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FOR FURTHER INFORMATION CONTACT: Bob Harman, Sustainable Fisheries, NMFS Pacific Islands Regional Office, 808–725–5170.

SUPPLEMENTARY INFORMATION: Section 204(e) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) authorizes the Secretary of State, with the concurrence of the Secretary of Commerce (Secretary) and in consultation with the Council, to negotiate and enter into a Pacific Insular Area fishery agreement (PIAFA). A PIAFA would allow foreign fishing within the U.S. Exclusive Economic Zone (EEZ) adjacent to American Samoa, Guam, or the Northern Mariana Islands with the concurrence of, and in consultation with, the Governor of the Pacific Insular Area to which the PIAFA applies. Before entering into a PIAFA, the appropriate Governor, with the concurrence of the Council, must develop a 3-year MCP providing details on uses for any funds collected by the Secretary under the PIAFA.

The Magnuson-Stevens Act requires payments received under a PIAFA to be deposited into the United States Treasury and then conveyed to the Treasury of the Pacific Insular Area for which funds were collected. In the case of violations by foreign fishing vessels in the EEZ around any Pacific Insular Area, amounts received by the Secretary attributable to fines and penalties imposed under the Magnuson-Stevens Act, including sums collected from the forfeiture and disposition or sale of property seized subject to its authority, shall be deposited into the Treasury of the Pacific Insular Area adjacent to the EEZ in which the violation occurred, after direct costs of the enforcement action are subtracted. The government may use funds deposited into the Treasury of the Pacific Insular Area for fisheries enforcement and for implementation of an MCP.

An MCP must be consistent with the Council's fishery ecosystem plans, must identify conservation and management objectives (including criteria for determining when such objectives are met), and must prioritize planned marine conservation projects. Although no foreign fishing is being considered at this time, at its 160th meeting held June 24–27, 2014, in Honolulu, the Council reviewed and approved the MCP for American Samoa and recommended its submission to the Secretary for approval. On March 16, 2015, the

Governor of American Samoa submitted the MCP to NMFS, the designee of the Secretary, for review and approval.

The American Samoa MCP contains six conservation and management objectives, listed below. Please refer to the MCP for planned projects and activities designed to meet each objective, the evaluative criteria, and priority rankings.

MCP Objectives

1. Maximize social and economic benefits through sustainable fisheries development.
2. Support quality scientific research to assess and manage fisheries.
3. Promote an ecosystem approach in fisheries management, reduce waste in fisheries and minimize interactions between fisheries and protected species.
4. Recognize the importance of island culture and traditional fishing in managing fishery resources and foster opportunities for participation.
5. Promote education and outreach activities and regional collaboration regarding fisheries conservation.
6. Encourage development of technologies and methods to achieve the most effective level of enforcement and to ensure safety at sea.

This notice announces that NMFS has determined that the American Samoa MCP satisfies the requirements of the Magnuson-Stevens Act and approves the MCP for the 3-year period from April 1, 2015, through March 31, 2018. This MCP supersedes the one approved for the period August 11, 2012, through August 10, 2015 (77 FR 58813, September 24, 2012).

Dated: April 3, 2015.

Alan D. Risenhoover,
*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD885

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 (Assistant Regional Administrator), has made a preliminary determination that an exempted fishing permit application contains all of the required information and warrants further consideration. This exempted fishing permit would allow up to three commercial fishing vessels to conduct exploratory fishing in year-round groundfish closed areas (Closed Areas I and II) for the purposes of obtaining fisheries dependent catch information. This research is being conducted by Atlantic Trawlers Fishing, Inc.

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 23, 2015.

ADDRESSES: You may submit written comments by any of the following methods:

- Email nmfs.gar.eff@noaa.gov. Include in the subject line “Comments on Exploratory Closed Area Fishing EFP.”

- Mail: John K. Bullard, Regional Administrator, NMFS, NE Regional Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope “Comments on Closed Area Exploratory Fishing EFP.”

