

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service**

[I.D. 101599H-1]

Extension of Public Comment Period for Draft Environmental Impact Statement and Application for an Incidental Take Permit for the Crown Pacific, L.P., Hamilton Tree Farm, Whatcom and Skagit Counties, Washington

AGENCIES: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration, Commerce; Fish and Wildlife Service (FWS), Interior.

ACTION: Extension of public comment period.

SUMMARY: This notice announces an extension of the public comment period for the Draft Environmental Impact Statement and application for an Incidental Take Permit (Permit) for the Crown Pacific, L.P., Hamilton Tree Farm, in Whatcom and Skagit Counties, Washington. The Permit application includes: (1) the proposed Habitat Conservation Plan; and, (2) the proposed Implementing Agreement.

DATES: Written comments on the permit application, Environmental Impact Statement, Plan, and Implementing Agreement must be received from interested parties no later than January 10, 2000.

ADDRESSES: Requests for documents on CD ROM should be made by calling the U.S. Fish and Wildlife Service at (360)534-9330. Hard bound copies are also available for viewing, or partial or complete duplication, at the following libraries: Sedro-Woolley Public Library, 802 Ball Street, Sedro Woolley, WA, (360)855-1166; Bellingham Public Library, Reference Desk, 210 Central Avenue, Bellingham, WA, (360)676-6860; Seattle Public Library, Government Publications Desk, 1000 4th Avenue, Seattle, WA, (206)386-4636; and, Olympia Timberland Library, Reference Desk, 313 8th Avenue SE, Olympia, WA, (360)352-0595. The documents are also available electronically on the World Wide Web at <http://www.r1.fws.gov/>.

Comments and requests for information should be directed to Brian Bogaczyk, Project Biologist, Fish and Wildlife Service, 510 Desmond Drive, SE., Suite 102, Lacey, Washington, 98503-1273, (telephone: 360/753-5824; facsimile: 360/534-9331), and Matt

Longenbaugh, Project Biologist, National Marine Fisheries Service, 510 Desmond Drive, SE., Suite 103, Lacey, Washington, 98503-1273 (telephone: 360/753-7761; facsimile: 360/753-9517). Comments and materials received will also be available for public inspection, by appointment, during normal business hours by calling (360)534-9330.

SUPPLEMENTARY INFORMATION: The original Federal Register publication announcing the public comment period for this project was announced on October 26, 1999 (64 FR 57630). That notice stated that comments would be accepted through December 27, 1999. The purpose of this extension is to provide additional review and comment time, recognizing that the traditional holiday season during the latter part of December may affect interested parties' ability to perform a thorough and comprehensive review of the documents.

Dated: November 26, 1999.

Anne Badgley,

Regional Director, Region 1, Fish and Wildlife Service, Portland, Oregon.

Dated: December 6, 1999.

Wanda L. Cain,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

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BILLING CODES 3510-22-F, 4310-55-F

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 112699E]

American Lobster; Intent to Prepare an Environmental Impact Statement

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

ACTION: Notice of intent (NOI) to prepare an environmental impact statement (EIS); request for written comments.

SUMMARY: NMFS announces its intent to prepare an EIS to assess the impact on the human environment of possible management measures for the American lobster fishery in the U.S. Exclusive Economic Zone (EEZ). This NOI requests public input in the form of written comments on issues that NMFS should consider in preparing the EIS. The document will evaluate recommendations made by the Atlantic States Marine Fisheries Commission (Commission) for lobster management actions in Federal waters that

complement management measures being taken by the states under the provisions of the Atlantic Coastal Fisheries Cooperative Management Act (ACFCMA). These recommendations include the evaluation of historical participation as a basis for restricting trap harvest of lobsters in the offshore EEZ, as well as in nearshore EEZ areas between New York and North Carolina. Additional action recommended by the Commission includes the implementation of vessel upgrade restrictions in the offshore EEZ fishery and a ban on lobster possession in certain Federal waters off the coast of New York. The purpose of these measures, in combination with other management actions already taken under the ACFCMA, is to end overfishing and to rebuild stocks of American lobster throughout their range. Public hearings for the EIS will be announced in the **Federal Register** at a later date.

DATES: Written comments on the intent to prepare the EIS must be received no later than 5:00 p.m. Eastern Standard Time on or before January 10, 2000.

ADDRESSES: Written comments should be sent to: Harold C. Mears, Director, State, Federal, and Constituent Programs Office, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930. Comments may also be sent via fax to (978) 281-9117. Comments submitted via e-mail or Internet will not be accepted.

FOR FURTHER INFORMATION CONTACT: Robert Ross, (978) 281-9234, fax (978) 281-9117.

SUPPLEMENTARY INFORMATION:**Background**

The New England Fishery Management Council's Fishery Management Plan (FMP) for American Lobster was implemented in Federal waters for vessels with Federal fishing permits in 1983. Since approximately 80 percent of the fishery for American lobster occurs in state waters, the FMP objectives of maintaining a sustainable fishery and preventing overfishing of the resource could not effectively be achieved by Federal action alone. NMFS could no longer ensure that the FMP, which covered only Federal waters, was consistent with national standard 1 of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), which requires implementation of conservation and management measures to prevent overfishing. Therefore, a proposed rule was published in 1996 (61 FR 13478) to withdraw the Council FMP upon

completion of an effective interstate management program.

