

regulations pertaining to domesticated species, certain captive-bred and captive-born species. In addition, the Service intends to review the current user fee structure. The Service intends for this review to lead to proposed changes in the wildlife importation and exportation regulations that would ease the burden on importers and exporters dealing in wildlife that involves no conservation risk, and allow the Service to focus its resources on areas of greater concern. This review will assess whether proposed changes in the current method of assessing user fees are warranted. Any proposed changes in the regulation of domesticated species and certain captive bred or captive-born species, will be addressed in a separate rule from any possible proposed changes to the user fee structure.

**DATES:** Comments and other information received on or before September 14, 1998, will be considered by the Service in developing proposed amendments to 50 CFR part 14.

**ADDRESSES:** Comments and materials concerning this proposal should be sent to the Director, U.S. Fish and Wildlife Service, P.O. Box 3247, Arlington, Virginia 22203-3247. Comments and materials may be hand-delivered to the U.S. Fish and Wildlife Service, Office of Law Enforcement, 4401 N. Fairfax Drive, Room 500, Arlington, Virginia, between the hours of 8 a.m. and 4 p.m. Monday through Friday. Comments may also be submitted via electronic mail (E-mail) to: r9le\_www@fws.gov.

**FOR FURTHER INFORMATION CONTACT:** Kevin R. Adams, Chief, Office of Law Enforcement, U.S. Fish and Wildlife Service, (703) 358-1949.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On June 21, 1996, the Service published a final rule (61 FR 31868) that defined "domesticated species" to include a list of certain species that would be exempt from the requirements of 50 CFR part 14, subpart B. The Service has experienced difficulty determining which species qualify as domesticated under the current definition in 50 CFR 14.4. In addition, the Service has received continual requests for additions to the list. The Service is considering creating a new definition for "domesticated species" and reviewing the list to determine whether species should be added or deleted, or whether the list should be clarified or eliminated.

The Service is interested in reviewing its role in the regulation of international trade of captive-bred and captive-born wildlife parts and products where it can

be determined that no conservation risk exists. Many species are regularly bred or born in captivity for international trade such as the Ostrich (*Struthio camelus*) and American Bison (*Bison bison bison*), but are not considered to be domesticated animals and thus are subject to all wildlife import and export regulatory requirements. The Service intends to review those species that are routinely bred or born in captivity, where the commodities in international trade are primarily produced from captive-bred or captive-born populations in order to determine whether a reduced level of regulatory control and/or user fees is warranted.

Finally, in the June 21, 1996 (61 FR 31868) final rule amendments to 50 CFR part 14, the Service also enacted new user fee requirements. All commercial importers and exporters of wildlife are required to be licensed and pay appropriate user fees for each shipment. Since the implementation of the new user fees, the Service has received numerous complaints from small businesses about the increased burden on their operation. Although the Service does not intend to change the license requirement for commercial importers and exporters, the Service is interested in reviewing the user fees charged for each shipment. The Service is exploring different user fee structures including a tiered system that would assess user fees based on various factors including quantity and value. The Service is interested in receiving comments on the current user fees including information documenting specific economic, paperwork, or other burdens that have been imposed on small businesses.

##### **List of Subjects in 50 CFR Part 14**

Animal welfare, Exports, Fish, Imports, Labeling, Reporting and recordkeeping requirements, Transportation, Wildlife.

Dated: June 23, 1998.

**Donald J. Barry,**

*Acting Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 98-18756 Filed 7-14-98; 8:45 am]

**BILLING CODE 4310-55-P**

## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

#### **50 CFR Part 660**

[I.D. 070198A]

#### **Western Pacific Fishery Management Council; Public Meeting**

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

**ACTION:** Public meeting; availability of documents.

**SUMMARY:** The Western Pacific Fishery Management Council (Council) will hold its 97th meeting in Kailua Kona, Hawaii. The Council will consider, among other things, action on new framework measures for the American Samoa pelagic and NWHI lobster fisheries. Documents for an American Samoa pelagics closure and a Northwestern Hawaiian Islands (NWHI) lobster fishery harvest limitation program are available for comment.

**DATES:** The Council meeting will be held on July 27-29, 1998. Comments on the documents describing new framework measures for the American Samoa pelagic and NWHI lobster fisheries should be received in the Council office no later than July 27, 1998.

**ADDRESSES:** The Council's 97th meeting will be held at the King Kamehameha Hotel, Kailua Kona, Hawaii; telephone: 808-329-2911. Copies of the meeting agenda and documents describing new framework measures for the American Samoa pelagic and NWHI lobster fisheries are available from the Western Pacific Fishery Management Council, 1164 Bishop St., Suite 1400, Honolulu, HI 96813.

