

the regulations. Thus, these amendments do not constitute a substantive rule subject to the requirement for a 30-day delay in effective date contained in 5 U.S.C. 553(d).

Because a general notice of proposed rulemaking is not required under 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., are inapplicable. While a regulatory flexibility analysis is not required and none has been prepared, the economic impacts on affected fishers and alternatives to the rule were considered by the Council and NMFS. Copies of the analysis for Framework 12 may be obtained from the Council (see ADDRESSES).

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: February 29, 2000.

Andrew A. Rosenberg,

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 648 is amended as follows:

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

1. The authority citation for part 648 continues to read as follows:

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

2. In § 648.4, paragraph (a)(9)(i)(B) is revised to read as follows:

§ 648.4 Vessel and individual commercial permits.

(a) * * *

(9) * * *

(i) * * *

(B) Application/renewal restrictions.

No one may apply for an initial limited access monkfish permit for a vessel after November 7, 2000.

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3. In § 648.53, paragraph (b) is amended by revising the table to read as follows:

§ 648.53 DAS allocations.

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(b) DAS allocations. * * *

Table with 11 columns: DAS category, 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008, 2008+.

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4. In § 648.94, paragraphs (b)(4)(i), (b)(4)(ii), (c)(1)(i), and (c)(3)(i) are revised to read as follows:

§ 648.94 Monkfish possession and landing restrictions.

* * * * *

(b) * * *

(4) * * *

(i) NFMA. Any Category C or D vessel that is fishing under a multispecies DAS in the NFMA may land up to 300 lb (136 kg) tail weight or 996 lb (452 kg) whole weight of monkfish per DAS, or 25 percent (where the weight of all monkfish is converted to tail weight) of the total weight of fish on board, whichever is less. For the purposes of converting whole weight to tail weight, the amount of whole weight possessed or landed is divided by 3.32.

(ii) SFMA. If any portion of a trip is fished only under a multispecies DAS and not under a monkfish DAS in the SFMA, a vessel issued a Category C or D permit may land up to 300 lb (136 kg) tail weight or 996 lb (452 kg) whole weight of monkfish per DAS, or 25 percent (where the weight of all monkfish is converted to tail weight) of the total weight of fish on board, whichever is less, if trawl gear is used exclusively during the trip, or 50 lb (23 kg) tail weight or 166 lb (75 kg) whole weight if gear other than trawl gear is used during the trip. For the purposes of converting whole weight to tail

weight, the amount of whole weight possessed or landed is divided by 3.32.

* * * * *

(c) * * *

(1) * * *

(i) NFMA. Vessels issued a monkfish incidental catch permit fishing under a multispecies DAS exclusively in the NFMA may land up to 300 lb (136 kg) tail weight or 996 lb (452 kg) whole weight of monkfish per DAS, or 25 percent (where the weight of all monkfish is converted to tail weight) of the total weight of fish on board, whichever is less. For the purposes of converting whole weight to tail weight, the amount of whole weight possessed or landed is divided by 3.32.

* * * * *

(c) * * *

(3) * * *

(i) Vessels fishing in the GOM/GB, SNE and MA Regulated Mesh Areas with large mesh. A vessel issued a valid monkfish incidental catch permit and fishing in the GOM/GB or SNE RMAs with large mesh as defined in § 648.80(a)(2)(i) and (b)(2)(i), respectively, or fishing in the MA RMA with mesh no smaller than specified at § 648.104(a)(1), while not on a monkfish, multispecies, or scallop DAS, may possess, retain, and land monkfish (whole or tails) only up to 5 percent (where the weight of all monkfish is converted to tail weight) of the total weight of fish on board. For the purposes of converting whole weight to

tail weight, the amount of whole weight possessed or landed is divided by 3.32.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 990430113-913-01; I.D. 022200E]

Fisheries Off West Coast and Western Pacific States; West Coast Salmon Fisheries; Adjustment in the Opening Date of the Recreational Seasons from Point Arena to the U.S.-Mexico Border

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

ACTION: Inseason adjustment; request for comments.

SUMMARY: NMFS announces that recreational salmon fisheries will open on April 1, 2000, in the area from Pigeon Point, CA, to the U.S.-Mexico Border, and will open on April 15, 2000, in the area from Point Arena to Pigeon Point, CA. This action is consistent with the recommendations of the Pacific Fishery Management Council (Council) and actions taken by the California Fish

and Game Commission (Commission) to delay the recreational fisheries opening south of Point Arena by approximately 2 weeks from the opening dates identified in the 1999 ocean salmon fishery management measures. This action is intended to provide additional protection to Central Valley spring chinook and ensure congruency between state and Federal management measures.

DATES: Effective March 17, 2000, until the effective date of the 2000 management measures, which will be published in the **Federal Register** for the west coast salmon fisheries.

Comments will be accepted through March 20, 2000.

