

of Marine Fisheries, the New Hampshire Department of Fish and Game, NMFS, the Maine Lobstermen's Association, the DownEast Lobstermen's Association, the Massachusetts Lobstermen's Association, the South Shore Lobster Fishermen's Association, the Boston Harbor Lobstermen's Cooperative, and the Atlantic Offshore Lobstermen's Association to more regularly involve fishermen in the data collection process and to create a regional picture of the lobster resource with the ultimate goal of helping to improve lobster stock assessment models.

The Juvenile Lobster Trap Survey is a pilot project that will take place from the fall 2000 through the fall 2001 lobster fishing season. The number of participants coordinated by the NEACD will be limited to approximately 25 fishermen from Massachusetts and New Hampshire. The survey's co-principal investigators will monitor the quality of the data collection by making site visits and maintaining open communication among all of the participants. If successful, the collaboration will seek funding and EFPs to continue the survey on an annual basis to increase both fishermen's participation and the geographical scope of the survey.

Fishermen collecting data under this exemption will be subject to the following guidelines:

1. A minimum of two and a maximum of six experimental traps per participant will have disabled escape vents.

2. The test traps (both experimental and control) are included in the participant's normal set and will not exceed trap number limits.

3. The survey will be limited in scope by requiring participants to collect data only in their declared management areas.

4. The survey will be limited in duration, ranging from late summer 2000 to exactly 12 months from the start date.

5. The experimental traps are standard lobster traps with the escape vent blocked by the following methods: Standard lobster wire mesh attached by biodegradable hog rings, a wooden lath tied over the vents, or twine laced to obscure the vents. The use of these biodegradable materials ensures that, if the escape vent opening is also the escape panel, it will allow lobsters to get out of ghost traps.

6. Each test trap (including the experimental and control traps) will be marked with a unique tag depicting its scientific purpose.

7. Following data collection, all sublegal-sized and illegal (egg-bearing, v-notched) lobsters caught in any test trap will be released immediately.

8. All incidental catch will be handled carefully and immediately returned to sea to decrease mortality.

9. Participants shall not have prior lobster violations/convictions for short lobsters or for possession of berried (lobster-carrying eggs) or scrubbed (i.e., illegal removal of eggs) females.

Any infraction of these conditions or any violation of any marine resources laws would be grounds for the immediate revocation of the EFP.

At the end of each month, participating fishermen will send their data in a postage-paid, return-addressed envelope to the NEACD. Upon the first data mailing, fishermen will also fill out an information card providing a detailed description of their traps, including trap type, dimensions, twine type, hoop sizes, entry hoop diameter, and number of escape vents.

The data will be entered by university interns at the NEACD into a transferable, user-friendly database. A steering committee consisting of leading lobster stock assessment scientists, including NMFS' Northeast Fisheries Science Center scientists and fishermen from the United States and Canada, will work with the co-principal investigators to monitor how the data are stored, to decide on the format of the summary reports that will be made available to the public, and to evaluate the survey. The NEACD and the steering committee will be responsible only for housing the data, and not for data analysis. This survey is to supply baseline data to fishing associations and resource managers so that they can analyze the data.

This survey would target both legal and sub-legal sized lobsters. Bycatch of Jonah crab, red crab, rock crab, black sea bass and conger eel is anticipated. The proposal projects low incidence of bycatch and low mortality rates for each specified bycatch species.

EFPs would be issued to all Federal fishery permit holders who use the experimental traps, whether in state or Federal waters, and will exempt them from the requirement under § 697.21(c)(1)(i) and (ii) that all lobster traps must contain at least one escape vent with a minimum size of 1-15/16 inches (4.9 cm) by 5-3/4 inches (14.6 cm) or two circular vents that must be at least 2-7/16 inches (6.2 cm) in diameter.

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

Dated: September 21, 2000.

**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 648

[I.D. 091800K]

#### Mid-Atlantic Fishery Management Council; Public Hearings

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

**ACTION:** Public hearings, request for comments.

**SUMMARY:** The Mid-Atlantic Fishery Management Council (Council) and the Atlantic States Marine Fisheries Commission (ASMFC) will hold public hearings to allow for input on the public hearing draft of Amendment 13 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP). This amendment will detail the fishing impacts to summer flounder, scup, and black sea bass essential fish habitat (EFH) to bring the FMP into compliance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), as amended by the Sustainable Fisheries Act (SFA). This amendment will also provide the information and analyses necessary to implement a state system of conservation equivalency for the recreational fishery of summer flounder to achieve the annual recreational harvest limit.

