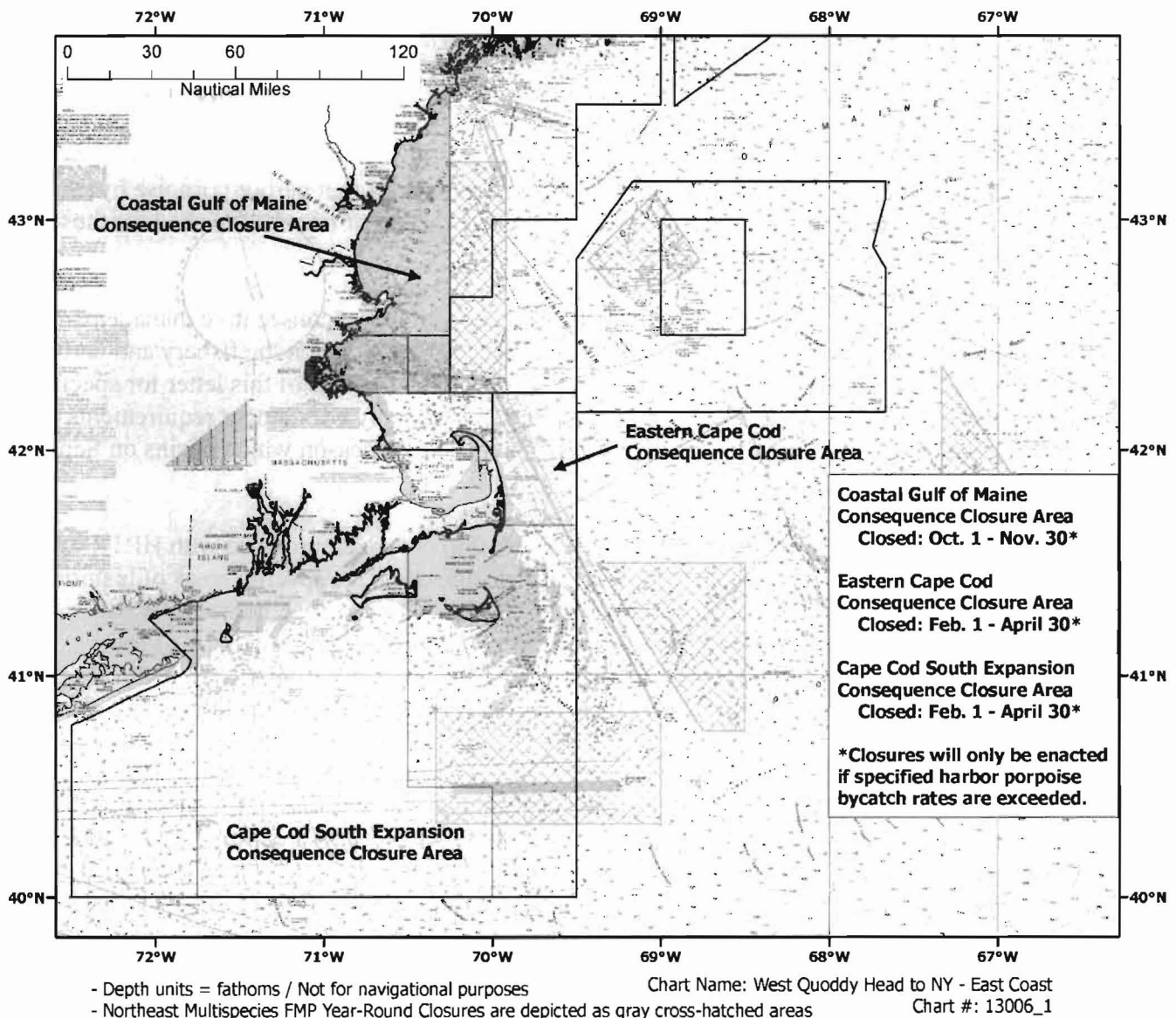
For further information on the HPTRP, including management area coordinates and information regarding consequence closure areas, please visit the HPTRP website at www.nero.noaa.gov/hptrp or contact the Northeast Regional Office Protected Resources Division at 978-281-9328.

Sincerely,

Patricia A. Kurkul
Regional Administrator



Figure 1: Harbor Porpoise Take Reduction Plan Consequence Closure Areas



If the harbor porpoise bycatch rate in the Mid-Coast Management Area, Massachusetts Bay Management Area, and Stellwagen Bank Management Area combined exceeds **0.031 harbor porpoises per metric tons (which is equivalent to 1 harbor porpoise taken per 71,117 lbs) landed** after two consecutive management seasons, the Coastal Gulf of Maine Consequence Closure Area will be closed to gillnet fishing each year during the months of October and November.

If the harbor porpoise bycatch rate for the Southern New England Management Area exceeds **0.023 harbor porpoises per metric tons (which is equivalent to 1 harbor porpoise taken per 95,853 lbs) landed** after two consecutive management seasons, both the Cape Cod South Expansion Consequence Closure Area and the Eastern Cape Cod Consequence Closure Area will be closed to gillnet fishing each year from February through April.

Please Note: This figure depicts the locations of the three consequence closure areas should they become implemented in the future. Consequence closure areas will be implemented only if the harbor porpoise bycatch rate averaged over two management seasons exceeds the specified harbor porpoise bycatch rate. Prior to this trigger, these closure areas are **not in effect**.