**FOR FURTHER INFORMATION CONTACT:** Kitty M. Simonds, Executive Director; telephone 808-522-8220.

#### **SUPPLEMENTARY INFORMATION:**

##### **Times and Dates**

The Council's Standing Committees will meet on July 27, as follows: Enforcement from 7:30 a.m. to 9:00 a.m., Crustaceans from 8:00 a.m. to 10:00 a.m., VMS from 9:00 a.m. to 10:30 a.m., Pelagics and Bottomfish (concurrent) from 10:30 a.m. to 12:30 p.m., Indigenous Fishing Rights and Ecosystem & Habitat (concurrent) from 1:30 p.m. to 3:00 p.m., and Precious Corals and Executive/Budget & Programing (concurrent) from 3:00 p.m. to 5:00 p.m. The full Council will meet

on July 28 and 29, 1998, from 8:30 a.m. to 5:00 p.m., each day.

### Agenda

The Council is one of eight regional fishery management councils authorized by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The full Council will meet to address the agenda items below. The order in which agenda items will be addressed may change. The Council will meet as late as necessary to complete its scheduled business.

Although other issues not contained in this agenda may come before the Council for discussion, in accordance with the Magnuson-Stevens Act, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice.

#### 8:30 a.m. Tuesday, 28 July 1998

A. Call to order, opening remarks, introductions;

1. Approval of agenda and 95th and 96th Council Minutes;

B. Reports from the Islands: American Samoa, Guam, Hawaii, and Commonwealth of the Northern Mariana Islands (CNMI);

C. Enforcement;

1. Reports from the U.S. Coast Guard, National Marine Fisheries Service Office of Enforcement, and NOAA General Counsel Southwest Region;

2. Cooperative agreement for Guam and CNMI;

3. Standing Committee recommendations;

4. Public comment;

D. Vessel Monitoring System (VMS);

1. Report on NMFS Industry Advisory Panel and National VMS Policy;

2. Report on the Hawaii VMS program;

3. Standing Committee recommendations;

E. Pelagics;

1. Second quarter report for longline fisheries in Hawaii and American Samoa in 1998;

2. Final action on an area closure framework measure for the American Samoa pelagic fishery (see summary of document E.2);

3. Reports on the 3rd Multilateral High-level Conference;

4. Protected species interactions: Albatross and turtles;

5. Issues concerning shark finning in the Western Pacific Region;

6. Report on universal minimum size limit for swordfish in the United States;

7. Pelagic longline and charter interactions in Hawaii;

8. Report on Secretariat of the Pacific Community meetings;

9. Scientific and Statistical Committee (SSC) and Standing Committee recommendations;

10. Public comment/hearing;

F. Crustaceans;

1. Annual allocation of bank-specific harvest guidelines including 1998 bank-specific guidelines and discussion of a framework regulatory measure governing future bank-specific guidelines (see summary of document F.1);

2. SSC, and Standing Committee recommendations;

3. Public comment/hearing;

#### 8:30 a.m. Wednesday, 29 July 1998

G. Reports from Fishery Agencies and Organizations, including: Department of Commerce National Marine Fisheries Service Southwest Region, Southwest Fisheries Science Center, and NOAA General Counsel; and Department of the Interior Fish and Wildlife Service;

H. Precious corals;

1. Consistency between state and Federal regulations;

2. Plan Team, SSC and Standing Committee recommendations;

3. Public comments;

I. Bottomfish;

1. The 1997 annual report for American Samoa, Guam, Hawaii and CNMI, including recommendations;

2. Management of Main Hawaiian Islands onaga, ehu, and hapupuu including: Status of genetic research on stock range and related studies, NMFS research activities (Hawaii, Guam, and CNMI), and implementation of Department of Land and Natural Resources' (DLNR) management plan and Federal management alternatives;

3. Final Council action on amendment to establish a Mau Zone limited access program. Copy of the draft amendment is available for comment from the Council office (see ADDRESSES);

