

## PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			South Bay Street, 350 feet bayward of its intersection with Olive Street.	*16
			South Bay Street, 100 feet bayward of its intersection with Hill Street.	*16
			Oak Street, 200 feet bayward of its intersection with Martin Street.	*16
			Greenwich at its intersection with Prince Street.	*16
			Helena Street, at its terminus.	*15
			Mulberry Street, 500 feet bayward of its intersection with South Island Road.	*15
			William Street, 425 feet bayward of its intersection with South Island Road.	*15
			South Bay Street, 250 feet bayward of its intersection with Live Street.	*15
			South Bay Street at its intersection with Glenwood Street.	*15
			Martin Street, 205 feet bayward of its intersection with Oak Street.	*13
			South Bay Street, 100 feet northeast of its intersection with Mulberry Street.	*13
			Bolick Street, at its intersection with Prince Street.	
			Meeting Street, 50 feet bayward of its intersection with Duke Street.	*13
			South Bay Street, 500 feet southwest of its intersection with Birch Street.	*12
			South Bay Street, 150 feet bayward of its intersection with Olive Street.	*12
			Fraser Street, 450 feet northeast of its intersection with Parker Street.	*12
			Metting Street, at its intersection with Highmarket Street.	*12
		Sampit River	Sampit River shoreline southwest of Front Street.	*12
			Screen Street, at its intersection with Highmarket Street.	*11
			King Street, 100 feet northeast of its intersection with Front Street.	*11
			Duke Street, 100 feet southwest of its intersection with Cleland Street.	*11
		Pee Dee River	Landgrave Street, 150 feet east of its intersection with Huger Drive.	*11
			Gomes Street, 150 feet east of its intersection with Landgrave Street.	*11
		Whites Creek	Seaboard Street, 150 feet southwest of its intersection with Prince Street.	*11

Maps are available for inspection at the Office of the Mayor, City Hall, Georgetown, South Carolina.

Send comments to Honorable Douglas L. Hinds, Mayor, City of Georgetown, P.O. Drawer 939, Georgetown, South Carolina 29440.

(National Flood Insurance Act 1968 [Title XIII of Housing and Urban Development Act of 1968], effective January 28, 1969 [33 FR 17604, November 28, 1968], as amended; 42 U.S.C. 4001-4128; Executive Order 12127, 44 FR 19367; and delegation of authority to the Associate Director)

Issued: April 29, 1983.

Dave McLoughlin,

Deputy Associate Director, State and Local Programs and Support.

[FR Doc. 83-13560 Filed 5-19-83; 8:45 a.m.]

BILLING CODE 6718-03-M

#### 44 CFR Part 205

#### Disaster Assistance; Individual and Family Grant Program

**AGENCY:** Federal emergency Management Agency (FEMA).

**ACTION:** Proposed Rule and Request for Comments.

**SUMMARY:** This amendment to the Individual and Family Grant (IFG) program regulations is needed to protect the privacy of applicants and require States to provide safeguards against unnecessary releases of confidential information.

**DATE:** Interested persons may participate in this rulemaking by submitting comments, which will be accepted until July 19, 1983. Any comment submitted on or before that date will be carefully evaluated prior to publication of the final rule.

**ADDRESS:** Send comments to the Rules Docket Clerk: Federal emergency Management Agency, Office of General Counsel—Room 835, 500 C Street, S.W., Washington, DC 20472. All comments will be available for public inspection at this address.

**FOR FURTHER INFORMATION CONTACT:** Agnes C. Mravcak, Individual assistance Division, Office of Disaster

Assistance Programs, State and Local Programs and Support, Federal Emergency Management Agency, 500 C Street S.W., Washington, D.C. 20472, 202-287-0555

**SUPPLEMENTARY INFORMATION:** There have been several instances in recent IFG programs where States, without adequate regulations to safeguard the privacy of individuals, have released information about applicants to organizations other than those providing disaster assistance. FEMA considers such information to be confidential, and therefore is imposing a requirement on States which implement the IFG program, to prevent unnecessary release



of information. The purpose of this rule is to require States to provide for the safeguard of information about grant applicants. This will be accomplished by requiring each State to provide this protection in the IFG State Administrative Plan which is approved by FEMA. This rule imposes no information collection requirements, and is therefore not subject to Section 3504(h) of the Paperwork Reduction Act.

