



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

April 10, 2003

Dear Commercial Lobster Trap/Pot and Gillnet Fishermen:

This letter is to inform you that the National Marine Fisheries Service (NOAA Fisheries) has established a DAM zone with voluntary restrictions on lobster trap/pot and anchored gillnet fishing gear. The voluntary restrictions on lobster trap/pot and anchored gillnet gear will be effective for a 15-day period in an area east and southeast of Cape Cod, Massachusetts, totaling approximately 1,810 square nautical miles (nm²)(3,354 km²). In addition, NOAA Fisheries is requesting the voluntary removal of all anchored gillnet gear from the Sliver Area of the Great South Channel and asks that no additional gear be set. This action is necessary to provide protection to an aggregation of North Atlantic right whales (right whales).

The regulations implementing the Atlantic Large Whale Take Reduction Plan (ALWTRP) provide NOAA Fisheries the authority to temporarily restrict the use of lobster trap/pot and anchored gillnet fishing gear on an expedited basis to protect right whales through its Dynamic Area Management (DAM) program.

A DAM zone is triggered by a single reliable report from a qualified individual of three or more right whales within an area (75 nm²) such that right whale density is equal to or greater than 0.04 right whales per nm². On March 23, 2003, NMFS Aerial Survey Team reported a sighting of 42 right whales in the proximity of 41E 41' N latitude and 69E 48' W longitude. This position lies east of Cape Cod, Massachusetts. NOAA Fisheries determined that this sighting was a reliable report submitted by a qualified individual that meets the DAM zone trigger.

Therefore, NOAA Fisheries is announcing voluntary restrictions for the DAM zone and Sliver Area of the Great South Channel. **Effective 0001 hours April 10, 2003, through 2400 hours April 25, 2003**, fishermen are strongly encouraged to remove all anchored gillnet and lobster trap gear in the DAM zone and all anchored gillnet gear in the Sliver Area. Additionally, fishermen are asked not to set gear in these areas during the restricted time period. The coordinates for these areas are found on the enclosure to this letter. If the trigger continues to be met, NOAA Fisheries may extend the restricted period, through notification in the *Federal Register*.

To obtain the DAM regulations in their entirety, please call 978-281-9328. In addition, these regulations are available by accessing the ALWTRP web page (<http://www.nero.nmfs.gov/whaletrp/>). If you have any questions regarding these regulations, please call 978-281-9328.

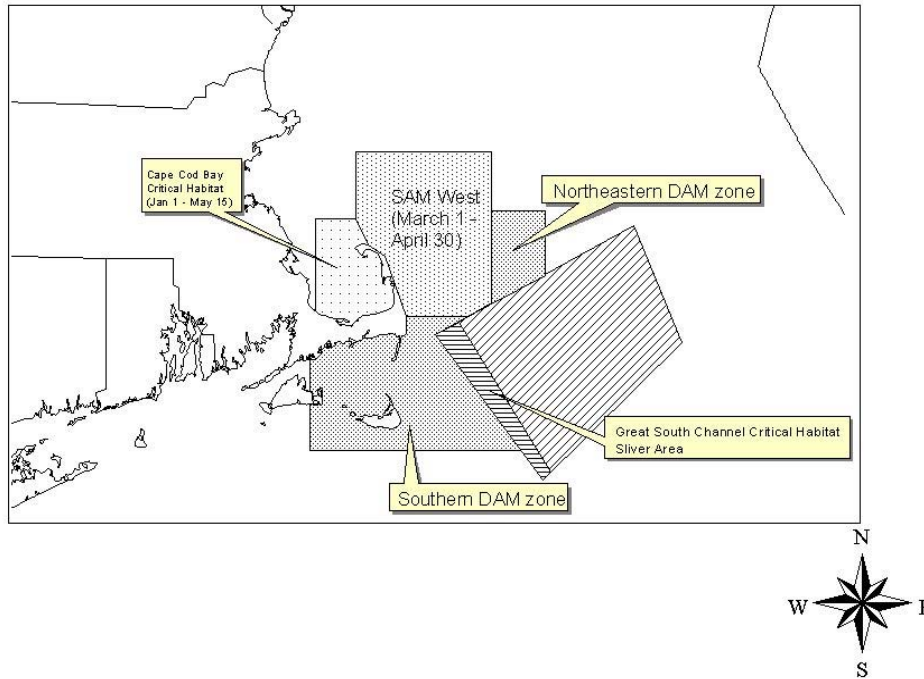
Sincerely,

Patricia A. Kurkul
Regional Administrator

Enclosure



**DAM zone from March 23, 2003, sighting
of 42 North Atlantic Right Whales
30 nmi southeast of Provincetown, MA**



Coordinates for the DAM Zone and Sliver Area effective from 0001 hours April 10, 2003, through 2400 hours April 25, 2003, are as follows:

Northeastern DAM zone:

41E14'N, 69E24'W (NW Corner)
41E48.5'N, 69E24'W
41E56.5'N, 69E04'W
41E14'N, 69E04'W

Sliver Area:

41E02.2'N, 69E02'W
41E43.5'N, 69E36.3'W
41E40'N, 69E45'W
41E00'N, 69E05'W

Southern DAM Zone:

41E33'N, 70E32'W (NW Corner)
41E24.5'N, 70E32'W and east along the coast to
41E21.5'N, 70E32'W
41E08'N, 70E32'W
41E08'N, 69E13'W
41E40'N, 69E45'W
41E45'N, 69E33'W
41E45'N, 69E56'W and returning to
41E33'N, 70E32'W along the coast