

operations that are otherwise restricted by the regulations governing the fisheries of the Northeastern United States. The EFP would allow for exemptions from the minimum fish size requirement for the retention of undersized fish for data collection purposes. The EFP would allow this exemption for approximately 250 lb (114 kg) of undersized (juvenile) black sea bass (*Centropristis striata*) for the remainder of the 2003 fishing year. 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 EFPs.

DATES: Comments on this document must be received on or before August 4, 2003.

ADDRESSES: Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on VIMS Black Sea Bass Population Biology EFP Proposal." Comments may also be sent via facsimile (fax) to (978) 281-9135.

FOR FURTHER INFORMATION CONTACT: Brian Hooker, Fishery Management Specialist, phone 978-281-9220.

SUPPLEMENTARY INFORMATION: The Virginia Institute of Marine Science (VIMS) submitted an application for an EFP on June 23, 2003, with final revisions received June 24, 2003. The experimental fishing application requests authorization to allow the collection of undersized (juvenile) black sea bass for research into the reproductive biology and population dynamics of black sea bass. The VIMS researchers propose to enlist three fishing vessels to retain 25-50 lb (12-23 kg) of undersized black sea bass each month during the participation period (August 1-December 31, 2003). This would result in a maximum retention of 250 lb (114 kg) of under-sized black sea bass for the 2003 fishing year. The collections would take place using handline and fish pot fishing gear under the normal fishing operations of the participating vessels. The collections would take place off the coasts of Virginia and North Carolina in 30-minute squares 11, 12, 15, 16, 19, 20, 25, and 26. The participating vessels would be required to comply with applicable state landing laws and report all landings on the Federal Fishing Vessel Trip Report.

Based on the results of this EFP, this action may lead to future rulemaking.

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

Dated: July 14, 2003.

Bruce C. Morehead,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[I.D. 071003B]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permit (EFP)

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

ACTION: Notification of a proposal for an EFP to conduct experimental fishing; request for comments.

SUMMARY: The Administrator, Northeast Region, NMFS (Regional Administrator) has made a preliminary determination that the subject EFP application contains all of the required information and warrants further consideration. The Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Atlantic Sea Scallop and Northeast Multispecies Fishery Management Plans (FMPs). However, consideration of comments on the proposal is required and further review and consultation may be necessary before a final determination is made that the activity will have no significant impacts on the human environment, and that the issuance of EFPs is warranted. NMFS is reviewing analyses prepared in an Environmental Assessment to help make final determinations. Therefore, NMFS announces that the Regional Administrator has made a preliminary decision to issue the EFP that would allow one federally permitted fishing vessel to conduct fishing operations otherwise restricted by the regulations governing the Atlantic sea scallop and Northeast multispecies fisheries. The EFP would allow the federally permitted vessel to compare a standard scallop dredge using a 6-inch (15.2-cm) twine top to a standard scallop dredge using various modified 10-inch (25.4-cm) twine tops in order to estimate finfish bycatch reduction in the modified dredge. The EFP is necessary

to exempt the vessel from days-at-sea (DAS), scallop gear, and multispecies closed area restrictions. 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 EFPs.

DATES: Comments must be received on or before 5:00 p.m., Eastern Standard Time, August 4, 2003.

ADDRESSES: Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930-2298. Mark the outside of the envelope "Comments on Scallop Dredge EFP Proposal." Comments may also be sent via facsimile (fax) to (978) 281-9135. A copy of the proposal and the Draft Environmental Assessment are available from the Northeast Regional Office at the address stated above.

FOR FURTHER INFORMATION CONTACT: Don Frei, Fisheries Management Specialist, 978-281-9221.

SUPPLEMENTARY INFORMATION: Ronald Smolowitz, Coonamessett Farm, Inc., submitted an application to conduct an experimental fishery to test experimental 10-inch (25.4-cm) twine top configurations on standard scallop dredges outside of scallop DAS and within Georges Bank including Closed Area I, II, and the Nantucket Lightship Closed Area. The experiment would be a continuation and expansion of experiments with similar gear that Coonamessett Farm, Inc., has conducted in the past.

The experiment is being proposed to expand the level of information and data that Mr. Smolowitz has collected on the experimental scallop dredge and to conduct the experimental fishing in areas where both scallops and finfish species are in high abundance relative to other areas. The standard scallop dredge will be used to test various combination modified 10-inch (25.4-cm) twine tops to reduce finfish bycatch. Prior experimental fishing has tested 10-inch (25.4-cm) twine tops along with other gear modifications. These tests demonstrated a reduction of the bycatch of yellowtail flounder by 40 percent, skate by 40 percent, and winter flounder by 50 percent, compared to a standard dredge with 10-inch (25.4-cm) twine top mesh. Comparisons of a standard dredge with modified 10-inch (25.4-cm) twine tops and a standard dredge with 6-inch (15.2-cm) twine top mesh would allow the researcher to distinguish the overall effectiveness of the modified dredge from the

effectiveness of the 10-inch (25.4-cm) twine top.

