

will be on Wednesday, December 2, 1998, at 7:00 p.m. at the Wells Reserve Headquarters, 342 Laudholm Farm Road, Wells, Maine.

The States will issue notice of the public meeting(s) in a local newspaper(s) at least 45 days prior to the public meeting(s), and will issue other timely notices as appropriate.

Copies of the State's most recent performance reports, as well as OCRM's notifications and supplemental request letters to the States, are available upon request from OCRM. Written comments from interested parties regarding these Programs are encouraged and will be accepted until 15 days after the public meeting. Please direct written comments to Vickie A. Allin, Chief, Policy Coordination Division (PCD), Office of Ocean and Coastal Resource Management, NOS/NOAA, 1305 East-West Highway, Silver Spring, Maryland 20910. When the evaluation is completed, OCRM will place a notice in the **Federal Register** announcing the availability of the Final Evaluation Findings.

FOR FURTHER INFORMATION CONTACT:

Vickie A. Allin, Chief, Policy Coordination Division, Office of Ocean and Coastal Resource Management, NOS/NOAA, 1305 East-West Highway, Silver Spring, Maryland, 20910, (301) 713-3155, ext. 126.

(Federal Domestic Assistance Catalog 11.419 Coastal Zone Management Program Administration)

Dated: October 15, 1998.

Nancy Foster,

Assistant Administrator for Ocean Services and Coastal Zone Management.

[FR Doc. 98-28154 Filed 10-20-98; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

ENVIRONMENTAL PROTECTION AGENCY

Final Administrative Changes to the Coastal Nonpoint Pollution Control Program Guidance and Responses to Comments

AGENCY: National Oceanic and Atmospheric Administration, U.S. Department of Commerce, and the U.S. Environmental Protection Agency.

ACTION: Notice of Availability of Final Administrative Changes to the Coastal Nonpoint Pollution Control Program Guidance and Responses to Comments.

SUMMARY: Notice is hereby given of the availability of the Final Administrative

Changes to the Coastal Nonpoint Pollution Control Program Guidance (Administrative Changes), developed under section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA), 16 U.S.C. section 1455b, and of the Responses to Comments on the Proposed Administrative Changes, CZARA requires States and Territories with coastal zone management programs that have received approval under section 306 of the Coastal Zone Management Act (CZMA) to develop and implement coastal nonpoint pollution control programs. Coastal states and territories were required to submit their coastal nonpoint programs to the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Environmental Protection Agency (EPA) for approval in July 1995.

In response to coastal states' concerns over the ability to target the program; enforceable policies and mechanisms; timeframes; and resources to implement coastal nonpoint programs, NOAA and EPA completed a dialogue with the coastal states and other interested parties, resulting in a draft set of administrative changes. The draft administrative changes were made available for public comment (FR, March 12, 1998, Vol. 63, Number 48, pages 12078-12079) prior to producing the final guidance.

ADDRESSES: Copies of the Final Administrative Changes and Responses to Comments may be obtained upon request from: Joseph P. Flanagan, Coastal Programs Division (N/ORM3), Office of Ocean and Coastal Resource Management, NOS, NOAA, 1305 East-West Highway, Silver Spring, Maryland 20910, telephone: (301) 713-3121, x201; e-mail: joseph.flanagan@noaa.gov.

SUPPLEMENTARY INFORMATION

Background

Subsequent to the 1990 enactment of the CZARA, in January 1993, EPA and NOAA published two documents to guide the development of States' (and Territories') coastal nonpoint pollution control programs: *Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters* and *Program Development and Approval Guidance*. These provided both technical and programmatic guidance on program development. Subsequently, EPA and NOAA provided further program clarification in a January 6, 1995 letter and a March 16, 1995 document entitled *Flexibility for State Coastal Nonpoint Programs*. These actions provided greater flexibility to States in prioritizing their activities; extended the implementation period

from three years to five years; and clarified the range of enforceable policies and mechanisms that could be sued by States to implement their programs. The letters also established the principle that, in recognition of the complexity of the program, States could be granted conditional approval for programs that are not yet fully approvable, thereby affording more time for States to fully develop their programs.

As of the date of this notice, NOAA and EPA have provided conditional approval to the 29 coastal States that submitted programs for approval. In April, 1997, NOAA, EPA, the States and other interested parties began discussions regarding the progress made to date in developing and implementing CZARA programs and the significant impediments to further progress. Both the States and Federal agencies recognized that while the goals of the CZARA program remain valid, the program and schedules originally conceived by NOAA and EPA were extremely ambitious and additional flexibility would be needed to enable the States to successfully implement their programs. Based on this understanding, the parties proceeded to discuss in detail the specific aspects of the program that would require modification while maintaining the overall objective that States implement management measures needed to protect coastal waters.

Based on these discussions, EPA and NOAA drafted a set of administrative changes that the agencies proposed to use to guide future implementation of the CZARA program. After reviewing public comments that were submitted in response to the March 12, 1998 **Federal Register** notice on the availability of the proposed administrative changes, NOAA and EPA developed these final administrative changes to the program guidance. In some cases, these changes may impact previous findings and conditions to State programs. In such cases, EPA and NOAA will review those findings and conditions and make any necessary adjustments to those findings and conditions (including, where appropriate, elimination of conditions).

