



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, 2006

DAM ZONES SOUTH AND EAST OF PORTLAND, MAINE

Dear Commercial Lobster Trap/Pot and Gillnet Fishermen:

This is a follow-up to letters sent on November 13, 2006, that informed you of the establishment of two Dynamic Area Management (DAM) zones south and east of Portland, Maine, effective from 0001 hours November 18, 2006, through 2400 hours December 2, 2006, with required gear modifications for lobster trap/pot and anchored gillnet fishing gear. This letter is to inform you that NOAA's National Marine Fisheries Service (NMFS) has extended these DAM zones, in these same areas south and east of Portland, Maine, totaling approximately 1,549 square nautical miles, and 1,809 (nm²), respectively, as subsequent surveys in these areas indicate that the DAM zone trigger continues to be met. Thus, the required gear modifications for lobster trap/pot and anchored gillnet gear will be effective for an additional 15 days. In addition, NMFS requires that no additional gear be set in the DAM zones during the restricted period unless that gear has been modified accordingly. This action is being taken to respond to reported aggregations of endangered Northern right whales (right whales).

Therefore, NMFS is announcing required gear modifications for the extended DAM zones past the current 2400 hours December 2, 2006, expiration. **Effective 0001 hours December 3, 2006, through 2400 hours December 17, 2006**, anchored gillnet and lobster trap/pot gear in the DAM zones must comply with the required gear modifications. The required gear modifications and the coordinates for the DAM zones are found in the enclosure to this letter. **Special note for gillnet fisherman: a portion of the DAM zone south of Portland, Maine, overlaps the year-round Western Gulf of Maine Closure Area for Northeast Multispecies found at 50 CFR 648.81(e). Due to this closure, sink gillnet gear is prohibited from this portion of the DAM zone.**

To obtain the DAM regulations in their entirety, please call 978-281-9300 x6503. 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 978-281-9300 x6503.

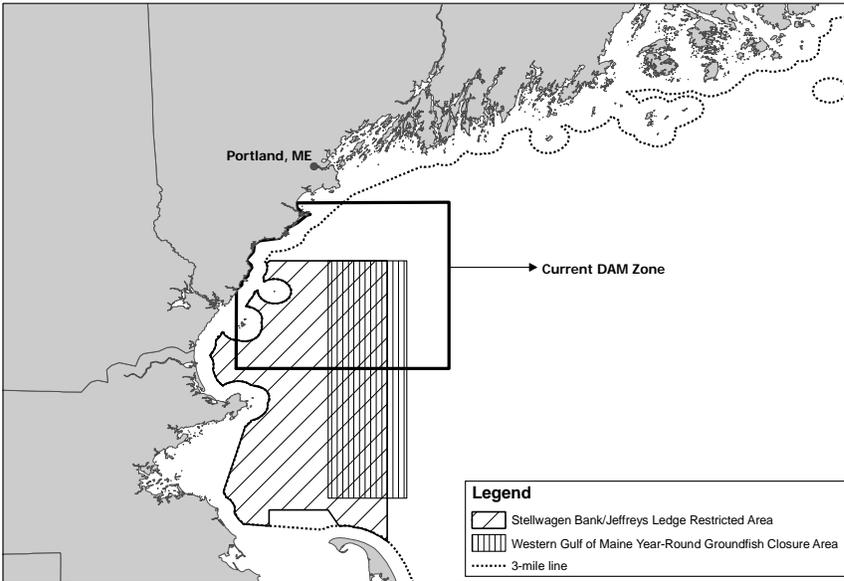
Sincerely,

Patricia A. Kurkul
Regional Administrator

Enclosure



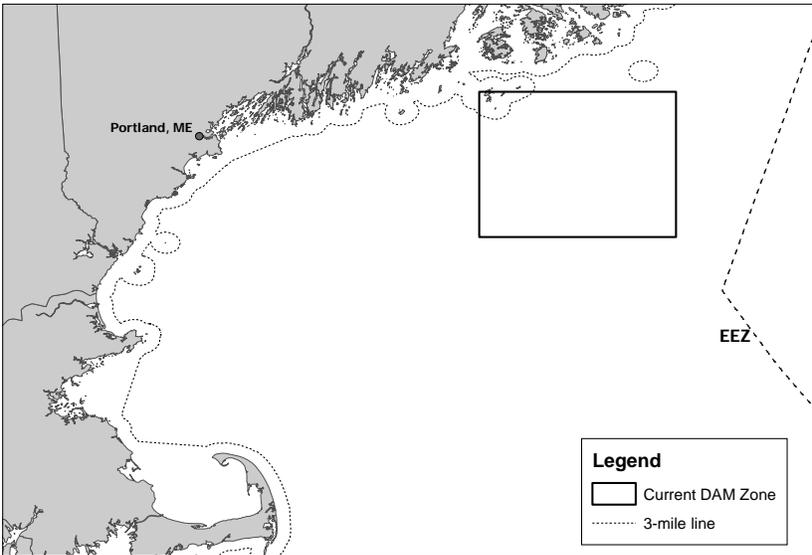
**DAM Zone from November 27, 2006
Sighting of 8 Northern right whales south of Portland, ME**



Coordinates for the DAM Zone effective from 0001 hours December 3, 2006, through 2400 hours December 17, 2006, are as follows, are as follows:

- 43° 29' N, 70° 23' W (NW Corner)
- 43° 29' N, 69° 44' W
- 42° 47' N, 69° 44' W
- 42° 47' N, 70° 38' W
- 43° 08' N, 70° 38' W and follow the coastline northeast to
- 43° 29' N, 70° 23' W (NW Corner)

**DAM Zone from November 26, 2006
Sighting of 4 Northern right whales east of Portland, ME**



Coordinates for the DAM Zone effective from 0001 hours December 3, 2006, through 2400 hours December 17, 2006, are as follows, are as follows:

- 43° 52' N, 68° 56' W (NW Corner)
- 43° 52' N, 67° 58' W
- 43° 09' N, 67° 58' W
- 43° 09' N, 68° 56' W
- 43° 52' N, 68° 56' W (NW Corner)

DAM ZONE SOUTH OF PORTLAND, MAINE

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, 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 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.

DAM ZONE EAST OF PORTLAND, MAINE

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.

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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.

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