#### Environmental Considerations

This rule is procedural, and FEMA has determined that there will be no significant impact on the environment caused by implementation of this rule. An environmental assessment will not be prepared.

#### Regulatory Flexibility Act

This rule has been determined not to be a "major rule" under the terms of Executive Order 12291, nor does it have any significant economic impact on a substantial number of small entities. Therefore, regulator flexibility analyses will not be prepared.

#### Authority

This rule is issued under authority of Sections 408 and 601 of the Disaster Relief Act of 1974 (Pub. L. 93-288).

#### Content of the Rule

This rule amends the regulations pertaining to Section 408 of the Disaster Relief Act, Individual and Family Grant Programs, specifically and only to prevent the unnecessary release of information about grant applicants.

#### List of Subjects in 44 CFR Part 205

Community facilities, Disaster assistance, Grant programs, housing and community development.

#### PART 205—[AMENDED]

Accordingly, FEMA is proposing to amend 44 CFR 205.54 by adding the following new subparagraph to paragraph (e):

(e) \* \* \*

(1) \* \* \*

(vii) Provisions for safeguarding the privacy of applicants and the confidentiality of information, except the information may be provided to agencies or organizations who require it to make eligibility decisions for disaster assistance or to prevent duplication of benefits, to State agencies responsible for audit or program review, and to FEMA or the general Accounting Office for the purpose of making audits or conducting program reviews.

Dated: April 15, 1983.

Dave McLoughlin,

Acting Associate Director, State and Local Programs and Support.

[FR Doc. 83-13586 Filed 5-19-83; 8:15 am]

BILLING CODE 6718-01-M

#### GENERAL SERVICES ADMINISTRATION

#### Federal Acquisition Regulation Project Office

#### 48 CFR Part 27

#### Patents, Data, and Copyrights

**AGENCY:** General Services Administration, Federal Acquisition Regulation Project Office.

**ACTION:** Notice of Availability and request for comment on draft Federal Acquisition Regulation.

**SUMMARY:** The General Services Administration is making available for public and Government agency review and comment the last segment of the draft Federal Acquisition Regulation (FAR). This segment covers patents, data, and copyrights.<sup>1</sup> The FAR is being developed to replace the current system of procurement regulations.

**DATE:** Comments must be received on or before July 20, 1983.

**ADDRESS:** Obtain copies of the draft regulation from and submit comments to Rusty Olshine, FAR Project Office, Suite 700, Webb Building, 4040 N. Fairfax Drive, Arlington, VA 22203. Federal agency requests must be directed to the FAR Agency Contact Point (see Federal Register, Vol. 45, No. 125, June 26, 1980, p. 43236 for list).

**FOR FURTHER INFORMATION CONTACT:** Larry Rizzi, (202) 696-5180.

**SUPPLEMENTARY INFORMATION:** The fundamental purposes of the FAR are to reduce proliferation of regulations; to eliminate conflicts and redundancies; and to provide an acquisition regulation that is simple, clear and understandable. The intent is not to create new policy. However, because new policies may arise concurrently with the FAR project, the notice of availability of draft regulations will summarize the section or part available for review and describe any new policies therein.

The following part of the draft Federal Acquisition Regulation is available upon request for public and Government agency review and comment.

<sup>1</sup> Filed as part of the original.

#### PART 27—PATENTS, DATA, AND COPYRIGHTS

This part prescribes policy and procedures relating to patents, data, and copyrights. It is based on the policy on this subject in Defense Acquisition Regulation Section IX and Section XVIII Part 9, portions of NASA Procurement Regulations Part 9 Subpart 2, and portions of DOE Procurement Regulations Subpart 9-9.2, as well as Federal Procurement Regulations Subpart 1-9.1.

The separate coverage for construction and architect-engineer contracts in DAR 18-9 is eliminated by combining such coverage with the applicable segments of FAR Part 27.

Pub. L. 96-517 is implemented, thereby eliminating FPR 1-9.107-6 and related text dealing with short-form clauses for nonprofit organizations and for institutional patent agreements, and adding a new clause at 52.227-13 for small business firms and nonprofit organizations.

OMB Circular A-124 is implemented.

The Presidential Memorandum on Government Patent Policy dated 2/18/83 is implemented.

There is considerable restructuring in the Data area (Subpart 27.4) made by agreement with DOD, NASA, and DOE. As a result, there are some changes from the DAR policy.

