

with a single threshold process. The single threshold will allow Federal funding to be available when the cost of a single declared event exceeds the State's annual floor cost; the State costs greater than the floor cost will be available for funding at not less than 75 percent. Any federal fire declarations for the remainder of that calendar year will receive funding at not less than 75 percent of the costs.

This amendment would not change any provisions (e.g., eligibility, application, administrative planning, payment of claims, or appeals) in the Stafford Act nor in the fire suppression assistance regulations at 44 CFR part 206, subpart L.

National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

This rule is not a major rule under Executive Order 12291, Federal Regulation, February 17, 1981. No regulatory impact analysis has been prepared.

Paperwork Reduction Act

This rule does not involve any collection of information for the purposes of the Paperwork Reduction Act.

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.

List of Subjects in 44 CFR Part 206

Disaster assistance.

Accordingly, 44 CFR Part 206 is proposed to be amended as follows:

PART 206—[AMENDED]

1. The authority citation for part 206 is revised to read as follows:

Authority: The Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.*; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376; E.O. 12148, 44 FR 43239, 3 CFR, 1979 Comp., p. 412; and E.O. 12673, 54 FR 12571, 3 CFR, 1989 Comp., p. 214.

2. Part 206, Subpart L, Fire Suppression Assistance, is proposed to

be amended by adding § 206.396 to read as follows:

§ 206.396 Federal grant assistance.

(a) *General.* This section describes the extent of Federal funding available under the State fire suppression grants as well as limitations and special procedures applicable to each.

(b) *Limitations of Federal expenditures.* Federal funding will be available when the annual floor cost is surpassed during a single federal declared event. The amount of expense greater than the floor cost will be cost shared as stated in the FEMA-State Agreement. Any Federal declared event for the remainder of that calendar year will be eligible for funding. The floor cost will be established at the beginning of each calendar year in joint consultation between the State and the United States Department of Agriculture (Forest Service).

(c) *Cost sharing.* All fire suppression costs approved under the State's grant will be subject to the cost sharing provisions established in the FEMA-State Agreement. FEMA will contribute not less than 75 percent of the costs approved for funding under the Fire Suppression Grant Program for disasters declared on or after [insert effective date of final rule]. FEMA will contribute at least 70 percent of the costs for funding for disasters declared before [insert effective date of final rule].

Dated: November 18, 1997.

James L. Witt,

Director.

[FR Doc. 97-30809 Filed 11-21-97; 8:45 am]

BILLING CODE 6718-02-P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 192 and 195

[Docket No. PS-94; Notice 8]

RIN 2137-AB38

Qualification of Pipeline Personnel

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice of public meeting.

SUMMARY: This document announces the next meeting of the RSPA Negotiated Rulemaking Committee. This committee is conducting a negotiated rulemaking to develop a proposed rule on qualification of pipeline employees performing certain safety-related functions on pipelines subject to the pipeline safety regulations. The

advisory committee is composed of persons who represent the interests that would be affected by the rule, such as gas pipeline operators, hazardous liquid pipeline operators, representatives of state and federal governments, labor organizations, and other interested parties.

DATES: The Committee will meet from 9:00 am to 5:00 pm on December 3-5, 1997.

ADDRESSES: The Committee will meet at the William P. Clements Building, 300 West 15th Street, Austin, TX 78701.

FOR FURTHER INFORMATION CONTACT: Eben M. Wyman, (202) 366-0918, or by e-mail (eben.wyman@rspa.dot.gov) regarding the subject matter of this Notice; or the Dockets Unit, (202) 366-4453, for copies of this document or other material in the docket.

Issued in Washington, DC on November 19, 1997.

G. Tom Fortner,

Director for Compliance and State Programs.

[FR Doc. 97-30790 Filed 11-21-97; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 971112268-7268-01; I.D. 102997E]

Fisheries of the Northeastern United States; Proposed 1998 Fishing Quotas for Atlantic Surf Clams and Ocean Quahogs

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

ACTION: Proposed fishing quotas for the 1998 Atlantic surf clam and ocean quahog fisheries; request for comments.

