



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

November 29, 2002

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 temporary restrictions on lobster trap/pot and anchored gillnet fishing gear. The temporary restrictions on lobster trap/pot and anchored gillnet gear will be in effect for a 15-day period in an area east of Portsmouth New Hampshire, in an area call Jeffreys Ledge, totaling approximately 1,600 square nautical miles (nm^2)(2,316.5 km^2). This action is necessary to provide immediate 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 nm^2) such that right whale density is equal to or greater than 0.04 right whales per nm^2 . On November 20, 2002, NMFS Aerial Survey Team reported a sighting of 8 right whales in the proximity of 43E 00' N lat. and 70E 08' W long. This position lies east of Portsmouth, New Hampshire, in an area called Jeffreys Ledge. 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 implementing a DAM zone in the waters bounded by the coordinates found on the enclosure to this letter. **Effective 0001 hours December 5, 2002, through 2400 hours December 19, 2002**, all anchored gillnet and lobster trap gear must be removed and no new gear may be set in the DAM zone. NOAA Fisheries may extend the restricted period, through notification in the *Federal Register*, if the trigger continues to be met.

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,

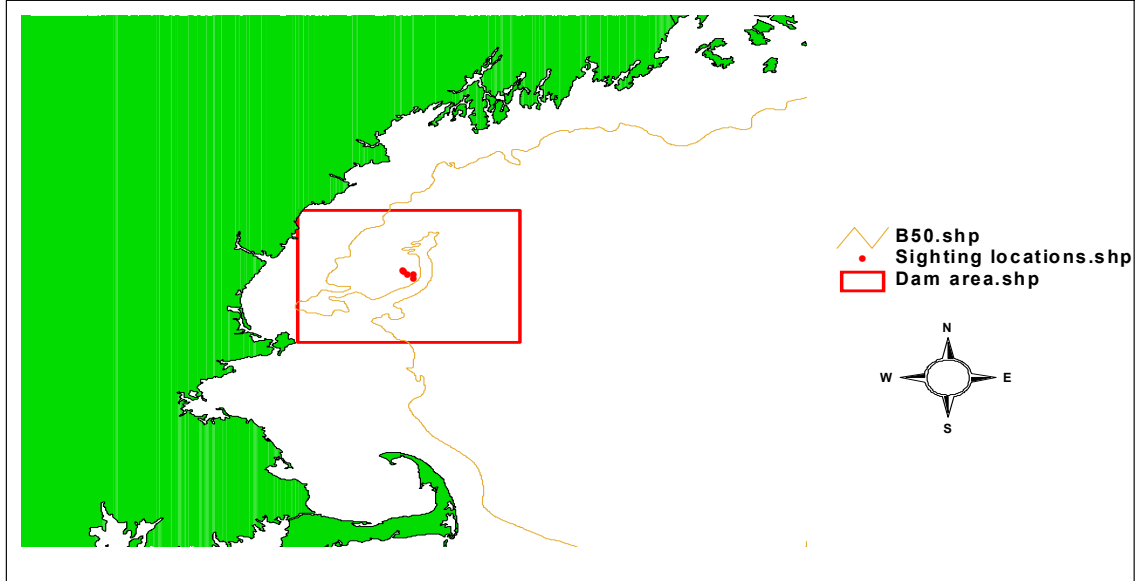
A handwritten signature in black ink that reads "Patricia A. Kurkul".

Patricia A. Kurkul
Regional Administrator

Enclosure



**DAM Zone from November 20, 2002 Sightings of 8
North Atlantic Right Whales off the Coast of New Hampshire**



Coordinates for the DAM Zone area effective from 0001 hours December 5, 2002, through 2400 hours December 19, 2002:

- 43E19'N, 70E35'W (NW Corner)
- 43E19'N, 69E40'W
- 42E39'N, 69E40'W
- 42E39'N, 70E35'W (SW Corner)

Please note that the northwestern corner of the DAM zone from 43E11'N due north to 43E19'N will follow the coastline.