FOR FURTHER INFORMATION CONTACT: Brett Alger, Fisheries Management Specialist, 978–675–2153, brett.alger@noaa.gov.

SUPPLEMENTARY INFORMATION: In a 2014 proposed rule for Northeast Multispecies Sectors that would have allowed vessels using selective trawl gear into portions of year-round Georges Bank (GB) groundfish closed areas (CAs) I and II, we announced interest in gathering catch data from these areas through exempted fishing permits (EFPs) (79 FR 14639, March 17, 2014). Because many of these areas have been closed to groundfish bottom trawling for nearly 20 years, fisheries dependent data collected through an EFP would help inform whether to allow conditional access to CAs I and II to sector vessels through the sector exemption process. Data from vessels operating under an EFP may be used to characterize catch rates of target and non-target species in the CAs, as well as help inform industry on the economic feasibility of industry-funded monitoring for trips into CAs I and II.

In April 2014, we announced our intention to issue an EFP to Atlantic Trawlers Fishing, Inc. (79 FR 23940,

April 29, 2014). In May 2014, an EFP was issued that authorized vessels to fish inside portions of groundfish CA I and CA II during specified times of the fishing year. For more details on the original application and objectives of this EFP, reference last year's notice or visit http://www.greateratlantic.fisheries.noaa.gov/mediacenter/2014/EFPsgroundfish_closed_areas.html. Additionally, for preliminary catch information from Atlantic Trawlers Fishing, Inc., visit <http://www.greateratlantic.fisheries.noaa.gov/aps/monitoring/nemultispecies.html>.

Due to several factors, including catch rates, time and area access to CAs I and II, and weather, only 12 trips were taken under the EFP in fishing year 2014. Because there were a limited amount of trips and, therefore, not enough information to make a determination on whether or not to approve access to CAs I and II through the sector exemption process, we did not approve access for sectors in fishing year 2014. Additionally, we did not propose to allow sector vessels access to CAs I and II for fishing year 2015 (80 FR 12380, March 19, 2015), however, Atlantic Trawlers Fishing, Inc., has requested an EFP renewal for fishing year 2015 to continue collecting data under the same exemptions as their previous EFP.

Atlantic Trawlers Fishing, Inc., seeks to address five objectives as follows: (1) Generate data on the composition of catch, including presence and absence of target (*e.g.*, GB haddock) and non-target species; (2) test the effectiveness of utilizing gear comparable to the Canadian haddock fishery on GB (*e.g.*, haddock separator trawl with 5.1-inch (13-cm) square mesh codend) to improve haddock selectivity, catch ratios, and improved annual catch limit (ACL) utilization rates; (3) collect data to examine the economic feasibility of an industry funded monitoring program for CA trips; (4) test the effectiveness of providing access to portions of the existing CAs for improving utilization rates of GB haddock; and (5) collect information from CAs I and II so that we may conduct analyses to determine whether fishing can be allowed at a level of observer coverage of less than 100 percent, should an exemption be considered and approved.

To fulfill these objectives, three vessels would be allowed to use nets with either a haddock separator trawl or a Ruhle trawl, fitted with either a 6-inch (15.2-cm) diamond mesh codend (currently allowed in the fishery) or a 5.1-inch (13-cm) square mesh codend (not currently allowed in the fishery). The applicant claims that the 5.1-inch

(13-cm) square mesh codend will improve their ability to target legal-size haddock while maintaining the ability to filter out small non-target catch, including sub-legal haddock. Preliminary results indicate that the two codends have similar selectivity characteristics, but additional replicates are needed. In addition, for sampling purposes, vessels would be authorized to temporarily retain sub-legal fish, and fish in excess of possession limits. All undersized fish and fish in excess of possession limits would be discarded as soon as practicable following data collection. All three vessels would be accompanied by a technician with an at-sea monitor certification and equipped with echo sounders that operate on multiple frequencies, which provide the capability of revealing fish size distribution and bottom hardness.