SUMMARY: NMFS proposes quotas for the Atlantic surf clam and ocean quahog fisheries for 1998. These quotas were selected from a range defined as optimum yield (OY) for each fishery and in compliance with overfishing definitions for each species. The intent of this action is to establish allowable harvests of surf clams and ocean quahogs from the exclusive economic zone in 1998.

DATES: Public comments must be received on or before December 24, 1997.

ADDRESSES: Copies of the Mid-Atlantic Fishery Management Council's analysis

and recommendations, including the Environmental Assessment and the Regulatory Impact Review/Initial Regulatory Flexibility Analysis, are available from David R. Keifer, Executive Director, Mid-Atlantic Fishery Management Council, Room 2115, Federal Building, 300 South New Street, Dover, DE 19901-6790.

Send comments to: Andrew A. Rosenberg, Regional Administrator, Northeast Region, NMFS, 1 Blackburn Drive, Gloucester, MA 01930-2298. Mark on the outside of the envelope, "Comments—1998 Surf Clam and Ocean Quahog quotas."

FOR FURTHER INFORMATION CONTACT: Myles Raizin, Fishery Policy Analyst, 508-281-9104.

SUPPLEMENTARY INFORMATION: The Fishery Management Plan for the Atlantic Surf Clam and Ocean Quahog Fisheries (FMP) directs the Assistant Administrator for Fisheries, in consultation with the Mid-Atlantic Fishery Management Council (Council), to specify quotas for surf clams and ocean quahogs on an annual basis from a range that represents the OY for each fishery. It is the policy of the Council that the level selected allow fishing to continue at that level for at least 10 years for surf clams and 30 years for ocean quahogs. While staying within this constraint, the quotas would be set at a level that would meet the estimated market demand.

The fishing quotas must be in compliance with overfishing definitions for each species. The overfishing definitions are fishing mortality rates of $F_{20\%}$ (20 percent of maximum spawning potential (MSP)) for surf clams and $F_{25\%}$ (25 percent of MSP) for ocean quahogs.

Surf Clams

The Council recommends a 1998 fishing quota of 2.565 million bushels for surf clams, unchanged from the 1996 and 1997 quotas. The Council staff recommended a surf clam quota of 2.565 million bushels based on management advice from the Stock Assessment Review Committee for the 22nd Northeast Regional Stock Assessment Workshop (SAW 22), which recommended no change from the 1996-97 quotas of 2.565 million bushels until a new stock assessment is available with abundance estimates based on fishery catch rate and research survey data. The results of the 1997 surf clam and ocean quahog survey will not be available for the 1998 fishery.

Ocean Quahogs

The Council recommends an ocean quahog fishing quota of 4 million

bushels, a 317,000 bushel reduction from the 1997 quota of 4.317 million bushels. This quota level is the lowest possible within the range of 4 and 6 million bushels as specified in the FMP. The Council, in making this recommendation, questioned the validity of assuming that all of the Georges Bank biomass will become available to the fishery over the course of the 30-year harvest period. A notice of closure of the Georges Bank area to fishing for surf clams or ocean quahogs was published on February 1, 1991 (56 FR 3980). The closure was implemented due to the appearance of high levels of the organism responsible for paralytic shellfish poisoning (PSP). The area will remain closed until the Secretary of Commerce determines that the adverse environmental conditions caused by the PSP toxin are no longer present. In 1996, when the Council made the assumption of a reopening occurring in the Georges Bank area, it stated that additional quota reductions would be necessary in the future if demonstrable progress is not made toward a reopening of Georges Bank in the near future. The SAW 22 did not offer management advice on the ocean quahog quota. However, it noted that a 30-year supply as dictated by Council policy is possible only if the estimated biomass on Georges Bank and in areas off Southern New England and Long Island, generally too deep to be harvested with current technology, is included. Furthermore, it cautioned that this strategy implies that sustainable fishing after 30 years will be limited to recruitment and a very slow annual growth of fully recruited quahogs. Noting the SAW 22 advice, the Science and Statistical (S&S) Committee was concerned with the issue of refugia. It suggested that the Council request the next SAW for surf clams and quahogs to consider the importance of refugia to new recruitment by examining biological and economic aspects for three scenarios: No refugia, Georges Bank only, and Georges Bank and the deep offshore unfished areas. The Council adopted this recommendation and passed a motion to request the next SAW to add this to its "Terms of Reference."

