

entities. This rule, therefore, does not require a regulatory flexibility analysis.

Paperwork Reduction Act

Under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq., Federal agencies must consider the paperwork burden imposed by any information request contained in a proposed rule or a final rule. This rule will not impose any information requirements upon the regulated community.

List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous materials transportation, Hazardous waste, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

Authority: This notice is issued under the authority of sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act as amended, 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: September 30, 1994.

Valdas V. Adamkus,
Regional Administrator.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 651

[I.D. 101194D]

Northeast Multispecies Fishery; Public Hearings

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

ACTION: Notice of intent to prepare a supplemental environmental impact statement (SEIS); request for comments.

SUMMARY: NMFS announces the intention of the New England Fishery Management Council (Council) to prepare an SEIS for proposed Amendment 7 to the Northeast Multispecies Fishery Management Plan (FMP). The most recent Northeast Fisheries Science Center's (NEFSC) Stock Assessment Workshop (SAW 18) for Georges Bank cod and Georges Bank yellowtail flounder recommends that, in order to avert a collapse of cod and improve stock rebuilding for yellowtail, fishing mortality should be reduced to as low a level as possible, approaching zero. In the development of Amendment

7, the Council proposes to adopt the SAW's recommendation and consider all options in meeting this objective while addressing the issue of displacement of fishing effort. The Council also announces a continuing public process to determine the scope of issues under consideration. The purpose of this document is to inform the public of this process and of the opportunity to participate in the further development of Amendment 7 to the FMP. All persons affected by, or otherwise interested in, the proposed amendment are invited to participate in determining the scope of significant issues to be considered in the SEIS by submitting written comments. The scoping process also will identify and eliminate issues that are not significant from detailed study.

DATES: The Council and its Groundfish Oversight Committee will discuss Amendment 7 at regularly scheduled meetings. The public will be notified (by **Federal Register** notice) of the specific agendas and starting times at least 2 weeks prior to Council meetings. The currently scheduled meetings are as follows:

1. October 14, 1994, 9:30 a.m., Groundfish Committee, Boston, MA
2. October 26-27, 1994, Council, Danvers, MA
3. December 7-8, 1994, Council, Danvers, MA

ADDRESSES: Send written comments on the scoping process and scope of the SEIS to Douglas G. Marshall, Executive Director, New England Fishery Management Council, 5 Broadway, Saugus, MA 01906-1097.

The meetings will be held at the following locations:

1. Boston—Captain John Foster Williams Coast Guard Building, 408 Atlantic Avenue, Boston, MA 02202
2. Danvers—King's Grant Inn, Route 128 & Trask Lane, Danvers, MA 01923
3. Danvers—King's Grant Inn, Route 128 & Trask Lane, Danvers, MA 019230

As additional meetings are scheduled, they will be announced by notice in the **Federal Register**. Public hearings will be scheduled after completion of the Draft SEIS; notice of the hearings will be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Douglas G. Marshall, Executive Director, 617-231-0422.

SUPPLEMENTARY INFORMATION: Many of the New England multispecies stocks are over-exploited and at extremely low levels of abundance. Scientists believe that cod, haddock and yellowtail flounder, the three main species making up the Northeast multispecies stock

group, are near or at the point of collapse. Under such conditions, the fishery can expect a prolonged period during which landings from the resource are substantially below their long-term potential. Due to the reduced spawning stock size, the probability is low that sufficient numbers of fish will be produced to replace those being removed, further jeopardizing or delaying stock recovery.

Amendment 5 to the FMP was implemented on March 1, 1994 (59 FR 9872), and was intended to eliminate overfishing through an incremental effort-reduction program, mesh-size increase, expanded spawning area closures and other measures. When the Council adopted objectives for the amendment more than 3 years ago, cod, haddock, and yellowtail flounder stocks were being fished at a rate that was on average twice what could be sustained over the long term, so it designed a plan to reduce fishing effort by half.

In the fall of 1993, NMFS informed the Council that the condition of the Georges Bank haddock stock was deteriorating and in need of more protection than was provided by Amendment 5. NMFS implemented emergency regulations on January 3, 1994 (59 FR 26), which essentially limited the possession limit of haddock to 500 lb (226.8 kg) and extended the time and area closure for Closed Area II, and subsequently prepared and implemented these measures on a permanent basis under Amendment 6 (59 FR 32134, June 22, 1994).

During the Amendment 5 development and implementation period, fishing mortality rates increased and the downward trends in stock size and yields continued. The recent stock assessment from the NEFSC (SAW 18) addresses the status of Georges Bank cod and yellowtail flounder stocks and concludes that Amendment 5 is clearly inadequate to achieve the reductions in fishing mortality rates needed to allow for appreciable stock rebuilding. Further, SAW 18 advises that fishing mortality levels need to be reduced to as low a level as possible, approaching zero, in order to avert a collapse of cod and improve the prospects of stock rebuilding for yellowtail flounder. This assessment coupled with the severely depleted condition of the haddock stock and similar advice from the NEFSC (SAW 17) concerning Southern New England yellowtail, presents an alarming picture of the overall status of the New England multispecies fishery. Thus, even though the effort reductions required by Amendment 5 are very restrictive, they are insufficient. The

Council now intends to prevent an even worse scenario for the multispecies resource by severely reducing fishing effort sooner and perhaps by more than what is required by Amendment 5.

The Council voted at its September 21-22, 1994 meeting to recommend that the Groundfish Committee (Committee) immediately begin the development of an amendment to the FMP to implement the recommendations of SAWs 17 and 18 for severely depleted groundfish stocks including Georges Bank yellowtail flounder, Southern New England yellowtail flounder, haddock, Georges Bank cod, and others as needed. Also, the Council voted that the Committee needs to consider all available options in meeting this objective while ensuring that in the Committee's analysis, consideration of fishing effort displacement into other

fisheries and other groundfish fisheries is taken into account. The range of measures include, but is not limited to, a closure of all fisheries capable of catching multispecies and those fisheries not protected from effort displacement resulting from this closure, a closure of very large areas in the Northwest Atlantic for long periods of time, prohibitions or limitations on the use of specific gear types capable of catching multispecies, selective gear requirements such as increased mesh size or square mesh, limits on total allowable catch and/or individual vessel catch, and increased limits on vessel days at sea.

The Council expects that regulations sufficient to implement the recommendations of the NEFSC stock assessment advisors will have significant economic and social impacts.

The Council recognizes that these impacts will extend beyond the individuals, families, and communities that principally depend on multispecies and will affect other fisheries in the region due to the displacement of fishing effort caused by the regulations or through possible restrictions on the incidental catch of multispecies in those other fisheries. For this reason the Council has determined that it will prepare an SEIS.

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

Dated: October 17, 1994.

Joe P. Clem,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

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