

may contact Lieutenant Michael Dreier, Office of Standards, Evaluation and Development (G-MSR), Coast Guard, telephone 202-267-6490, e-mail [Mdreier@comdt.uscg.mil](mailto:Mdreier@comdt.uscg.mil). For questions on viewing or submitting material to the docket, call Dorothy Walker, Chief, Dockets, Department of Transportation at 202-366-9329.

**SUPPLEMENTARY INFORMATION:**

**Request for Comments**

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (USCG 1999-6097), indicate the specific section of this document to which each comment applies, and give the reason for each comment. You may submit your comments and material by mail, delivery, fax, or electronic means to the Docket Management Facility at the address under **ADDRESSES** but please submit your comments and material by only one means. If you submit them by mail or delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know they reached the facility, please enclose a self-addressed, stamped postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of the comments.

**Information on Services for Individuals With Disabilities**

For information on facilities or services for individuals with disabilities, or to request special assistance at the meeting, contact Mr. Timothy Farley, phone 202-267-1414, e-mail [Tfarley@comdt.uscg.mil](mailto:Tfarley@comdt.uscg.mil), as soon as possible.

**Background and Purpose**

Under 46 U.S.C. 8503(a) the Secretary of Transportation may require a Federally-licensed pilot to be aboard a self-propelled vessel engaged in foreign trade and operating on the navigable waters of the United States when State law does not require a pilot. 46 U.S.C. 8503(b) provides the Coast Guard the authority to require Federally-licensed pilots on vessels engaged in foreign trade. This authority terminates when the State having jurisdiction establishes a superseding requirement for a State pilot and notifies the Coast Guard of that fact.

Commercial vessels transit the navigable waters of the State of

Maryland carrying various types of freight, oil, and hazardous substances and materials, as well as large quantities of bunkers. Under Maryland law [General Statutes of Maryland, § 11-501], every vessel (foreign or domestic) sailing under register must use a State-licensed pilot if it is under the control of a docking master while maneuvering with tug assistance during berthing or unberthing, or shifting within a port. Maryland does not license, establish qualifications for, or regulate the competency of docking masters. Although all docking masters now operating in the Port of Baltimore already hold valid Federal pilots' licenses (or pilotage endorsements on Federal licenses), holding these is voluntary and is as yet neither a State nor a Federal requirement. Anyone may serve as a docking master, and, by law, no one needs to demonstrate proficiency or competency to do so.

We have determined that it is unsafe for certain vessels to undertake intra-port transits, or otherwise navigate in the waters of the State of Maryland, except when under the direction and control of pilots accountable to the State or the Coast Guard. Operating these vessels with docking masters who are either not licensed (or endorsed) as Federal or State pilots or not operating under the authority of pilots' licenses presents an unacceptable risk to human life, property, and the environment.

To ensure accountability, the Coast Guard proposed changes to its licensing regulations in a notice of proposed rulemaking entitled, "Federal Pilotage for Foreign-Trade Vessels in Maryland" [October 21, 1999 (64 FR 56720)]. These changes would require persons providing pilotage to operate under the authority of either a valid State or a valid Federal pilot's license. The proposed rule would add a new section to Subpart I of 46 CFR part 15 to require that a foreign-trade vessel be under the direction and control of a Federally-licensed pilot when operating in designated waters of Baltimore Harbor from the Key Bridge to moor, except when under the direction and control of a State-licensed pilot operating under the authority of his or her State license.

The rule would ensure that vessels are navigated by competent, qualified persons, knowledgeable in the local area and accountable to either the State or the Coast Guard. It would also promote navigational safety by increasing the level of accountability and reducing the risk of marine casualties in the waters of Maryland.

Dated: February 2, 2000.

**Joseph J. Angelo,**

*Acting Assistant Commandant for Marine Safety and Environmental Protection.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 660**

[I.D. 012400C]

**Western Pacific Fishery Management Council; Notice of Intent; Public Scoping Meetings**

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

**ACTION:** Notice of intent to prepare an EIS; notice of intent to prepare amendments; public scoping sessions; request for comments.

**SUMMARY:** The Western Pacific Fishery Management Council (Council) announces its intention to prepare an environmental impact statement (EIS) on the Federal management of precious corals in the Western Pacific Region. The scope of the EIS analysis will include all activities related to the conduct of the fisheries and will examine the impacts of precious coral harvest on, among other things, protected species. The Council will hold public scoping meetings and accept written comments to provide for public input into the range of actions, alternatives, and impacts that the EIS should consider.