Coverage on licensing of background technology is added as Subpart 27.5, based on DOE policy and regulations.

Clause references to subcontracts are clarified to state "at any tier" as a response to the decision in U.S. vs Schweigert, 181 Ct. Claims 1184.

To the extent not otherwise required by their statutes, NASA and DOE are required to use the FAR patents coverage.

Lawrence J. Rizzi,

Director, GSA FAR Project.

[FR Doc. 83-13586 Filed 5-19-83; 8:45 am]

BILLING CODE 6820-01-M

#### DEPARTMENT OF THE INTERIOR

#### Fish and Wildlife Service

#### 50 CFR Part 17

#### Endangered and Threatened Wildlife and Plants; Proposal To Determine Agave Arizonica To Be an Endangered Species

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule.



**SUMMARY:** The U.S. Wildlife Service proposes to list a plant, *Agave arizonica* Gentry and Weber (Arizona agave), as an Endangered species. This species is a native plant of Arizona. The reproductive potential of this species is very low. All of the wild plants occur on Federal lands in the Tonto National Forest. They are threatened by collectors who desire these plants for desert rock gardens because they are very attractive succulents which make decorative garden ornamentals. Cattle grazing may be a secondary threat to *Agave arizonica* due to habitat disturbance and trampling of the plants, as well as some herbivore predation. This proposal, if made final, will provide protection under the Endangered Species Act of 1973, as amended. The Service seeks data and comments from the public on this proposal.

**DATES:** Comments must be received on or before July 19, 1983. Public hearing requests must be received on or before July 5, 1983.

**ADDRESSES:** Comments and materials concerning this proposal, preferably in triplicate, should be sent to the Office of Endangered Species, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Comments and materials received will be available for public inspection by appointment during normal business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Dr. Russell L. Kologiski, Regional Botanist, U.S. Fish and Wildlife Service (see Addresses section above) (617/965-5100).

**SUPPLEMENTARY INFORMATION:**

**Background**

*Agave arizonica* was first discovered by J. H. Houzengr, H. J. Hazlett, and J. H. Weber in the New River Mountains of Arizona. H. S. Gentry and J. H. Weber described this species in the Cactus and Succulent Journal in 1970 (Gentry, 1970). This member of the *Agave* family has leaves growing from the base in a somewhat flattened globular form, about 30.7 centimeters high and 41 centimeters broad. The slender, branching, flowing stalk is 2.7-3.6 meters tall. The flowers are small, pale yellow and jar-shaped.

This species is endemic to a very small area in the granite hills and creek-bottoms near the summit of the New River Mountains in central Arizona at an elevation of 915-1830 meters. The surrounding vegetation is a chaparral association that is transitional between oak-juniper woodland and mountain mahogany-oak scrub. The soil is mixed gravelly loam from mazatzal quartzite. The continued existence of this plant is

threatened by potential collecting for commercial trade and to a lesser degree, by trampling from cattle, browsing by deer, and insect damage.

On July 1, 1975, the Service published a notice of review in the Federal Register (40 FR 27823-27924) indicating its acceptance of the report of the Smithsonian Institution as a petition within the context of Section 4(c)(2) of the Endangered Species Act. On June 16, 1976, the Service published a proposed rule in the Federal Register (41 FR 24523-24572) which included *Agave arizonica* as an Endangered species. On December 10, 1979, the Service withdrew all outstanding proposals not finalized within 2 years of their first publication, as required by the 1978 Amendments to the Act. On December 15, 1980, the Service published a new plant notice of review (45 FR 82479-82569) which included *Agave arizonica* as a candidate species for listing under the Endangered Species Act.

**Summary of Factors Affecting the Species**

Section 4(a)(1) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and regulations promulgated to implement the listing provisions of the Act (codified at 50 CFR Part 424; under revision to accommodate 1982 amendments) set forth the procedures for adding species to the Federal list. The Secretary of Interior shall determine whether any species is an Endangered or a Threatened species due to one or more of the five factors described in subsection 4(a)(1). These factors and their application to *Agave arizonica* are as follows:

**A. Present or threatened destruction, modification or curtailment of its habitat or range.** The historically known populations of *Agave arizonica* occurred within an area of about 3.3-5.0 kilometer radius in the Tonto National Forest. In 1980, about 25 plants were known to exist at 12-14 localities. At present, three plants are known to exist at one site in the wild; land use on this area consists of leased cattle grazing. Proper protection and management plans for the plants are needed.

