DEPARTMENT OF THE INTERIOR  
Fish and Wildlife Service  
50 CFR Part 17  
RIN 1018-AE97  

Endangered and Threatened Wildlife and Plants; Listing of Several Evolutionarily Significant Units of West Coast Steelhead  

AGENCY: Fish and Wildlife Service, Interior.  

ACTION: Final rule.  

SUMMARY: The Fish and Wildlife Service (Service) is adding several Evolutionarily Significant Units (ESUs) of west coast steelhead (Oncorhynchus mykiss) to the List of Endangered and Threatened Wildlife (List) in accordance with the Endangered Species Act of 1973, as amended (Act). The Southern California and Upper Columbia River Basin ESUs are added as endangered, and the Central California Coast, South-Central California Coast, Snake River Basin, Lower Columbia River, and Central Valley California ESUs are added as threatened. This amendment is based on determinations by the National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration, Department of Commerce, which has jurisdiction for this species.  

DATES: The effective date for listing of the Southern California and Upper Columbia River Basin ESUs as endangered and the Central California Coast, South-Central California Coast, and Snake River Basin ESUs as threatened is October 17, 1997. The effective date for listing of the Lower Columbia River and Central Valley California ESUs as threatened is May 18, 1998.  

ADDRESSES: Division of Endangered Species, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Mail Stop 452, Arlington, Virginia 22203.  

FOR FURTHER INFORMATION CONTACT: E. LaVerne Smith, Chief, Division of Endangered Species, at the above address or telephone 703/358-2171.  

SUPPLEMENTARY INFORMATION:  

Background  

In accordance with the Act and Reorganization Plan No. 4 of 1970, NMFS has jurisdiction over west coast steelhead. Under section 4(a)(2) of the Act, NMFS must decide whether a species under its jurisdiction should be classified as endangered or threatened. The Service is responsible for the actual amendment of the List in 50 CFR 17.11(h).  

On August 9, 1996, NMFS published a proposed rule to list as endangered or threatened 10 ESUs of west coast steelhead in Washington, Oregon, Idaho, and California (61 FR 41541). On August 18, 1997, NMFS published a final rule listing five of these ESUs: the Southern California and Upper Columbia River Basin ESUs were listed as endangered, and the Central California Coast, South-Central California Coast, and Snake River Basin ESUs were listed as threatened (62 FR 43937).  

Also on August 18, 1997, NMFS published a notice announcing that substantial scientific disagreement remained for the remaining five ESUs proposed for listing on August 9, 1996. The notice extended the deadline for a final listing determination for these five ESUs for 6 months to solicit, collect, and analyze additional information from NMFS scientists, co-management scientists, and scientific experts to enable NMFS to make a final listing determination based on the best available data. On March 19, 1998, NMFS published a final rule listing two of these five ESUs, the Lower Columbia River and the Central Valley California ESUs, as threatened (63 FR 13347).  

The proposed rules identified above solicited comments from peer reviewers, the public, and all other interested parties. The final rules addressed the comments received in response to the proposed rules. Because NMFS provided public comment periods on the proposed rules, and because this action of the Service to amend the List in accordance with the determinations by NMFS is nondiscretionary, the Service has omitted the notice and public comment procedures of 5 U.S.C. 553(b) for this action.  

National Environmental Policy Act  

The Service has determined that an Environmental Assessment, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service’s reasons for this determination was published in the Federal Register on October 25, 1983 (48 FR 49244).  

Author  


Authority  

The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).  


Jamie Rappaport Clark,  
Director, Fish and Wildlife Service.  

[FR Doc. 98-16099 Filed 6-16-98; 8:45 am]  

BILLING CODE 4310-55-P
The Code of Federal Regulations, as follows:

**PART 17—[AMENDED]**

1. The authority citation for part 17 continues to read as follows:


2. Amend section 17.11(h) by adding the following, in alphabetical order under FISHES, to the List of Endangered and Threatened Wildlife:

   § 17.11 Endangered and threatened wildlife.

