effectively fished, and whether preliminary information supports the dredge’s expected better size selectivity and reduction of bycatch. The applicant submitted a complete application for an EFP on March 22, 2016, to enable the use of the modified gear during Mid-Atlantic Access Area fishing trips. The EFP would authorize exemptions for one commercial vessel from the scallop dredge gear restriction of no more than seven rows in the apron at 50 CFR 648.51(b)(4)(iv); the scallop observer program requirement at § 648.11(g); and would temporarily exempt the participating vessel from possession limits and minimum size requirements specified in 50 CFR part 648, subsections B and D through O, for sampling purposes only. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited, including landing fish in excess of a possession limit or below the minimum size.

One vessel would conduct scallop dredging in May 2016-October 2016 on three trips in the Mid-Atlantic Access Area. All trips would fish two 13-foot (3.96-m) Turtle Deflector Dredges, towed for an average duration of 50 minutes. Each trip would complete approximately 150 tows for an overall total of 450 tows. One dredge would be rigged with an industry standard bag comprised of 7 rows of rings from the twine top to the terminus, while the other would be rigged with an experimental “box bag” configuration. The experimental bag will consist of two 3-ring wide side panels and one 3-ring wide rear panel all connecting the topside of the bag to the underside creating a box-like bag. Both dredges would use 4-inch (10.16-cm) rings, 10-inch (25.40-cm) twine top, and turtle chain mats.

For all tows, the scallop catch would be kept separated by dredge and placed into baskets, counted and weighed using a certified electronic scale. The captain would sort the finfish catch by species and then count and weigh them. Depending on the volume of scallops and finfish captured, the catch would be subsampled if necessary. Finfish catch not retained for sale would not be kept on deck for longer than needed to conduct sampling. Exemption from possession limit and minimum sizes would support catch sampling activities, and ensure the vessel is not in conflict with possession regulations while collecting catch data. All catch above a possession limit or below a minimum size would be discarded as soon as practicable following data collection. The vessel would be exempt from the sea scallop observer program requirements because the gear used is not typical of gear used during normal commercial fishing operations. All trips would otherwise be conducted in a manner consistent with normal commercial fishing conditions, and catch consistent with the Limited Access possession limits for the Mid-Atlantic Access Area would be retained for sale.

If approved, the applicant may request minor modifications and extensions to the EFP throughout the year. 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: May 19, 2016.

Emily H. Menashes,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

Dated: May 19, 2016.