On October 18, 1997, the 25th anniversary of the Clean Water Act, Vice President Gore directed the Environmental Protection Agency (EPA) and Department of Agriculture (USDA) to work with other Federal agencies (including NOAA) to develop a Clean Water Action Plan within 120 days. In a memorandum for Heads of Departments and Agencies, the Vice President specifically requested Federal agencies to " * * * develop a

comprehensive Action Plan that builds on the * * * clean water successes over the past five years and addresses three major goals: enhanced protection from public health threats posed by water pollution; more effective control of polluted runoff; and promotion of water quality protection on a watershed basis." The Action Plan is informed by the following principles:

- Agencies will develop cooperative approaches that promote coordination and reduce duplication among Federal, State and local agencies and Tribal governments wherever possible.
- Agencies will ensure participation of community groups and the public to the maximum extent practicable. Such participation will include community and public access to information, to protect the public's right-to-know about water quality issues.
- Agencies will emphasize innovative approaches to pollution control, including, where appropriate, incentives, market-based mechanisms, and cooperative partnerships with landowners and other private parties.

On February 19, 1998, President Clinton announced the Clean Water Action Plan to restore and protect America's waters. NOAA and EPA view these administrative changes as supporting the goals of the President's Clean Water Action Plan to reduce polluted runoff in coastal areas. In particular, these changes respond to the following key action included in the Clean Water Action Plan.

NOAA and EPA will work with coastal states and territories to ensure that they have developed programs to reduce polluted runoff in coastal areas and that these programs are at least conditionally approved by June 1998 and that all programs are fully approved by December 1999, with appropriate state-enforceable policies and mechanisms.

The Final Administrative Changes provide guidance to the States on how NOAA and EPA intend to exercise their discretion in implementing the Coastal Nonpoint Pollution Control Program. As such, these Final Administrative Changes, as well as the previously issued guidance they modify, are not regulations.

(Federal Domestic Assistance Catalog 11.419 Coastal Zone Management Program Administration)

Dated: October 15, 1998.

Captain Evelyn J. Fields,

Deputy Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration.

J. Charles Fox,

Acting Assistant Administrator for Water, Environmental Protection Agency.

[FR Doc. 98-28150 Filed 10-20-98; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 101598C]

Magnuson-Stevens Act Provisions; Overfished Fisheries

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

ACTION: Notice of overfished fisheries.

SUMMARY: NMFS has identified overfished stocks or stocks that are approaching a condition of being overfished, as required by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), as amended by the Sustainable Fisheries Act (SFA). The purpose of this notice is to notify the public that the Regional Fishery Management Councils (Councils) have been informed of those fisheries that are overfished, and directed to initiate action to end overfishing and rebuild stocks in overfished fisheries and to prevent overfishing in fisheries that are approaching an overfished condition.

FOR FURTHER INFORMATION CONTACT: George H. Darcy, NMFS, 301-713-2341.

SUPPLEMENTARY INFORMATION:

Background

This action is required by the Magnuson-Stevens Act (16 U.S.C. 1801 *et seq.*) as amended by the SFA, which was signed into law on October 11, 1996. Section 304(e) of the Magnuson-Stevens Act requires that the Secretary of Commerce (Secretary) report annually to the Congress and the Councils on the status of fisheries within each Council's geographical area of authority and identify those fisheries that are overfished or are approaching a condition of being overfished. For those fisheries managed under a Fishery Management Plan (FMP) or international agreement, the status is to be determined using the criteria for overfishing specified in such FMP or agreement. A fishery is classified as

approaching a condition of being overfished if, based on trends in fishing effort, fishery resource size, and other appropriate factors, the Secretary estimates that the fishery will become overfished within 2 years. Pursuant to section 304 of the Magnuson-Stevens Act, the Councils were notified on October 9, 1998 of the species that were overfished or approaching an overfished condition by letter as follows:

Dear Council Chairman,

Enclosed is the 1998 Annual Report on the Status of Fisheries of the United States, prepared pursuant to section 304 of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), as amended by the Sustainable Fisheries Act on October 11, 1996. This report identifies 79 overfished stocks and 10 stocks that are approaching an overfished condition that are covered by fishery management plans (FMPs). This year's report identifies 8 additional species as "overfished." For each of the additional species identified as "overfished," each Council is required to develop measures by October 9, 1999 to end overfishing and rebuild stocks that are overfished, and to prevent overfishing from occurring for stocks that are approaching an overfished condition, for those species covered by FMPs under its management authority. There are also 11 stocks identified in this report as overfished that are not covered by an FMP. Each Council is also required to develop measures to end overfishing and rebuild those stocks within its geographical area of authority, in the same timeframe. Rebuilding programs must be as short as possible, but not exceed 10 years, except in cases where the biology of the stock of fish, other environmental conditions, or management measures under an international agreement in which the United States participates dictate otherwise.

The final national standard guidelines were published on May 1, 1998, and became effective on June 1, 1998. The revisions to the national standard 1 guidelines require that the overfishing definitions contained in each FMP be examined on the basis of their ability to ensure stock levels that can produce maximum sustainable yield (MSY) on a continuing basis.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Rolland A. Schmitt
Assistant Administrator
for Fisheries
Enclosure

A copy of the report is also available through the internet at <<<http://kingfish.ssp.nmfs.gov/SFA>>>.

Dated: October 15, 1998.

Gary C. Matlock,

Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 98-28227 Filed 10-20-98; 8:45 am]

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