For CA I, vessels would have access from May 1, 2015, through February 15, 2016, but would not be given access to areas within CA I that are existing Habitat Management Areas. Additionally, vessels would not be given access to areas that are Habitat Management Area alternatives contained in the Council's draft Omnibus Habitat Amendment as of April 30, 2015. We have raised concerns about spawning of groundfish in CA I from January 1 to February 15, but Atlantic Trawlers Fishing, Inc., has requested access for this period to collect information to address questions about spawning fish.

For CA II, vessels would have access from May 1, 2015, through June 15, 2015, and then from November 1, 2015, through February 15, 2016, but would not be given access to areas within CA II that are existing Habitat Management Areas. Additionally, vessels would not be given access to areas that are Habitat Management Area alternatives contained in the Council's draft Omnibus Habitat Amendment as of April 30, 2015. Similar to CA I, we have raised concerns about spawning of groundfish in CA II from January 1 to February 15, but Atlantic Trawlers Fishing, Inc., has requested access for this period to collect information to address questions about spawning fish. The dates for CA II access reflect an agreement between sector trawl fishermen and the lobster industry to avoid gear conflicts. Atlantic Trawlers Fishing, Inc., would not access portions of CA II from June 15 through November 1, the time period that the lobster industry is allowed access.

Atlantic Trawlers Fishing, Inc., requests issuance of the EFP for the entire fishing year in order to use a smaller mesh codend throughout the

year, but access to the closed areas would be for only portions of the year. Fishing effort under the EFP would be heavily dependent upon operational decisions dictating whether to fish within CAs I and II, as compared to outside the areas. As previously described, Atlantic Trawlers Fishing, Inc., has stated that the directed haddock fishery is highly dynamic and requires a high degree of mobility. If approved, the three participating vessels would focus on the directed haddock fishery throughout the study period, and make tows both inside and outside the CAs on the same trip. Vessel tow duration would vary from 30 minutes to 3 hours, and tow time and speed would be at the discretion of the vessel operator. However, in order to conduct statistical comparisons between meshes or areas, the vessels would be required to conduct some tows in a specific sequence and for a specified amount of time. While this may be disruptive to the commercial enterprise, it would ensure that codend comparison data are representative of the fishery and can be used to inform any potential future management decisions. Trawling would occur up to 18 hours per fishing day, an average trip would last seven days (five days fishing and two days steaming), and there would be an average of three trips total, per month. Under the EFP in fishing year 2014, this would have resulted in approximately 72 trips, however, Atlantic Trawlers Fishing, Inc., only took the 12 trips. Under the renewed EFP, vessels would be limited to the remaining amount of trips (*i.e.*, 60), but anticipate taking far fewer than that amount.

All legal sized fish will be landed and sold with all proceeds retained by the vessel owner. All three vessels are members of the Sustainable Harvest Sector (SHS) and all catch of allocated stocks (*e.g.*, haddock, cod) would be accounted for under the annual catch entitlements (ACEs) of the SHS. If the SHS exceeds its ACE for an allocated stock, it would need to lease in additional ACE in order to continue fishing.

If approved, Atlantic Trawlers Fishing, Inc., 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: April 3, 2015.

Emily H. Menashes,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XD882

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery off the South Atlantic States; Amendment 36

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

ACTION: Notice of Intent (NOI) to prepare a draft environmental impact statement (DEIS); request for comments; notice of scoping meetings.

SUMMARY: NMFS, Southeast Region, in collaboration with the South Atlantic Fishery Management Council (Council), intends to prepare a DEIS to describe and analyze a range of alternatives for management actions to be included in Amendment 36 to the Fishery Management Plan (FMP) for the Snapper-Grouper Fishery of the South Atlantic Region (Amendment 36). Amendment 36 will consider alternatives to implement special management zones (SMZs). The purpose of this NOI is to solicit public comments on the scope of issues to be addressed in the DEIS and to announce scoping meetings.

DATES: Written comments on the scope of issues to be addressed in the DEIS will be accepted until May 8, 2015.