**B. Overutilization for commercial, recreational, scientific, or educational purposes.** There is a great potential for taking of this attractive species for cultivation in private rock gardens and for commercial trade. The southwest Forest Service botanist recognizes the collecting threat to this species and has suggested that the Forest Service prohibit the taking of all agaves in the west central portion of the Tonto Mountains in the range of *Agave arizonica*. However, taking prohibitions

on plants are difficult to enforce in the extremely rugged backcountry of the Tonto National Forest. Adequate personnel are not available to patrol the area and stop all unauthorized taking. So, the populations remain threatened by desert succulent collectors. At present, the localities of *Agave arizonica* are not generally known to the public, which has afforded it some protection. *Agave arizonica* is a slowly reproducing plant which could not readily repopulate an area from which individuals are removed.

**C. Disease or predation (including grazing).** Grazing has occurred in the habitat of *Agave arizonica*. While the impacts of grazing on this plant are not definitively known, cattle may affect it by trampling, habitat disturbance, and some minor grazing of the plants. Deer browse this species and may play some role in its poor reproductive success by eating the flower stalks before the capsules ripen. If this plant is listed, studies will be undertaken to determine grazing impacts and appropriate stocking rates for the habitat of *Agave arizonica* to insure its continued survival.

**D. Inadequacy of existing regulatory mechanisms.** *Agave arizonica* is protected by State law. The Arizona Native Plant law, A.R.S. Chapter 7, Section 3-901, specifically prohibits collection of *Agave arizonica* except for scientific or educational purposes under permit. This provision bars only collection, however, and not incidental destruction or habitat modification. It does not affect Federal actions directly. Violation constitutes only a class three misdemeanor, the lowest grade of misdemeanor recognized under State law. This law is moreover difficult to enforce over the entire State of Arizona, especially in the rugged mountainous habitat of this plant. The Endangered Species Act would complement the existing protection and offer additional protection for the species by prohibiting taking from Federal lands, by restricting interstate and international commerce, by substantially increasing penalties for violations, and by providing the protection of Section 7 of the Act.

**E. Other natural or manmade factors affecting its continued existence.** Any human pressure on this species may increase the possibility of its small populations going extinct through natural fluctuations. Disturbances are likely to have a severe impact on this species as the distribution is restricted, the population is very small, the reproductive potential is extremely low, and few young plants have been observed in the wild.



### Critical Habitat

Section 4(a)(3) of the Endangered Species Act of 1973, as amended, requires that Critical Habitat be determined at the time of listing to the maximum extent prudent and determinable.

Critical Habitat is not being proposed for *Agave arizonica* as this would not be prudent due to taking pressures. Taking is the major threat to the Arizona agave. It is highly desirable for desert rock gardens because of its attractive globular rosette (basally attached leaves) and 2.7-3.5 meter tall inflorescence (flowering stalk). Publishing detailed location maps. (i.e., Critical Habitat maps published in the Federal Register) of the *Agave arizonica* populations would make the species more vulnerable to taking by collectors.

### Effects of This Rule

The effects of this proposal, if published as a final rule, would include those mentioned below.

Subsection 7(a) of the Act, as amended, requires Federal agencies to evaluate their actions with respect to any species which is proposed or listed as Endangered or Threatened. This rule requires Federal agencies to satisfy their statutory obligations with respect to this species, that is, as a proposed species, agencies are required under Section 7(a)(4) to confer with the Service on any action that is likely to jeopardize the species. This action, if made final, will require Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of *Agave arizonica*. Since all populations of *Agave arizonica* occur on U.S. Forest Service land in Arizona, that agency would have the primary Section 7 responsibility.

The Forest Service's present regulations prohibit removing, destroying, or damaging any plant that is classified as a Threatened, Endangered, rare, or unique species (36 CFR 261.9), and are consistent with the purposes of the Act. The U.S. Forest Service supports listing this species as Endangered.

The Act and implementing regulations published at 50 CFR 17.61 set forth a series of general prohibitions and exceptions which apply to all Endangered plant species. With respect to *Agave arizonica* all trade prohibitions of Section 9(a)(2) of the Act as implemented by § 17.61 would apply. These prohibitions, in part, would make it illegal for any person subject to the

jurisdiction of the United States to import or export, transport in interstate or foreign commerce in the course of a commercial activity, or sell or offer for sale this species in interstate or foreign commerce. Certain exceptions would apply to agents of the Service and State conservation agencies. The Act and §§ 17.62 and 17.63 also provide for the issuance of permits to carry out otherwise prohibited activities involving Endangered species under certain circumstances.