**DATES:** Written comments will be accepted until October 30, 2000. The hearings will be held in October. For specific dates and times, see

#### **SUPPLEMENTARY INFORMATION.**

**ADDRESSES:** Send comments to Daniel T. Furlong, Executive Director, Mid-Atlantic Fishery Management Council, 300 S. New Street, Dover, DE 19904, or John Dunnigan, Executive Director, Atlantic States Marine Fisheries Commission, 1444 Eye Street, NW, Suite 304, Washington, DC 20005.

The hearings will be held in Massachusetts, Rhode Island, New York, New Jersey, Maryland, and North Carolina. For specific locations, see

#### **SUPPLEMENTARY INFORMATION.**

**FOR FURTHER INFORMATION CONTACT:** Daniel T. Furlong, Executive Director, Mid-Atlantic Fishery Management Council, 302-674-2331, ext. 19, or John Dunnigan, Executive Director, Atlantic States Marine Fisheries Commission, 202-289-6400, ext. 304.

#### **SUPPLEMENTARY INFORMATION:**

## Background

Amendment 13 to the FMP, prepared by the Council in consultation with the ASMFC, is intended to manage the summer flounder fishery pursuant to the Magnuson-Stevens Act. The purpose of this amendment is to bring the disapproved EFH portions of Amendment 12 into compliance with the Magnuson-Stevens Act, as amended by the SFA, and to implement state conservation equivalency for the recreational summer flounder fishery. Although state conservation equivalency has been used for fishing years 1999 and 2000, it has been implemented only as an interim measure. The Council and ASMFC must amend the current FMP to use state conservation equivalency as a standard tool to regulate the summer flounder coastwide recreational harvest limit beginning in 2001. Six possible alternatives to achieving the coastwide recreational harvest limit include:

1. A system that allows the Council and ASMFC to decide on an annual basis whether to (a) allow states to develop state-specific conservation equivalent management measures that result in the same constraint on landings as the coastwide measures, or (b) specify coastwide measures to achieve the coastwide recreational harvest limit (Preferred Alternative).

2. A system in which three subregions of the coast develop region-specific

measures to achieve the coastwide recreational harvest limit (Non-preferred Alternative 1).

3. A system where states in each subregion use subregional data to develop state-specific minimum size limits, possession limits, and closed seasons to achieve the coastwide recreational harvest limit (Non-preferred Alternative 2).

4. State-by-state allocation of the coastwide recreational harvest limit (Non-preferred Alternative 3).

5. Coastwide management measures to achieve the coastwide recreational harvest limit (No action, Non-preferred Alternative 4).

6. A system like the one currently in place under the interim rule where each state can choose either a coastwide measure or equivalent measures to achieve the coastwide recreational limit (Non-preferred Alternative 5).

The Council and ASMFC are requesting public input on all of the alternatives. These alternatives are discussed in further detail in the public hearing draft of Amendment 13.

## Dates, Times, and Locations of Hearings

1. Tuesday, October 10, 2000, 7-10 p.m.—Sanderling Inn Resort and Conference Center, 1461 Duck Road, Duck, NC; telephone 252-449-6664.

2. Wednesday, October 18, 2000, 7-10 p.m.—Carousel Hotel, 118th Street,

Ocean City, MD; telephone 410-524-1000.

3. Thursday, October 19, 2000, 7-10 p.m.—Holiday Inn, Route 37-290 State Highway, Toms River, NJ; telephone 732-244-4000.

4. Thursday, October 26, 2000, 7:30-10:00 p.m.—NYSDEC Division of Marine Resources, 205 Belle Meade Road, E. Setauket, NY; telephone 631-444-0453.

There will be an additional two hearings (one in Massachusetts and one in Rhode Island) at a location and time yet to be determined by ASMFC. When this decision is made, NMFS will issue an additional notification in the **Federal Register**.

The hearings will be tape recorded, and the tapes will be filed as the official transcript of the hearings.

## Special Accommodations

The hearings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Joanna Davis at the Council, telephone 302-674-2331, ext. 18, at least 5 days prior to the hearing date.

Dated: September 22, 2000.

**Bruce C. Morehead,**

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

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