In proposing these quotas, the Council considered the most recent available stock assessments, data reported by harvesters and processors, and other relevant information concerning exploitable biomass and spawning biomass, fishing mortality rates, stock recruitment, projected effort and catches, and areas closed to fishing. This information was presented in a written report prepared by the Council

and adopted by the Regional Administrator, Northeast Region, NMFS.

NMFS, in 1996, approved overfishing definitions for surf clams and ocean quahogs. The overfishing threshold for surf clams is a fishing mortality rate (F) of $F_{20\%}$. This translates roughly to $F = 0.18$ for surf clams (15.3 percent exploitation rate). The F in 1997 associated with a quota of 2.565 million bushels was approximately equal to 0.12 for all areas. The specific F associated with the 1998 surf clam quota will be able to be calculated when the new assessment is complete, but will be roughly the same as the estimated F in 1997 for all areas. The overfishing threshold for ocean quahogs is $F_{25\%}$, yielding $F = 0.04$ (4.3 percent exploitation rate). The 1997 ocean quahog quota yielded an F of approximately 0.032. The specific F associated with the 1998 quota will be calculated when the new assessment is complete and will be slightly less than the F in 1997 since the quota is slightly reduced. Therefore, the proposed quotas for both fisheries are below the approved overfishing threshold definitions.

At its August 1997 meeting, the Council rejected its staff recommendations of 2.565 million bushels for the 1998 surf clam quota and of 4.317 million bushels for the 1998 ocean quahog quota. Instead, the Council submitted to NMFS a surf clam quota recommendation of 2.3 million bushels, a 10-percent decrease from the 1997 surf clam quota and of 4 million bushels for ocean quahogs, a 317,000-bushel reduction from the 1997 quota of 4.317 million bushels. The recommendation to reduce the surf clam quota came as a result of testimony given by a segment of the industry in which they argued that a decline in consumer demand for surf clam products had depressed prices and increased inventories for a portion of the industry. In their argument to reduce quota, they invoked the Council's surf clam policy of "meeting estimated demand." In response to the August surf clam and quahog recommendations, several industry representatives, many of whom were not present at the August meeting, protested. This group solicited the Council to reconsider the quota recommendations. In addition, letters to the Council from the New England Fishery Management Council and from a major processor also expressed concern over reducing the surf clam quota to meet the estimated demand.

The Council voted to reconsider the surf clam quota recommendation at its

September meeting. This resulted in a surf clam quota recommendation of 2.565 million bushels, as initially recommended by the Council staff and SAW 22. The ocean quahog quota recommendation remained unchanged at 4 million bushels. The rationale for the reduction in this quota is biologically based, and the recommendation was not reconsidered at the September Council meeting.

The proposed quotas for the 1998 Atlantic surf clam and ocean quahog fisheries are as follows:

Proposed 1998 SURF CLAM/Ocean QUAHOG Quotas

Fishery	1998 final quotas (bu)	1998 final quotas (hL)
Surf clam	2,565,000	1,362,000
Ocean quahog	4,000,000	2,122,000

Classification

This action is authorized by 50 CFR part 648, complies with the National Environmental Policy Act, and has been determined to be not significant for purposes of E.O. 12866.

The Council prepared an Initial Regulatory Flexibility Analysis (IRFA), as part of the Regulatory Impact Review (RIR), that describes the impact the proposed specification, if adopted, would have on small entities. The proposed 1998 fishing quota for surf clams of 2.565 million bushels is unchanged from the 1996 and 1997 quotas. This quota is based on management advice from the Stock Assessment Review Committee for the 22nd Northeast Regional Stock Assessment Workshop, which recommended no change in the quotas until a new stock assessment is available with abundance estimates based on fishery catch rate and research survey data.