Section 9(a)(2)(B) of the Act, as amended in 1982, states that it is unlawful to remove and reduce to possession Endangered plant species from areas under Federal jurisdiction or to sell it, offer it for sale, or deliver, receive, carry, transport, or ship it in interstate commerce in the course of a commercial activity. Permits for exceptions to this prohibition are available through the Federal Wildlife Permit Office, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (703/235-1903). It is anticipated that few taking permits for the species will ever be requested.

The Service will review this species to determine whether it should be considered for the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere for placement upon its Annex, and whether it should be considered for other appropriate international agreements.

### National Environmental Policy Act

A draft Environmental Assessment has been prepared in conjunction with this proposal. It is on file at the Service's Regional Office (see address section), and may be examined, by appointment, during regular business hours. This assessment will form the basis for a decision at the time of final rule as to whether this is a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969 (implemented by 40 CFR Parts 1500-1508).

### Public Comments Solicited

The Service intends that the rules finally adopted will be as accurate and effective as possible in the conservation of any Endangered or Threatened species. Therefore, any comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, private interests, or any other interested party concerning any aspect of these proposed

rules are hereby solicited. Comments particularly are sought concerning:

- (1) Biological or other relevant data concerning any threat (or the lack thereof) to *Agave arizonica*;
- (2) The location of any additional populations of *Agave arizonica* and the reasons why any habitat of this species should or should not be determined to be Critical Habitat;
- (3) Additional information concerning the range and distribution of this species; and
- (4) Current or planned activities in the subject areas.

Final promulgation of the regulation on *Agave arizonica* will take into consideration the comments and any additional information received by the Service, and such communications may lead to a final regulation that differs from this proposal.

The Endangered Species Act provides for a public hearing on this proposal, if requested. Requests must be in writing and received within 45 days of the date of the proposal. Such requests should be addressed to the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103.

### Authors

The authors of this proposed rule are Ms. Sandra Limerick and Ms. Rosemary H. Carey, Endangered Species Staff, U.S. Fish and Wildlife Service, Department of the Interior, P.O. Box 1306, Albuquerque, New Mexico 87103 (505/766-3972). Ms. E. LaVerne Smith of the Service's Washington Office of Endangered Species served as editor.

Status information and a preliminary listing package were contracted for by the Service from Dr. Barbara G. Phillips, Dr. Arthur M. Phillips III, Jill Mazzoni, and Elaine M. Peterson, Museum of Northern Arizona, Route 4, Box 720, Flagstaff, Arizona 86001 (602/774-5211).

### References

- Gentry, H. S. 1970. Two new Agaves in Arizona. *Cactus and Succulent Journal* 42(5):223-225.
- Kearney, T. H. and R. H. Peebles. 1951. *Arizona Flora*. University of California Press, Berkeley, California.
- Phillips, B. G., A. M. Phillips, J. Mazzoni and E. M. Peterson. 1980. Status report on *Agave arizonica*. U.S. Fish and Wildlife Service, Office of Endangered Species, Albuquerque, NM.

### List of Subjects in 50 CFR Part 17

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture).



## Proposed Regulation Promulgation

## PART 17—[AMENDED]

Accordingly, it is hereby proposed to amend Part 17, Subchapter B of Chapter I, Title 50 of the U.S. Code of Federal Regulations, as set forth below:

1. The authority citation reads as follows:

Authority: Pub. L. 93-205, 87 Stat. 884; Pub. L. 95-632, 92 Stat. 3751; Pub. L. 95-159, 93 Stat. 1225; Pub. L. 97-304, 96 Stat. 1411 (16 U.S.C. 1531, *et seq.*).

## § 17.12 [Amended]

2. It is proposed to amend § 17.12(h) by adding, in alphabetical order the following to the list of endangered and threatened plants:

Scientific name	Species	Common name	Historic range	Status	When listed	Critical habitat	Special rules
Agavaceae—Agave Family <i>Agave arizonica</i>	Arizona agave		U.S.A. (AZ)	E	NA	NA	NA

Dated: April 7, 1983.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 83-13791 Filed 5-19-83; 8:45 am]

BILLING CODE 4310-55-M

## DEPARTMENT OF COMMERCE

## National Oceanic and Atmospheric Administration

## 50 CFR Part 649

[Docket No. 30511-83]

## American Lobster Fishery

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule.

