have a significant economic impact on a substantial number of small entities. The factual basis for this certification is as follows:

For RFA purposes only, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see 50 CFR 200.2). A business primarily engaged in commercial fishing (NAICS code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual receipts not in excess of $11 million for all its affiliated operations worldwide. In 2015, there were 358 fishing firms that held at least one surfclam or ocean quahog permit. Using the $11.0 million cutoff for firms, there are 348 entities that are small and 10 that are large. In order to provide a more accurate count and description of the small directly regulated entities, landings data were evaluated to select only firms that were active in either the surfclam or ocean quahog fishery. There are 29 active fishing firms, of which 26 are small entities and 3 are large entities.

Because the proposed quotas are identical to those implemented for 2014–2016, the proposed action would have no impact on the way the fishery operates. These measures are expected to provide similar fishing opportunities in 2017 and 2018 when compared to 2015 (proxy for base year 2016). As such, revenue changes are not expected in 2017 and 2018 when compared to landings and revenues in 2015. Therefore, adoption of the proposed specifications would have no impacts on entities participating in the fishery if landings are similar to those that occurred in 2015.

Maintaining the suspension of the surfclam minimum shell length requirement would result in no change when compared to 2014–2016. The minimum shell length requirement has been suspended each year since 2005. The proposed action would have no impact on the way the fishery operates, and is not expected to disproportionately affect small entities.

As a result, an initial regulatory flexibility analysis is not required and none has been prepared.

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

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