The proposed 1998 fishing quota for ocean quahogs of 4.000 million bushels is a 317,000 bushel reduction from the 1997 quota of 4.317 million bushels, a decrease of 7.3 percent. This Council quota recommendation reflects the lowest quota specification possible within the range of 4.000 and 6.000 million bushels specified in the fishery management plan. The Council staff recommendation for quahogs was to maintain the 1997 quota of 4.317 million bushels. The Science and Statistics and the Surf Clam and Ocean Quahog Committees of the Council both endorsed the staff recommendation. However, the Council's rationale for the reduction of the ocean quahog quota is biologically based and involves the

conservation of the resource and preservation of the fishery.

All of the 56 vessels participating in the surf clam and ocean quahog fisheries in 1996 are small entities. Twenty fished exclusively for surf clams, 14 fished for surf clams and ocean quahogs, and 22 fished exclusively for ocean quahogs. The proposed quota for the ocean quahog fishery for 1998 is 7.3 percent less than the quotas for both 1996 and 1997. Because 22 of the 36 vessels participating in the ocean quahog fishery (61 percent) harvest ocean quahog only, it is assumed that most or all of those vessels will have a reduction of 5 percent or more in ex-vessel revenues in 1998 compared to 1996, the most recent year for which data are complete. Meanwhile, the analyses indicate that no vessels will cease operations and compliance costs will not increase total costs of production of more than 5 percent for 20 percent or more of the affected small entities as a result of the proposed specifications. A copy of the RIR/IRFA is available from the Council (see ADDRESSES).

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

Dated: November 18, 1997.

David L. Evans,

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 97-30805 Filed 11-21-97; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 971110265-7265-01; I.D. 101797A]

RIN: 0648-AJ98

Fisheries of the Exclusive Economic Zone Off Alaska; Scallop Fishery Off Alaska; Change in Season Dates

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes to change the dates of the scallop fishing season for Registration Area D (Yakutat) and Registration Area E (Prince William Sound), and Registration Area H exclusive of the Kamishak District. The new fishing season would begin on July 1 and end on February 15 of the following year. The intended effect of

this action is to consolidate the scallop fishing seasons in Alaska in the summer months to improve vessel safety and product quality, and to maintain consistency between Federal and State of Alaska fishing season regulations. This action is necessary to promote the conservation and management objectives of the Fishery Management Plan for the Scallop Fishery off Alaska (FMP).

DATES: Comments must be received by December 9, 1997.

ADDRESSES: Comments on the proposed rule must be sent to the Assistant Regional Administrator for Sustainable Fisheries, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn: Lori J. Gravel. Copies of the Environmental Assessment/Regulatory Impact Review (EA/RIR) prepared for this action may be obtained from the same address.

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

SUPPLEMENTARY INFORMATION:

Management Authority

The scallop fishery in the exclusive economic zone (EEZ) off Alaska is managed by NMFS under the FMP. The FMP was prepared by the North Pacific Fishery Management Council (Council) under the Magnuson-Stevens Fishery Conservation and Management Act and approved by NMFS on July 26, 1995. Regulations implementing the FMP are set out at 50 CFR part 679. General regulations that also affect fishing in the EEZ are set out at 50 CFR part 600. Amendment 1 to the FMP established a cooperative State-Federal management regime under which each management action by the State of Alaska (State) is mirrored by a parallel Federal management action. The purpose of this cooperative management regime is to give primary management responsibility to the State while preventing unregulated fishing in Federal waters.

In March 1997, the Alaska State Board of Fisheries (Board) approved an industry proposal to change the scallop season dates in the Yakutat and Prince William Sound Registration Areas. Previously, the scallop fishery in those areas opened on January 10 and closed on June 30 of each year. The Board's action changes State regulations by specifying a season opening of July 1 and a closure of February 15 of the following year. The Board recommended that a parallel season change be made in Federal regulations to prevent conflicting regulations at the State and Federal levels. The following two reasons were cited in the Board's