<table>
<thead>
<tr>
<th>Species</th>
<th>Historic range</th>
<th>Vertebrate population where endangered or threatened</th>
<th>Status</th>
<th>When listed</th>
<th>Critical habitat</th>
<th>Special rules</th>
</tr>
</thead>
<tbody>
<tr>
<td>Steelhead</td>
<td>Oncorhynchus mykiss.</td>
<td>North Pacific Ocean from the Kamchatka Peninsula in Asia to the northern Baja Peninsula.</td>
<td>All naturally spawned populations (and their progeny) in rivers from the Santa Maria R., San Luis Obispo County, CA (inclusive) to Malibu Cr., Los Angeles County, CA (inclusive).</td>
<td>E</td>
<td>638</td>
<td>NA</td>
</tr>
<tr>
<td>Do</td>
<td>......</td>
<td>All naturally spawned populations (and their progeny) in the Upper Columbia R. Basin upstream from the Yakima R., WA, to the U.S./Canada border, and also including the Wells Hatchery stock.</td>
<td>E</td>
<td>638</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Do</td>
<td>......</td>
<td>All naturally spawned populations (and their progeny) in streams from the Russian R. to Aptos Cr., Santa Cruz County, CA (inclusive), and the drainages of San Francisco and San Pablo Bays eastward to the Napa R. (inclusive), Napa County, CA, excluding the Sacramento-San Joaquin R. Basin of the Central Valley of CA.</td>
<td>T</td>
<td>638</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Do</td>
<td>......</td>
<td>All naturally spawned populations (and their progeny) in streams from the Pajaro R. (inclusive), located in Santa Cruz County, CA, to (but not including) the Santa Maria R.</td>
<td>T</td>
<td>638</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>
### Species

<table>
<thead>
<tr>
<th>Common name</th>
<th>Scientific name</th>
<th>Historic range</th>
<th>Vertebrate population where endangered or threatened</th>
<th>Status</th>
<th>When listed</th>
<th>Critical habitat</th>
<th>Special rules</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do.............</td>
<td>do.................</td>
<td>do.................</td>
<td>All naturally spawned populations (and their progeny) in streams and tributaries to the Columbia R. between the Cowitz and Wind Rivers, WA, inclusive, and the Willamette and Hood Rivers, OR, inclusive, excluding the Upper Willamette River Basin above Willamette Falls and excluding the Little and Big White Salmon Rivers in WA.</td>
<td>T</td>
<td>638</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Do.............</td>
<td>do.................</td>
<td>do.................</td>
<td>All naturally spawned populations (and their progeny) in streams in the Snake R. Basin of southeast WA, northeast OR, and ID.</td>
<td>T</td>
<td>638</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

**Dated:** May 11, 1998.

**Jamie Rappaport Clark,**
Director, Fish and Wildlife Service.

[FR Doc. 98–16110 Filed 6–16–98; 8:45 am]

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**DEPARTMENT OF COMMERCE**

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 980318066–8066–01; I.D. 061198B]

Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Commercial Cod Harvest

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

**ACTION:** Reduction of cod landing limit.

**SUMMARY:** NMFS issues this notification to announce that the Administrator, Northeast Region, NMFS (Regional Administrator), has projected that 892 metric tons (mt) of the target total allowable catch (TAC) for the Gulf of Maine (GOM) cod stock will be harvested as of 2400 hrs, local time, June 24, 1998, and that vessels fishing under a non-exempt multispecies days-at-sea (DAS) may not possess more than 400 lb (181.4 kg) of cod per DAS for any trip ending on or after 0001 hrs, local time, June 25, 1998.

**DATES:** Effective 0001 hrs, local time, June 25, 1998.

**FOR FURTHER INFORMATION CONTACT:** Susan A. Murphy, Fishery Policy Analyst, 978–281–9252.

**SUPPLEMENTARY INFORMATION:**
Regulations implementing Framework Adjustment 25 (63 FR 15326, March 31, 1998) became effective May 1, 1998. To ensure that GOM cod landings remain within the target TAC of 1,783 mt established for the 1998 fishing year, Framework 25 provides a mechanism to reduce the 700-lb (317.5-kg) per DAS landing limit to as low as 400-lb (181.4-kg) per DAS, based on the rate of catch and the risk of exceeding the target TAC. Section 648.86(b)(1)(i) specifies that this mechanism is triggered when the Regional Administrator has projected that 892 mt will be harvested. Further, this section stipulates that NMFS will publish notification in the