ADDRESSES: Comments on this action must be mailed to William Stelle, Jr., Regional Administrator, Northwest Region, NMFS, 7600 Sand Point Way NE., Seattle, WA 98115-0070; or faxed to 206-526-6736; or mailed to Rodney R. McInnis, Acting Regional Administrator, Southwest Region, NMFS, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802-4132; or faxed to 808-973-2941. Comments will not be accepted if submitted via e-mail or the Internet. Information relevant to this notice is available for public review during business hours at the offices of the Regional Administrators for the Northwest and Southwest Regions, NMFS.

FOR FURTHER INFORMATION CONTACT: William Robinson (NWR), 206-526-6140, or Svein Fougner (SWR), 562-980-4030.

SUPPLEMENTARY INFORMATION:

Regulations governing the ocean salmon fisheries at 50 CFR 660.409(b)(1)(i) state that the Regional Director, in consultation with the Council Chairman and the appropriate State Directors, may, under the flexible inseason management provisions, modify quotas and/or fishing seasons. In adopting the 1999 annual management measures for the ocean salmon fishery (64 FR 24078, May 5, 1999), NMFS concurred with the Council's recommendation to open a recreational salmon fishery from Point Arena to Pigeon Point, CA on April 1, 2000, and a tentative recommendation, which was to be reviewed at the Council's November 1999 meeting, to open a recreational salmon fishery from Pigeon Point, CA to the U.S.-Mexico Border on March 18, 2000. On September 16, 1999 (64 FR 50394), NMFS listed Central Valley spring chinook salmon as threatened under the Endangered Species Act (ESA). In an October 15, 1999, letter to the Council Chairman, NMFS recommended that the existing ESA requirements for

Sacramento River winter chinook be implemented as much as possible through a delay in the opening of recreational seasons south of Point Arena rather than through increases in the minimum size limits, in order to provide additional protection to Central Valley spring chinook. The Council, at its November meeting, reviewed the year 2000 opening dates for California recreational fisheries south of Point Arena and concurred that the openings could be delayed through inseason management action by NMFS prior to the March 2000 Council meeting if the Commission voted to delay the recreational season. The Commission, on February 4, 2000, took action to delay the scheduled opening of the recreational fisheries in state waters south of Point Arena by approximately 2 weeks in order to provide additional protection for Central Valley spring chinook, which are listed as threatened under the California ESA. The Commission's action effectively delays by 2 weeks the opening of recreational fisheries in Federal waters. The Federal action announced in this document will ensure consistency between state and Federal management measures.

Maturing spring chinook leave the ocean in March and April to spawn and are likely harvested at relatively high rates in fishing seasons occurring prior to May. The majority of recreational recoveries of tagged Feather River Hatchery adult spring chinook occur prior to May. Delaying the opening of the recreational season will provide additional protection to spring chinook by reducing the take of maturing adults.

The Regional Administrator consulted with representatives of the Council and the Commission regarding these adjustments on February 8, 2000. NMFS, by an inseason action issued under 50 CFR 660.411, is delaying the opening dates of the following recreational fisheries south of Point Arena, CA. The size limits and gear restrictions remain unchanged from the Council's recommendations for the 1999 management measures. The State of California will manage these recreational fisheries in state waters adjacent to these areas of the exclusive economic zone in accordance with this Federal action.

As provided by the inseason notification procedures at 50 CFR 660.411, actual notice to fishermen of these actions has been given by telephone hotline number 206-526-6667 or 800-662-9825 on February 8, 2000, and notice will be provided by U.S. Coast Guard Notice to Mariners broadcasts on Channel 16 VHF-FM and 2182 kHz on March 25 through April 15

for the area from Point Arena to Pigeon Point, California, and March 11 through April 1 for the area from Pigeon Point, California, to U.S.-Mexico Border.

This action is consistent with fishery regimes established by the U.S.-Canada Pacific Salmon Commission, ocean escapement goals, conservation of the salmon resource, adjudicated Indian fishing rights, and the ocean allocation scheme in the Pacific Coast Salmon Plan.

NMFS has determined that good cause exists for this action to be issued without affording a prior opportunity for public comment. This action must be effective before the previously scheduled opening dates in order to protect Central Valley spring chinook and to be consistent with the State of California management measures. This document does not apply to other fisheries that may be operating in other areas.

Pigeon Point to U.S.-Mexico Border

The season will open April 1, 2000. All salmon except coho will be limited to two fish per day, with a minimum size limit of 24 in (61 cm). North of Point Conception, special gear restrictions C.3. (circle hooks when mooching) and C.2. (one rod per angler), specified in the 1999 management measures, continue to apply.

Point Arena to Pigeon Point

The season will open April 15, 2000. All salmon except coho will be limited to two fish per day, with a minimum size limit of 24 in (61 cm). Special gear restrictions C.3. (circle hooks when mooching) and C.2. (one rod per angler), specified in the 1999 management measures, continue to apply.

Classification

This action is authorized by 50 CFR 660.409 and 660.411 and is exempt from review under Executive Order 12866.

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

Dated: February 29, 2000.

Bruce Morehead,

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