



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

December 5, 2002


Dear Commercial Lobster Trap/Pot and Gillnet Fishermen:

This letter is to inform you that due to adverse weather conditions, coupled with the short notice for compliance with the restrictions, the National Marine Fisheries Service (NOAA Fisheries) announces that the mandatory anchored gillnet and lobster trap gear restrictions east of Portsmouth, New Hampshire, in an area called Jeffreys Ledge, totaling approximately 1,600 square nautical miles (nm<sup>2</sup>)(2,316.5 km<sup>2</sup>) will be changed from mandatory restrictions to voluntary restrictions. You may have received a permit holder letter, dated November 29, 2002, in which NOAA Fisheries initially announced the DAM zone with mandatory restrictions on all anchored gillnet and lobster trap gear, effective 0001 hours December 5, 2002, through 2400 hours December 19, 2002. Please disregard the restrictions from this earlier letter and follow the voluntary restrictions below.

The regulations specify that NOAA Fisheries must consider several factors when deciding whether to implement restrictions including, but not limited to: the location of the DAM zone with respect to other fishery closure areas, weather conditions as they relate to the safety of human life at sea, the type and amount of gear already present in the area, and a review of recent right whale entanglement and mortality data. Since NOAA Fisheries published the mandatory restrictions in the *Federal Register* on December 3, 2002, an unforeseen adverse weather pattern developed. Consequently, NOAA Fisheries is rescinding the mandatory restrictions and implementing voluntary restrictions in this DAM zone for the restricted time period. Therefore, as weather allows, fishermen are encouraged to remove anchored gillnet and lobster trap gear in the DAM zone bound by the coordinates found on the enclosure to this letter. Additionally, fishermen are encouraged not to set gear in this area during the restricted time period.

To obtain the DAM regulations in their entirety, please call 978-281-9145. 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 978-281-9145.

Sincerely,

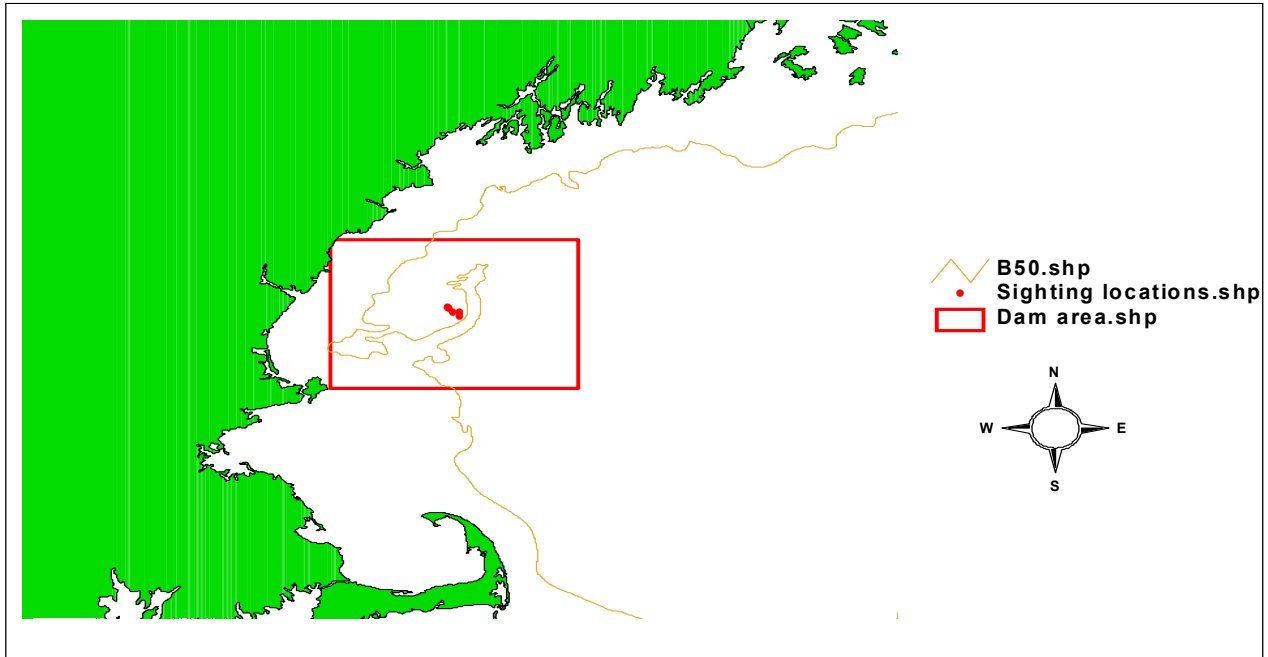
 for

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.