4. SSC and Standing Committee recommendations;

5. Public hearing;

J. Native rights and indigenous fishing issues;

1. Review of marine conservation plans from American Samoa, Guam, and CNMI;

2. Status of the CNMI turtle conservation workshop;

3. Status of the community development program;

4. Report on NMFS vessel financing program and status of the drift gillnet vessel in Guam;

5. Advisory Panel appointments;

6. Standing Committee recommendations;

7. Public hearing;

K. Ecosystems and habitat;

1. Coral reef ecosystems;

2. Status of EIS on Farallon de Mendenilla, CNMI;

3. Current ecosystem and habitat issues;

4. SSC and Standing Committee recommendations;

5. Public comment;

L. Program planning;

1. Final Council action on the comprehensive Sustainable Fisheries Act (SFA) amendment for all FMPs regarding bycatch, fishing sectors, fishing communities, overfishing and designation of essential fish habitat (EFH) (including potential fishing and non-fishing threats to EFH and conservation and enhancement measures to mitigate impacts to EFH), and environmental impact of SFA provisions. Copy of the draft amendment is available for comment from the Council office (see ADDRESSES);

2. Advisory Panel and Plan Team final comments and SSC and Standing Committee recommendations;

3. Report on WPacFIN;

4. Revision of Council milestones;

5. Public comment/hearing;

M. Administrative matters;

1. Administrative reports;

2. Reports on meetings, workshops, and proposed 98th Council Meeting in November 1998, in Honolulu, Hawaii;

3. Standing Committee recommendations;

4. Public comment; and

N. Other business.

### Summary of Documents for Public Comment

#### American Samoa Pelagics Closure Proposal (E.2)

1. The Council will be taking final action on an area closure framework measure for the American Samoa pelagic fishery.

2. Action is being taken under framework procedures for new measures in the Pelagics Fisheries Management Plan.

3. At its May 1998 meeting, the Council agreed to proceed with this management measure, adopted the initial preferred alternative, and asked that this be included on the agenda for the 97th Council meeting in July 1998 for final Council action. The Council also directed Council staff to prepare a detailed document describing the preferred management alternative and the rejected alternatives which would be available for public comment prior to the July Council meeting.

4. Fishermen in American Samoa who are members of the Council's advisory panels have expressed concern about the long-term sustainability of the local small-boat pelagics fishery. In

particular, there is concern that large longline vessels will seek new fishing opportunities in the exclusive economic zone (EEZ) around American Samoa as fisheries in other areas of the U.S. EEZ become increasingly restricted. In the late 1980s, a rapid influx of large vessels in the Hawaii longline fishery, resulted in extensive gear conflicts. In addition, there is concern that the large vessels supplying fish to American Samoa's tuna canneries already fish in the EEZ occasionally. A widely held perception among small-scale trollers and longliners is that these larger vessels intercept fish migrating to local waters and reduce the supply of tuna and other pelagic species available for capture by artisanal and recreational fishermen.

The Council was asked at the 92nd meeting, in April 1997, to assist in forming a fishermen's working group to consider various management options to ensure the long-term sustainability of the small-boat fishery. Various meetings of the working group and other fishermen were convened by the Council and the American Samoa Department of Marine and Wildlife Resources between June and October 1997. The consensus among fishermen was that the most effective management

action would be to close an area around the islands of American Samoa to pelagic fishing vessels longer than 50 ft (15.2 m).

At its April 1998 meeting, the Council recommended as its initial preferred alternative a prohibition against all U.S. fishing vessels (e.g. longliners, purse seiners, trollers and pole-and-line bait boats) greater than 50 ft (15.2 m) in length fishing for pelagic management unit species within an area approximately 100 nautical miles from the islands of American Samoa. Those longline vessels larger than 50 ft (15.2 m) that had acquired a permit and had landed a pelagic management unit species in American Samoa prior to November 14, 1997, would still be eligible to fish within the closed area.

5. A document describing the issue, alternative actions, preferred Council action, and anticipated impacts is available for public comment (see ADDRESSES).

#### *NWHI Annual Bank-Specific Harvest Guidelines (F.1)*

1. The Council will be discussing and may be taking initial action to establish a process for setting annual bank-specific harvest guidelines for the 1999 NWHI lobster season and beyond.

2. Action is being taken under the framework procedure for new measures in the Crustacean Fisheries Management Plan.

3. At its April 1998 meeting, the Council requested the development of options governing the process by which the NMFS Regional Administrator, in consultation with the Council, allocates the annual harvest guideline among banks or areas to prevent overfishing and achieve optimum yield.

4. A background document summarizing this issue, the need for framework management measure, and alternative actions is available for public comment (see ADDRESSES).

#### **Special Accommodations**

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, 808-522-8220 (voice) or 808-522-8226 (fax), at least 5 days prior to the meeting date.

Dated: July 10, 1998.

**Gary C. Matlock,**

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

[FR Doc. 98-18889 Filed 7-10-98; 4:02 pm]

BILLING CODE 3510-22-F