The Council also announces its intention to develop amendments to the Fishery Management Plan (FMP) for Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region, the FMP for Crustacean Fisheries of the Western Pacific Region, and the FMP for Precious Coral Fisheries of the Western Pacific Region. The Council will hold meetings to give the public an opportunity to consider management alternatives and provide comments on these amendments.

**DATES:** Written comments on the intent to prepare an EIS will be accepted on or before March 15, 2000. Public scoping meeting will be held between February 16 and March 1, 2000. See

**SUPPLEMENTARY INFORMATION** for specific dates, times and locations.

**ADDRESSES:** Written comments on suggested alternatives and potential

impacts should be sent to Kitty Simonds, Executive Director, Western Pacific Regional Fishery Management Council, 1164 Bishop St., Suite 1400, Honolulu, HI 96813, and to Dr. Charles Karnella, Administrator, National Marine Fisheries Service, Pacific Islands Area Office, 2570 Dole St., Honolulu, HI 96822. Copies of the documents for the precious corals EIS are available from the Council office. Public scoping meetings will be held in Hawaii and the Commonwealth of the Mariana Islands (CNMI). See **SUPPLEMENTARY INFORMATION** for specific scoping meeting locations and for special accommodations.

**FOR FURTHER INFORMATION CONTACT:** Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council, 808-522-8220.

**SUPPLEMENTARY INFORMATION:** Scoping meetings for the precious corals EIS will be held at the locations listed here. A summary of the current Federal management system for precious corals in the western Pacific region will be reviewed during a public scoping hearing. A principal objective of the scoping and public input process is to identify a reasonable set of management alternatives that, with adequate analysis, will sharply define critical issues and provide a clear basis for choice among the alternatives. The intent of the EIS is to present an overall picture of the environmental effects of fishing as conducted under the FMPs. The EIS will include a range of reasonable management alternatives and an analysis of their impacts in order to define issues and provide a clear basis for public comments and for choices among options by the Council.

The EIS will discuss the impacts of potential precious coral harvest on the human environment and consider a range of representative alternative management regulations. Alternatives

will be assessed for impacts on essential fish habitat, target and non-target species of fish, discarded fish, marine mammals (Hawaiian monk seals and cetaceans), and other protected species present in the western Pacific ecosystem. In addition, the environmental consequences section will contain an analysis of socio-economic impacts of the fishery on the following groups of individuals: (1) Those who participate in harvesting the fishery resources and other living marine resources; (2) those who process and market the fish and fish products; (3) those who are involved in allied support industries; (4) those who consume fish products; (5) those who rely on living marine resources in the management area, either for subsistence needs or for recreational benefits; (6) those who benefit from non-consumptive uses of living marine resources; (7) those involved in managing and monitoring fisheries; and (8) fishing communities.

The Council is evaluating the need to amend the bottomfish, crustacean and precious corals FMPs to better achieve the management objectives of these FMPs. Currently, no Federal regulations are in place to manage the bottomfish, crustacean and precious coral fishery resources in the EEZ waters surrounding the CNMI. There are also no Federal regulations for the bottomfish and crustacean fisheries for the EEZ waters surrounding the Pacific Remote Island Areas (PRIAs). The amendments will consider a wide range of management alternatives to address data shortfalls and possible impacts from the bottomfish, crustacean, and precious coral fisheries in the PRIAs and the CNMI. The Council seeks to solicit public comment and input on a wide range of management alternatives including, but not limited to, the following: Federal permit and data reporting requirements; limited access;

vessel monitoring systems; observer program; closed season; closed areas; gear restrictions; size limits; catch quotas; and prohibitions on the use of destructive fishing techniques, including the use of explosives, poisons, bottomset gill-nets, bottom trawls, and tangle nets.

### Dates, Times, and Locations of the Scoping Meetings

The public scoping meetings will be held on:

Wednesday, February 16, 2000, from 6:30-8:30 p.m., Joeten-Kiyu Public Library Conference Room, Saipan, CNMI. Phone the Division of Fish and Wildlife Resources, 670-322-9834, for information;

Thursday, February 24, 2000, from 8:30 a.m.-12:00 p.m., 73<sup>rd</sup> Scientific and Statistical Committee meeting, Council Office Conference Room, Honolulu, HI. Phone the Council Office, 808-522-8220, for information; and

Thursday, March 1, 2000, Hibiscus Ballroom, Ala Moana Hotel, Honolulu, HI. Phone the Council Office, 808-522-8220, for information.

These meetings will be advertised in the local newspapers.

### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, 808-522-20 (voice) or 808-522-8226 (fax), at least 5 days prior to the meeting date.

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

Dated: February 3, 2000.

**Bruce C. Morehead,**

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

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