



Paul J. Diodati
Director

Commonwealth of Massachusetts Division of Marine Fisheries

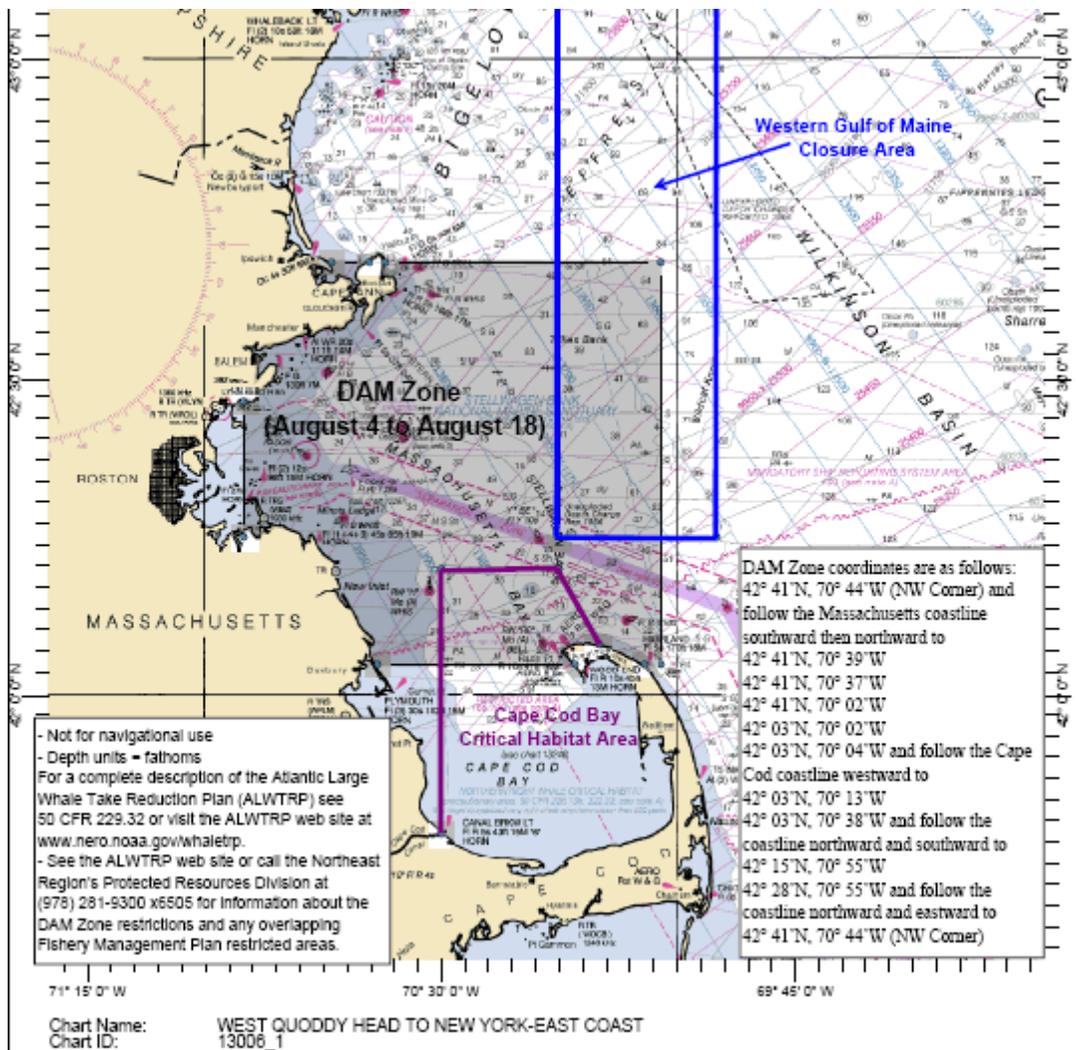
251 Causeway Street, Suite 400
Boston, MA 02114
(617) 626.1520
Fax (617) 626.1509



Marine Fisheries Advisory August 2, 2005

SUPPLEMENTARY INFORMATION ON NEW DAM ZONE

Please find below a map of the DAM Zone that will go in to effect on August 4th. All rules as announced by NOAA Fisheries apply to all commercial permit holders (with state and/or federal permits). For your convenience the notice is re-attached below.



Dear ALWTRT Member or Interested Party:

On July 24, 2005, five right whales were sighted in the proximity of 42° 22.2' N. lat. and 70° 28.7' W. long., which resulted in NOAA's National Marine Fisheries Service (NMFS) taking action under the Dynamic Area Management (DAM) program to provide protection for this aggregation of North Atlantic right whales.

NMFS announces that lobster trap/pot and anchored gillnet fishermen must comply with the required gear modifications (see below) in an area east of Boston, Massachusetts, **effective 0001 hours August 4, 2005, through 2400 hours August 18, 2005**. The regulations apply to lobster trap/pot and anchored gillnet fishermen in an area totaling approximately 1,240 square nautical miles (nm²). Once effective, all anchored gillnet and lobster trap/pot gear must comply with the gear restrictions required to continue fishing in a DAM zone for the restricted time period. In addition, NMFS requires that no additional gear be set in the DAM zone during the 15-day period unless that gear has been modified accordingly.

