



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

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 of Cape Ann, Massachusetts, in an area called Cashes Ledge, totaling approximately 1,460 square nautical miles (nm<sup>2</sup>)(2,706 km<sup>2</sup>). 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 nm<sup>2</sup>) such that right whale density is equal to or greater than 0.04 right whales per nm<sup>2</sup>. On December 19, 2002, NMFS Aerial Survey Team reported a sighting of 4 right whales in the proximity of 42° 54' N latitude and 69° 14' W longitude. This position lies east of Cape Ann, Massachusetts, in an area called Cashes 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 announcing voluntary restrictions for the DAM zone. **Effective 0001 hours December 24, 2002, through 2400 hours January 7, 2003**, weather permitting, fishermen are strongly encouraged to remove all anchored gillnet and lobster trap gear in the DAM zones bound by the coordinates found on the enclosure to this letter. Additionally, fishermen are asked not to set gear in these areas during the restricted time period. 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.

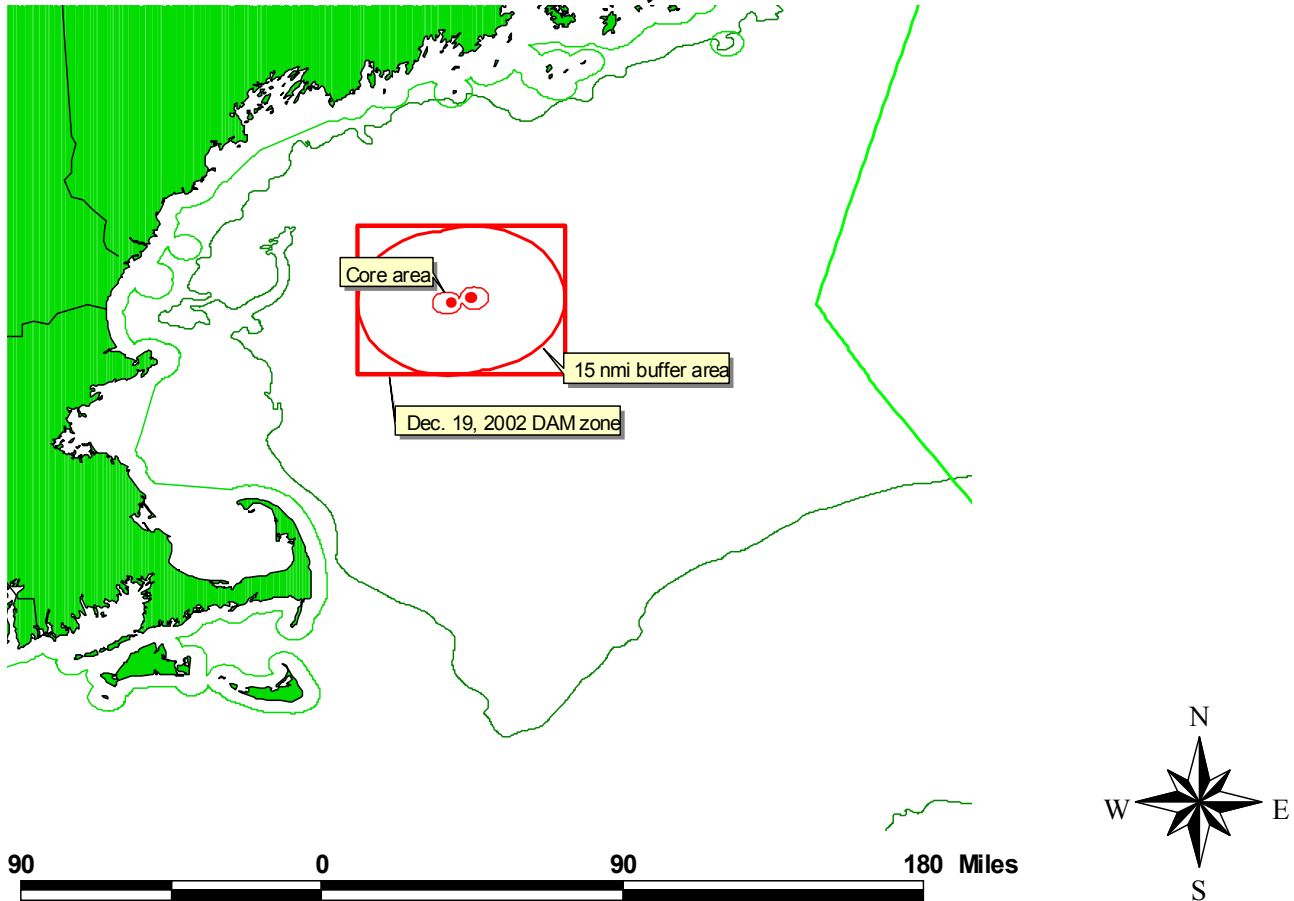
Sincerely,

Patricia A. Kurkul  
Regional Administrator

Enclosure



# DAM Zone from December 19, 2002 Sighting of 4 North Atlantic Right Whales 70 nmi east of Portsmouth, NH



Coordinates for the DAM Zone area effective from 0001 hours December 24, 2002, through 2400 hours January 7, 2003:

- 43°13'N, 69°44'W (NW Corner)
- 43°13'N, 68°50'W
- 42°36'N, 68°50'W
- 42°36'N, 69°44'W (SW Corner)