ADDRESSES: You may submit comments on the NOI identified by “NOAA–NMFS–2015–0050” by either of the following methods:

- **Electronic submissions:** Submit electronic comments via the Federal e-Rulemaking Portal. Go to www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2015-0050, click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Rick DeVactor, NMFS Southeast Regional Office (SERO), 263 13th Avenue South, St. Petersburg, FL 33701.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of

the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Rick DeVactor, NMFS SERO, telephone: 727–824–5305, or email: rick.devactor@noaa.gov. Kim Iverson, Public Information Officer, South Atlantic Fisheries Management Council, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; telephone: 843–571–4366, or email: kim.iverson@safmc.net.

SUPPLEMENTARY INFORMATION: In 1983, the Council and NMFS established a procedure under the FMP for the Snapper-Grouper Fishery of the South Atlantic Region for designation of SMZs to protect artificial reef habitats. The procedure includes the development of recommendations to establish an SMZ by a monitoring team, a review of the recommendations by the Council, and submittal of the recommendations to the NMFS Southeast Regional Administrator (RA). The RA reviews the Council’s recommendations and may propose regulations in accordance with the recommendations or take no action. The Council and NMFS have used the procedure to establish artificial reef SMZs in the South Atlantic region. The SMZs protect artificial reef habitat by prohibiting the use of gear types such as fish traps and bottom longlines.

Through Amendment 36, the Council is considering modifications to the SMZ process and framework procedures to include the consideration of SMZs that would protect locations where snapper-grouper fish species are likely to spawn and natural habitats that support spawning fish. Protecting locations where fish spawn and protecting natural habitats that support spawning fish will likely enhance stock productivity and may act as an effective strategy when managing a sustainable fish population.

In the amendment, the Council is also considering the implementation of SMZs to protect spawning snapper-grouper species in the South Atlantic region. The measures in Amendment 36 would prohibit fishing for, harvest, and/or possession of species in the snapper-grouper fishery management unit year-round in the proposed SMZs; fishing for

other species would be allowed in accordance with the current regulations. Some of the sites being considered in Amendment 36 were recommended for protection by a Marine Protected Area (MPA) Expert Workgroup that was formed by the Council in 2012. The MPA Expert Workgroup is comprised of scientists and fishermen with experience studying snapper-grouper fish species and observing fish in spawning condition.

NMFS previously published NOIs to notify the public that the Council and NMFS are considering the establishment of spatial management areas. NMFS published an NOI to prepare a DEIS for the Comprehensive Ecosystem-Based Amendment 3 (CE–BA 3) on May 23, 2012 (77 FR 30506). One proposed action in CE–BA 3 was to modify existing MPAs or to establish new ones; however, that action was moved to Regulatory Amendment 17. An NOI for Regulatory Amendment 17 was published on December 4, 2013 (78 FR 72867). Through Regulatory Amendment 17, the Council intended to further reduce bycatch mortality of speckled hind and warsaw grouper and increase protection to their habitat. However, at their June 2014 meeting, the Council decided not to proceed further with the development of Regulatory Amendment 17.

NMFS, in collaboration with the Council, will develop a DEIS to describe and analyze alternatives to address the management needs described above including the “no-action” alternative. In accordance with NOAA’s Administrative Order 216–6, Section 5.02(c), Scoping Process, NMFS, in collaboration with the Council, has identified preliminary environmental issues as a means to initiate discussion for scoping purposes only. The public is invited to attend scoping meetings (dates and addresses below) and provide written comments on the preliminary issues, which are identified as actions and alternatives in the Amendment 36 scoping document. These preliminary issues may not represent the full range of issues that will eventually be evaluated in the DEIS. A copy of the Amendment 36 scoping document is available at http://sero.nmfs.noaa.gov/sustainable_fisheries/s_atl/sg/index.html.

After the DEIS associated with Amendment 36 is completed, it will be filed with the Environmental Protection Agency (EPA). After filing, the EPA will publish a notice of availability of the DEIS for public comment in the **Federal Register**. The DEIS will have a 45-day comment period. This procedure is pursuant to regulations issued by the