Coordinates for the DAM Zone **effective from 0001 hours August 4, 2005, through 2400 hours August 18, 2005**, are as follows:

42° 41'N, 70° 44'W (NW Corner) and follow the Massachusetts coastline southward then northward to
42° 41'N, 70° 39'W
42° 41'N, 70° 37'W
42° 41'N, 70° 02'W
42° 03'N, 70° 02'W
42° 03'N, 70° 04'W and follow the Cape Cod coastline westward to
42° 03'N, 70° 13'W
42° 03'N, 70° 38'W and follow the coastline northward and southward to
42° 15'N, 70° 55'W
42° 28'N, 70° 55'W and follow the coastline northward and eastward to
42° 41'N, 70° 44'W (NW Corner)

Special note for gillnet fishermen: A portion of this DAM zone overlaps the Northeast multispecies Western Gulf of Maine Area Closure found at 50 CFR 648.81(i). Due to this closure, sink gillnet gear is prohibited from this portion of the DAM zone.

[Reminder for lobster trap/pot and gillnet fishermen: A separate DAM zone in the vicinity of the Great South Channel Critical Habitat Area is effective as of 0001 hours July 28, 2005, through 2400 hours August 11, 2005.]

A permit holder letter including the DAM zone coordinates and restrictions is available on the ALWTRP website (<http://www.nero.nmfs.gov/whaletrp>) under "What's New." Additionally, an outreach supplement showing the DAM zone overlayed onto a Nautical Chart is also available. NMFS will be notifying the public of the DAM zone by issuing radio announcements, working through appropriate media, distributing the permit holder letter to affected fishermen, as well as other means. As an ALWTRT member or interested party, NMFS appreciates your assistance in spreading the word about the DAM zone and its gear restrictions.

To obtain the DAM regulations in their entirety, please call 978-281-9300 x6505. In addition, these regulations are available by accessing the ALWTRP web page (<http://www.nero.nmfs.gov/whaletrp/>) and going to "The Plan" and "Regulations Implementing the Plan." If you have any questions regarding these regulations, please call 978-281-9300 x6505 or the ALWTRP Coordinator at the number below.

Diane Borggaard
Large Whale Coordinator
NOAA/NMFS/NERO Protected Resources Division
1 Blackburn Dr.
Gloucester, MA 01930
Ph: 978-281-9300 ext. 6503
Fax: 978-281-9394
e-mail: diane.borggaard@noaa.gov

DAM Program Gear Requirements

In addition to those gear modifications currently implemented under the ALWTRP at 50 CFR 229.32, the following gear modifications are required in the DAM zone. If the requirements and exceptions for gear modification in the DAM zone, as described below, differ from other ALWTRP requirements for any overlapping areas and times, then the more restrictive requirements will apply in the DAM zone. Please note that the below provides a summary of the DAM Program gear requirements and is not a substitute for the ALWTRP regulations.

Lobster Trap/Pot Gear

Fishermen utilizing lobster trap/pot gear within the portion of the Northern Inshore State Lobster Waters, Northern Nearshore Lobster Waters, Cape Cod Bay Restricted Area, and Stellwagen Bank/Jeffreys Ledge Restricted Area that overlap with the DAM zone are required to utilize all of the following gear modifications while the DAM zone is in effect:

1. Groundlines must be made of either sinking or neutrally buoyant line. Floating groundlines are prohibited;
2. All buoy lines must be made of either sinking or neutrally buoyant line, except the bottom portion of the line, which may be a section of floating line not to exceed one-third the overall length of the buoy line;
3. Fishermen are allowed to use two buoy lines per trawl; and
4. A weak link with a maximum breaking strength of 600 lb (272.4 kg) must be placed at all buoys.

Fishermen utilizing lobster trap/pot gear within the portion of the Offshore Lobster Waters Area that overlap with the DAM zone are required to utilize all of the following gear modifications while the DAM zone is in effect:

1. Groundlines must be made of either sinking or neutrally buoyant line. Floating groundlines are prohibited;
2. All buoy lines must be made of either sinking or neutrally buoyant line, except the bottom portion of the line, which may be a section of floating line not to exceed one-third the overall length of the buoy line;
3. Fishermen are allowed to use two buoy lines per trawl; and
4. A weak link with a maximum breaking strength of 1,500 lb (680.4 kg) must be placed at all buoys.

Anchored Gillnet Gear

Fishermen utilizing anchored gillnet gear within the portions of the Other Northeast Gillnet Waters, Cape Cod Bay Restricted Area, and Stellwagen Bank/Jeffreys Ledge Restricted Area that overlap with the DAM zone are required to utilize all the following gear modifications while the DAM zone is in effect:

1. Groundlines must be made of either sinking or neutrally buoyant line. Floating groundlines are prohibited;
2. All buoy lines must be made of either sinking or neutrally buoyant line, except the bottom portion of the line, which may be a section of floating line not to exceed one-third the overall length of the buoy line;
3. Fishermen are allowed to use two buoy lines per string;
4. Each net panel must have a total of five weak links with a maximum breaking strength of 1,100 lb (498.8 kg). Net panels are typically 50 fathoms (91.4 m) in length, but the weak link requirements would apply to all variations in panel size. These weak links must include three floatline weak links. The placement of the weak links on the floatline must be: one at the center of the net panel and one each as close as possible to each of the bridle ends of the net panel. The remaining two weak links must be placed in the center of each of the up and down lines at the panel ends;
5. A weak link with a maximum breaking strength of 1,100 lb (498.8 kg) must be placed at all buoys; and
6. All anchored gillnets, regardless of the number of net panels, must be securely anchored with the holding power of at least a 22 lb (10.0 kg) Danforth-style anchor at each end of the net string.

###