The ACFCMA, enacted in 1993, includes provisions to ensure state compliance with interstate fishery management plans (ISFMPs) developed by the Commission. That legislation also provides authority for the implementation of management measures in Federal waters that are compatible with an ISFMP and consistent with the national standards specified in Section 301 of the Magnuson-Stevens Act. In December 1997, the Commission approved Amendment 3 to the American lobster ISFMP, which contained measures to end overfishing of the resource.

In March 1998, NMFS prepared a Draft EIS (63 FR 14922) that evaluated various management options in Federal waters to meet Magnuson-Stevens Act requirements regarding overfishing and the rebuilding of American lobster stocks in cooperation with the Commission under the ACFCMA. A proposed rule was then prepared on January 15, 1999 (63 FR 2708) that affirmatively responded to the overwhelming public comments urging NMFS to implement the Commission's plan in Federal waters. It also acknowledged that the preponderance of the fishery occurs in state waters and that, once the lobster FMP under the Magnuson-Stevens Act was withdrawn, state regulatory actions will be the key factor in rebuilding the lobster resource.

Subsequently, a Final EIS and a final rule were published in the **Federal Register** on May 28, 1999 (64 FR 29026), and on December 6, 1999 (64 FR 68228), respectively. The final rule transfers regulations for management of the lobster fishery under the Magnuson-Stevens Act (50 CFR part 649) to the ACFCMA (50 CFR part 697) and implements new measures consistent with the Commission's ISFMP. These new measures include the following: Extension of the current moratorium on new entrants into the EEZ fishery, designation of lobster management areas, near-shore and off-shore area trap limits, a 5-inch maximum carapace size in the Gulf of Maine, trap size restrictions, a trap escape vent size increase, trap tag allocations, and annual specification of additional management measures necessary to end overfishing and rebuild American lobster stocks. In addition, the NMFS' final rule restricts fishing effort in the EEZ based on fixed trap limits. This rule meets the Commission's request for NMFS to implement EEZ regulations compatible with the ISFMP for lobster and is consistent with the national standards of the Magnuson-Stevens Act,

which must be met when implementing Federal regulations under the ACFCMA.

The Commission, on August 3, 1999, approved Addendum 1 to Amendment 3 of the ISFMP for the determination of trap limits based upon historical participation, rather than fixed trap limits, in Lobster Management Area 3 (offshore EEZ), and Areas 4 and 5 (nearshore EEZ areas south of New York). As a result of the Commission's Addendum 1 and its recommendations for NMFS to implement compatible measures in Federal waters, an advance notice of proposed rulemaking (ANPR) was published in the **Federal Register** on September 1, 1999 (64 FR 47756), to seek public comment on whether there is a need under the ACFCMA to restrict access of Federal permit holders in the lobster EEZ fishery on the basis of historical participation. The ANPR also notified the public that NMFS was considering September 1, 1999, the publication date of the ANPR, as a potential control date.

Thirty-two comments were received in response to the ANPR. Responses were received from both the trap and non-trap sectors of the lobster industry. A majority (68 percent) of the respondents stated that participation in and access to the fishery should be restricted, with most of these individuals in favor of using a control date to substantiate historical participation. A majority of respondents who were in favor of establishing a control date recommended dates that were identified through the Lobster Conservation Management Team process, rather than the September 1, 1999, control date proposed by NMFS in the ANPR.

The respondents who were opposed to access restrictions included (1) relatively new entrants into the trap sector of the fishery, (2) limited access permit holders who had not actively participated in the trap fishery, (3) two commercial lobstermen's associations, and (4) the State of Maine Department of Marine Resources (DMR). Specifically, DMR commented that use of a control date to determine historical participation in the Federal waters of certain lobster fishery management areas should be considered a part of a comprehensive Federal action plan and not a stand-alone management measure. In response to these comments, NMFS intends to evaluate such action as part of a comprehensive management approach in both state and Federal waters.

Federal lobster permit holders will be affected by actions resulting from the subsequent EIS. Specifically, current Federal lobster permit holders may be

found ineligible to fish for lobster in certain lobster management areas, and/or their capacity to fish for lobster may be diminished. Additional Commission recommendations under the ISFMP may also be addressed by NMFS in the EIS in an effort to develop Federal regulations that are compatible with Addendum 1. These include the following: Vessel length and horsepower upgrade restrictions during the years 2000 and 2001; a prohibition on the possession of lobsters in certain areas, including Fire Island, Moriches, Shinnecock, and Montauk, New York; consideration of conservation equivalency measures proposed by the State of New Hampshire; and adjustments to closed area boundaries in Cape Cod Bay, Nantucket Sound, and the Cape Cod Canal. Accordingly, NMFS requests public input on these proposed management measures to assist in assessing the impact of these and other associated measures on the human environment.

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

Dated: December 6, 1999.

Bruce C. Morehead,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 99-32091 Filed 12-9-99; 8:45 am]

BILLING CODE 3510-22-F

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Announcement of Import Limits and Transshipment Charges for Certain Cotton, Wool, Man-Made Fiber, Silk Blend and Other Vegetable Fiber Textiles and Textile Products Produced or Manufactured in the People's Republic of China

December 6, 1999.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs establishing 2000 limits and charging transshipments to the 2000 limits.

EFFECTIVE DATE: January 1, 2000.

FOR FURTHER INFORMATION CONTACT: Janet Heinzen, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port, call (202) 927-5850, or refer to the U.S. Customs website at <http://www.customs.ustreas.gov>. For