



Figure 1. Spotted Owl Special Emphasis Areas (SOSEAS).

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 650****[I.D. 042996G]****New England Fishery Management Council; Public Hearing**

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

**ACTION:** Public hearing; request for comments.

**SUMMARY:** The New England Fishery Management Council (Council) will hold a public hearing to seek input on Amendment 5 to the Atlantic Sea Scallop Fishery Management Plan (FMP). Amendment 5 would close an area to some fishing activities over an 18-month period to allow an experiment and demonstration project involving sea scallop research, resource enhancement, and aquaculture.

**DATES:** Written comments must be received on or before June 4, 1996. The hearing will be held on Friday, May 17, 1996, at 1 p.m.

**ADDRESSES:** Requests for special accommodations should be addressed to the New England Fishery Management Council, 5 Broadway, Saugus, MA 01906-1097. Copies of proposed Amendment 5 will be available at the hearing, but may be obtained in advance by calling or writing the Council office.

The hearing will take place at the University of Massachusetts Cranberry Experiment Station, Glen Charlie Road, Wareham, MA; telephone: (508) 295-2212.

**FOR FURTHER INFORMATION CONTACT:** Douglas G. Marshall, Executive Director, New England Fishery Management Council, (671) 231-0422.

**SUPPLEMENTARY INFORMATION:** Fishermen and any other interested members of the public are encouraged to attend this hearing to review a proposal to amend the FMP. Amendment 5 would establish a temporary experimental use area in Federal waters approximately 12 miles (22.22 km) southwest of Martha's Vineyard. During the 18-month-long project, the area would be used to determine whether it is feasible to enhance wild stocks through bottom seeding, and to study the interactions of the harvesting gear, sea scallops and their habitat, open-ocean pen engineering, and the growth rates of transferred juvenile brood stock in both pen culture and open bottom culture.

Otter trawling, mid-water trawling and the use of other mobile gear, shellfish dredging and gillnetting would be prohibited within the 9 square-mile (23.31 square-km) site. Other fishing gear such as lobster traps and longline gear would be controlled but allowed within the area and the operation of hand gear would not be restricted. If the project is approved, the Council will amend the FMP accordingly.

Discussion of this issue will be included on the agenda at the Council's June 5-6, 1996, meeting at the King's Grant Inn, Danvers, MA. There will be an opportunity for public comment at that time.

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Douglas G. Marshall (see **ADDRESSES**) at least 5 days prior to the meeting date.

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

Dated: May 6, 1996.

Richard W. Surdi,

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

[FR Doc. 96-11772 Filed 5-9-96; 8:45 am]

**BILLING CODE 3510-22-F**

**50 CFR Part 673**

**[Docket No. 960502124-6124-01; I.D. 042396B]**

**RIN 0648-AF81**

**Scallop Fishery off Alaska; Federal Management Regime**

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

**ACTION:** Proposed rule; proposed 1996 scallop harvest specifications; request for comments.

**SUMMARY:** NMFS proposes regulations to implement Amendment 1 to the Fishery Management Plan for the Scallop Fishery off Alaska (FMP). Amendment 1 would establish a Federal management regime for the scallop fishery in Federal waters off Alaska. The management measures proposed under Amendment 1 include: Gear and efficiency restrictions, scallop registration areas and districts, procedures for specifying total allowable catch (TAC) and crab bycatch limits (CBLs), time and area closures, inseason management authority, fishing seasons, and observer coverage requirements. This action is necessary to further the conservation and management objectives of the FMP and

the Magnuson Fishery Conservation and Management Act (Magnuson Act).

**DATES:** Comments must be received by June 21, 1996.

**ADDRESSES:** Comments must be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn: Lori J. Gravel. Copies of the proposed FMP amendment and the Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis (EA/RIR/IRFA) prepared for this action may be obtained from the same address.

**FOR FURTHER INFORMATION CONTACT:** Kent Lind, 907-586-7228.

**SUPPLEMENTARY INFORMATION:****Background**

The scallop fishery in the exclusive economic zone (Federal waters) off Alaska is managed under the FMP. The FMP was prepared by the North Pacific Fishery Management Council (Council) under the Magnuson Act. The FMP was approved by NMFS on July 26, 1995. The only management measure currently authorized under the FMP is an interim closure of Federal waters off Alaska to fishing for scallops for 1 year, or until an amendment to the FMP is prepared that would provide for a managed fishery in Federal waters. The interim closure will expire on August 28, 1996. Regulations implementing the FMP are set out at 50 CFR part 673. General regulations that also affect fishing in Federal waters are set out at 50 CFR part 620. The history of the scallop fishery off Alaska, as well as the events leading up to the interim closure of Federal waters are described in the FMP and in the preambles to the proposed and final rules implementing the FMP (60 FR 24822, May 10, 1995, and 60 FR 42070, August 15, 1995, respectively).

In June 1995, the Council adopted Amendment 1 to the FMP, which would authorize Federal management measures to replace the interim closure of Federal waters to fishing for scallops. The Council's preferred alternative for Amendment 1 was to incorporate certain State of Alaska (State) management measures into the Federal regulations and implement a vessel moratorium based on criteria adopted in April 1994 and reaffirmed in January 1995. Eighteen vessels would qualify under the moratorium. The Council subsequently separated the moratorium from Amendment 1 and will propose a vessel moratorium as Amendment 2. Such action was taken to prevent moratorium issues from delaying the reopening of the fishery.