



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF568]

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 Regional Fisheries Office (GARFO), NMFS, has made a preliminary determination that an Exempted Fishing Permit (EFP) application contains all of the required information and warrants further consideration. The EFP would allow federally permitted fishing vessels to fish outside fishery regulations in support of exempted fishing activities proposed by the University of Rhode Island (URI). 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 [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may submit written comments by email: nmfs.gar.efp@noaa.gov. Include in the subject line "URI Scallop Kite Panel EFP." All comments received are a part of the public record and may be posted for public viewing without change. All personal identifying information (e.g., name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly

accessible. NMFS will accept anonymous comments (enter "anonymous" as the signature if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Christine Ford, Fishery Management Specialist, *christine.ford@noaa.gov*, 978-281-9185.

SUPPLEMENTARY INFORMATION: The applicant submitted a complete application for an EFP to conduct commercial fishing activities that the regulations would otherwise restrict. This EFP would exempt the participating vessels from the following Federal regulations:

Table 1 -- Requested Exemptions

CFR Citation	Regulation	Need for exemption
50 CFR 648.51(b)(4)(iii)	Restriction against dredge or net obstructions	To trial a bycatch reduction device
50 CFR 648.80(h)(3)(iii)(A)	Restriction against Limited Access General Category-Individual Fishing Quota vessels from possessing any species other than scallops	To allow for the temporary possession of yellowtail flounder and windowpane flounder for catch data collection
50 CFR 648.83(a)(1)	Yellowtail flounder minimum size regulations	To allow for the temporary possession of undersized yellowtail flounder for catch data collection
50 CFR 648.86(l)	Windowpane flounder possession	To allow for the temporary possession of windowpane flounder for catch data collection
50 CFR 648.86(g)	Yellowtail flounder possession	To allow for the temporary possession of yellowtail flounder for catch data collection
50 CFR 648.88 (a)(2)(i)	Handgear permit restrictions	To allow a vessel issued a NE multispecies Handgear permit to use scallop gear to temporarily possess yellowtail and windowpane flounder for catch data collection

Table 2 -- Project Summary

Project title	Piloting the use of a kite panel on a scallop dredge twine top to reduce bycatch of flatfish and juvenile scallops
Project start	04/01/2026
Project end	09/30/2026
Project objectives	To evaluate the potential of attaching a canvas kite to the twine top of scallop dredges as a bycatch reduction strategy.
Project location	Statistical Area 539

Number of vessels	2 (1 primary; 1 back-up)
Number of trips	5
Trip duration (days)	1
Total number of days	5
Gear type(s)	Dredge
Number of tows or sets	7-12 per trip
Duration of tows or sets	60-90 minutes

Project narrative

The applicant proposes to attach a canvas panel to a scallop dredge twine top to act as a kite that will open the dredge bag and facilitate escapement of flatfish species and juvenile scallops. This project was designed to identify optimal kite size, location, and tow speed to achieve optimal bag lift for future testing. To achieve the goal, the researchers would: (1) Conduct underwater video tows with dredge modifications; (2) conduct paired tows between control and experimental scallop dredges; and (3) quantify and compare the scallop catch and bycatch between the dredges.

This EFP would authorize two commercial fishing vessels (one primary; one backup) to complete five total research trips for this project. All trips would occur within Statistical Area 539. URI and/or Commercial Fisheries Research Foundation researchers would accompany the vessels on each trip. The first two trips would consist of video testing to evaluate the practicality of implementing the kite design and confirming underwater performance. GoPro cameras would be mounted on the dredge facing the twine top to characterize the performance of the dredge with the kite panel attached. Video evidence would also enable the project team to assess whether any modifications are needed. Following video analysis, 3 days of field trials would be conducted at the best-verified kite location, based on evidence from the first two trips. As the vessels may only tow one dredge at a time, tows would alternate using an ABBA method, with A being the control dredge and B being the experimental dredge. Between 7 and 12 tows would be conducted each trip. The expected tow duration of 60-90 minutes would be standardized across all tows.

The participants would use a standard New Bedford-style dredge that is commonly used throughout the industry. The only modification would be the addition of the kite. The kite would be triangular in shape (with the front-facing corner removed), and approximately 12 x 20 inches (30.5 x 50.8 cm). The kite will be attached to the twine top using snap links, that allow it to stretch. The kite will not be snug against the twine; as such, it is not expected to restrict escapement of non-target species.

For each tow, the entire scallop catch would be placed into baskets. A random sub-sample of baskets would be selected to measure scallops. Legal catch would be landed for sale in accordance with the fishing permits held by the vessels. All incidental catch of interest would be identified to species and weighed, prior to being released back into the water.

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: March 4, 2026.

David R. Blankinship,

Acting Director, Office of Sustainable Fisheries,

National Marine Fisheries Service.