The proposed experiment would be conducted as soon as possible following approval of the EFP, if the final decision is to grant the EFP. The participating vessel would be authorized to take four trips in Georges Bank, including Closed Area I, II or the Nantucket Lightship Closed Area. Conducting the trips in both closed and open areas would allow the gear to be tested in areas of both extremely high and moderate scallop and finfish abundance. The information gathered from this experiment could be used in the consideration in future management actions under the Atlantic Sea Scallop FMP. The participating vessel would be allowed to retain up to 15,000 lb (6,804 kg) of scallops and the regulated amount of incidental catch of other species (e.g., 300 lb (136 kg) of regulated multispecies and monkfish) per trip. The EFP would allow exemptions from the following regulations for Fisheries of the Northeastern United States (50 CFR part 648): DAS notification requirements specified at § 648.10(b)(1)(i); scallop dredge twine top restrictions specified at § 648.51(b)(4)(iv); scallop DAS restrictions specified at § 648.53; and Northeast multispecies Closed Area I, II, and Nantucket Lightship Closed Area restrictions specified at § 648.81(b)(1) and (c)(1).

The participating vessel would land approximately 60,000 lb (27,216 kg) of scallops, 1,200 lb (544 kg) of Northeast multispecies, and 1,200 lb (544 kg) of monkfish. Minimal amounts of other legally retained bycatch species, such as skates, may be landed. The catch of scallops in excess of the 15,000-lb (6,804-kg) per trip allowance may occur in closed areas due to very high concentrations of scallops. This would result in some scallop discard, but discard survival rates of scallops is expected to be high. Discards of other species caught during experimental fishing is expected to be about 40,000 lb (18 mt) of flounder species and skates, 35,000 lb (16 mt) of monkfish, and 4,400 lb (2 mt) of other species. For comparison, the total allowed catch in the 2000 Georges Bank Sea Scallop Exemption Program (the same portions of Closed Area II and the Nantucket Lightship Closed Area are proposed for access in the experiment) for yellowtail flounder was 725 mt with no catch limits on other species. Although information on the survival of finfish discards is lacking, not all discarded fish would die. Based on the analyses of the proposed action, the relative impact of the expected catch overall during the proposed experiment does not appear to

be significant. The increase in DAS (exempting one vessel from DAS restrictions for a total of 40 DAS) is approximately 0.14-percent of the overall DAS used in the scallop fishery on an annual basis.

Based on the results of this EFP, this action may lead to future rulemaking.

Dated: July 14, 2003.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[I.D. 071403A]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permit (EFP)

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

ACTION: Notification of a proposal for an EFP to conduct experimental fishing; request for comments.

SUMMARY: The Assistant Regional Administrator, Northeast Region, NMFS has made a preliminary determination that the subject EFP application contains all the required information and warrants further consideration. The Assistant Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Northeast (NE) Multispecies Fishery Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made to issue an EFP. Therefore, NMFS announces that the Regional Administrator proposes to issue an EFP that would allow one vessel to conduct fishing operations that are otherwise restricted by the regulations governing the fisheries of the northeastern United States. The EFP would allow the vessel to fish outside the regulated fishing season for shrimp, which occurred in 2003 between January 15- February 27. The proposed experiment would test a semi-pelagic shrimp trawl using 180-ft (54.6-m) bridles, and small mesh (50 mm), with the codend left open. All experimental work would be monitored by University of New Hampshire (UNH)

personnel. 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 EFPs.

DATES: Comments must be received at the appropriate address or fax number (see **ADDRESSES**) on or before August 4, 2003.

ADDRESSES: Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, NE Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on UNH Semi-Pelagic Shrimp Trawl EFP Proposal." Comments may also be sent via fax to (978) 281-9135. Comments will not be accepted if submitted via e-mail or the Internet.

FOR FURTHER INFORMATION CONTACT: Heather Sagar, Fisheries Management Specialist, 978-281-9341, or e-mail heather.sagar@noaa.gov.

SUPPLEMENTARY INFORMATION: An initial application from UNH for an EFP was received on June 16, 2003, and the application was completed on July 1, 2003. The proposed study would test a semi-pelagic shrimp trawl net with small mesh (50 mm) and up to 180-ft (54.6-m) bridles, which would be designed in such a way as to reduce seabed impact when trawling for shrimp in the Gulf of Maine. The bridles would not be in contact with the seabed and, therefore, are not expected to adversely affect benthic organisms, demersal species, or the seabed itself. The codend would be left open throughout testing and no fish, therefore, would be retained. The proposed study would take place off the coast of Seabrook, NH, west of 70 W. long., excluding closed areas. One commercial vessel would fish a maximum 4 days, making approximately 6 tows per day, for a total of 24 tows for this study. Tow length would be approximately 1 hour. The participating vessel would be required to notify NMFS prior to commencing an experimental fishing trip. The final phase of the experiment would be data analysis and reporting, including an acoustic monitoring analysis and video analysis. A final report containing the results of the study would be provided to NMFS no later than 6 months following completion of the study.

The EFP would allow this vessel to fish outside the regulated fishing season for shrimp, which occurred in 2003 between January 15-February 27.

Based on the results of this EFP, this action may lead to future rulemaking.

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