

1. Gear specification requirements in 50 CFR 697.21(c) to allow for closed escape vents and smaller trap mesh and entrance heads;

2. Trap limit requirements, as listed in § 697.19, for LCMA 1, 2, 3, 4 and 5, to be exceeded by 3 additional traps per fishing vessel for a total of 69 additional traps;

3. Trap tag requirements, as specified in § 697.19(j), to allow for the use of untagged traps (though each experimental trap will have the participating fisherman's identification attached); and

4. Possession restrictions in § 697.20(a), (d), (g), and (h)(1) and (2), to allow for onboard biological sampling of undersized, v-notched, and egg-bearing lobsters and undersized and egg-bearing Jonah crabs.

If the EFP is approved, this study would take place during the regular fishing activity of 19 federally-permitted commercial fishing vessels; 4 "inshore" vessels in LCMA 2 and 15 "offshore" vessels in LCMA 1, 3, and 4. Four additional offshore vessels will be added to the project at a later date. Each vessel would have up to three modified traps attached to a standard Atlantic Large Whale-compliant, trap trawl. When the additional vessels are active on the EFP, no more than 69 total modified traps would be in the water at any time. The modifications to a conventional lobster trap would include a closed escape vent, single parlor, and smaller mesh size and entrance head to capture juvenile lobsters and Jonah crabs. Additional traps would be added to the participating vessels' commercial trawls so there would be no additional vertical lines as a result of this project. Sampling would occur year round with traps hauled weekly in LCMA 2 and every 10 days in the other areas. All lobsters and Jonah crabs caught in the experimental traps would be counted, sexed, and measured. Biological information, including shell hardness and presence of eggs, would also be recorded. All species captured in study traps would be returned promptly to the sea after sampling. All data collected would be made available to state and Federal management agencies to improve and enhance the available data for these two crustacean species.

If approved, the applicant may request minor modifications and extensions to the EFP throughout the study period. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP

request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

(Authority: 16 U.S.C. 1801 *et seq.*)

Dated: March 11, 2021.

Jennifer M. Wallace,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XA876]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; request for comments.

SUMMARY: The Assistant Regional Administrator for Sustainable Fisheries, Greater Atlantic Region, NMFS, has made a preliminary determination that an Exempted Fishing Permit application contains all of the required information and warrants further consideration. The Exempted Fishing Permit would allow four commercial surfclam and ocean quahog vessels to conduct at-sea paralytic shellfish poisoning testing in the Closed Area II scallop access area in statistical area 552. Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed Exempted Fishing Permits.

DATES: Comments must be received on or before April 1, 2021.

ADDRESSES: You may submit written comments by the following method:

- *Email: nmfs.gar.efp@noaa.gov.*

Include in the subject line "Sea Watch Surfclam EFP."

FOR FURTHER INFORMATION CONTACT:

Laura Hansen, Fishery Management Specialist, 978-281-9225, *Laura.Hansen@noaa.gov.*

SUPPLEMENTARY INFORMATION: Sea Watch is requesting exemption from the Georges Bank Closed Area specified at 50 CFR 648.76(a)(4). The proposed project would explore expansion of the area that is currently open to vessels that are certified for at-sea testing for paralytic shellfish poisoning (PSP).

This Exempted Fishing Permit (EFP) would allow four commercial surfclam and ocean quahog vessels, using hydraulic clam dredge gear, to conduct at-sea PSP testing in the Closed Area II scallop access area in statistical area 552. The participating vessels are already certified for at-sea testing and are currently operating the area that opened in George's Bank in 2012. Vessels would take 2 trips per week for a yearlong period, for a total of up to 416 trips. Each trip would be between two to four days. Vessels would land up to 4,800 bushels (169,148 L) of surfclams or ocean quahogs per trip. All landings would be handled under the current PSP protocol in place as mandated by the Food and Drug Administration and Interstate Shellfish Sanitation Conference. A positive PSP result from any one sample would deem the area unacceptable for harvest. The vessel Captain would immediately report all positive screening test results, by telephone or email, to the Authority within the intended State of landing, the Food and Drug Administration (FDA) Shellfish Specialist, and the processor. The FDA would notify NMFS and permitted vessels would stop fishing in the affected area(s).

Participating vessels would adhere to all seasonal groundfish closures in Closed Area II and would not retain any scallops while on EFP trips. Additionally, vessels must also adhere to all other requirements at 50 CFR 648.76(a)(4)(i).

If approved, Sea Watch may request minor modifications and extensions to the EFP throughout the study. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: March 11, 2021.

Jennifer M. Wallace,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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