**SUMMARY:** NOAA issues a proposed rule to implement conservation and management measures as prescribed in the proposed American Lobster Fishery Management Plan (FMP). A lobster management program is necessary because the resource is fished very intensively throughout its range, resulting in only a small fraction of American lobsters surviving long enough to reproduce even once. Such a condition in the resource increases the risk of recruitment failure and stock collapse, and jeopardizes the continuation of a viable fishery. The FMP specifies management measures intended to promote conservation of the fishery, reduce the possibility of recruitment failure, and allow full utilization of the resource by the U.S. industry.

**DATE:** Comments on the proposed rule must be received on or before July 5, 1983.

**ADDRESSES:** Comments on the proposed rule, the FMP, or supporting documents should be sent to Mr. Allen E. Peterson, Jr., Regional Director, Northeast Region, National Marine Fisheries Service, State Fish Pier, Gloucester, Massachusetts 01930-3097. Mark the outside of the

envelope "Comments on Lobster Plan." Copies of the FMP, the final environmental impact statement, and the draft regulatory impact review/initial regulatory flexibility analysis are available from Mr. Douglas G. Marshall, Executive Director, New England Fishery Management Council, Suntaug Office Park, 5 Broadway, Saugus, Massachusetts 01906.

**FOR FURTHER INFORMATION CONTACT:** Bruce Nicholls (Lobster Management Coordinator) 617-281-3600.

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

The FMP was prepared by the New England Fishery Management Council in consultation with the Mid-Atlantic Fishery Management Council. A notice of availability for the proposed FMP was published in Federal Register on April 21, 1983 (48 FR 17120). Copies of the FMP are available from the Council upon request at the address given above. The FMP establishes management measures for American lobsters as follows:

(1) *Minimum size:* Beginning January 1, 1985, the possession or landing of American lobsters with a carapace length smaller than 3½ inches is prohibited.

(2) *Mutilated lobsters:* Upon FMP implementation, the landing or possession of lobster meat is prohibited. Until December 31, 1985, the landing or possession of lobster tails with a sixth abdominal segment less than 1½ inches long is prohibited, and only two claws per tail may be possessed or landed. After January 1, 1986, the landing or possession of any lobster parts will be prohibited.

(3) *Berried females:* The harvesting of female lobsters with eggs attached to the abdominal appendages, and the removal of any such eggs is prohibited upon FMP implementation.

(4) *Escape vents:* Effective January 1, 1985, lobster traps must be marked with identification of the owner and traps

must be vented to allow the release of sublegal lobsters.

(5) *V-notching:* The possession of V-notched lobsters in portions of the Gulf of Maine and the fishery conservation zone (FCZ) is prohibited upon FMP implementation.

(6) *Permits:* The FMP provides for the permitting of lobster fishermen directly by the National Marine Fisheries Service (NMFS) or through cooperative agreements with coastal states, and

(7) *Data collection:* The FMP provides for collection of fishery information through the NMFS Three-Tier Fishery Information Collection System and through cooperative agreements with coastal States.

The conservation and management measures proposed in the FMP are designed to promote conservation, reduce the possibility of recruitment failure, and allow full utilization of the resource by the U.S. industry. Similar measures are imposed by most of the coastal States in the range of the lobster fishery. A primary objective of the FMP is to provide for complementary regulation of the lobster fishery within the fishery conservation zone, and to serve as a vehicle for coordinated management of the American lobster fishery resource throughout its range.

A series of public hearings were held throughout the range of the American lobster fishery to obtain comments on the draft FMP. Hearings were conducted in Riverhead, New York; Ocean City, Maryland; Red Bank, New Jersey; Danvers, Massachusetts; Galilee, Rhode Island; Machias, Maine; Branford, Connecticut; Ellsworth, Maine; Westport, Massachusetts; Plymouth, Massachusetts; Rockland, Maine; Portsmouth, New Hampshire; Portland, Maine; and Hyannis, Massachusetts. The Council considered the oral and written comments received and has revised the FMP to reflect these comments. The most significant revisions are the provisions to phase into effect the minimum carapace length, the mutilation prohibition, and the trap