

WALLACE & ASSOCIATES

March 30, 2006

Patricia A. Kurkil
Regional Administrator, NMFS
Northeast Regional Office
One Blackburn Drive
Gloucester, MA 10930

Dear Administrator Kurkil:

The Truex Group along with Seawatch International requests that a permit be issued for the Vessel Seawatcher I to implement a pilot program in the summer of 2006, to harvest and land surf clams and ocean quahogs on Georges Bank. This area has been closed to shellfish harvesting since 1991 following the occurrence of a PSP outbreak. In the absence of monitoring the area has remained closed even though it was uncertain whether PSP toxins were still present. Recent samples obtained under a Letter of Authorization issued by your office tested negative for the presence of PSP toxins in both surf clams and ocean quahogs.

A protocol for Dockside Testing of PSP Toxins in Offshore Shellfish was developed in 1995 to provide specifications for dockside testing applicable to all molluscan shellfish harvested in those Federal waters for commercial purposes, with the exception of scallop abductor muscles. A revised protocol is under development under the direction of the U.S. Food and Drug Administration (USFDA) for implementation in 2006. The protocol will establish specifications for identification of harvest lots; onboard PSP screening prior to commercial harvesting (including training requirements for the crew); approval authorities; declaration of harvest information; container labeling; notifications prior to unloading; unloading scheduling; access for sampling; sample testing and product disposition; record keeping; and an early warning/alert system.

This protocol will protect the public health and allow the harvest of surf clams and ocean quahogs from Georges Bank in accordance with other applicable harvest regulations including NMFS cage tagging and accounting requirements. Full compliance with the provisions of the protocol is in the best interests of Truex and Seawatch and the public expectation that seafood is safe to consume. Truex and Seawatch anticipate that the protocol will be made a part of any permit issued and compliance will be monitored closely in cooperation with USFDA and

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the State(s) where the clams are landed. The protocol and the monitoring will protect against any jeopardy to public health.

The Seawatcher I will be equipped with a Vessel Monitoring System (VMS) and will take an observer aboard any trip if requested.

We would be pleased to provide any additional information you require to consider this request. Your favorable consideration is requested.

Sincerely,

David H. Wallace
For
Seawatch International Limited
Truex Group