

have recovered and been removed from the Lists of Endangered and Threatened Wildlife and Plants (50 CFR 17.11 and 17.12). The purpose of this post-delisting monitoring (PDM) is to verify that a species delisted, due to recovery, remains secure from risk of extinction after it no longer has the protections of the Act. We are to make prompt use of the emergency listing authorities under section 4(b)(7) of the Act to prevent a significant risk to the well-being of any recovered species. Section 4(g) of the Act explicitly requires cooperation with the States in development and implementation of PDM programs, but we remain responsible for compliance with section 4(g) and, therefore, must remain actively engaged in all phases of PDM. We also will seek active participation of other entities that are expected to assume responsibilities for the species' conservation, post-delisting.

We intend to monitor the status of the monarch, in cooperation with the CNMI, through periodic surveys of the distribution and abundance of the monarch, monitoring of development and land clearing on Tinian, assessment of impacts of military training on the USDOD-leased lands, and monitoring of the potential introduction of brown tree snakes to the island. We are developing a PDM plan for the monarch, and once completed, we will publish in the **Federal Register** a notice of availability of the proposed PDM plan soliciting public comments and review.

#### Paperwork Reduction Act

Office of Management and Budget (OMB) regulations at 5 CFR 1320, which implement provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), require that interested members of the public and affected agencies have an opportunity to comment on agency information collection and recordkeeping activities (5 CFR 1320.8(d)). The OMB regulations at 5 CFR 1320.3(c) define a collection of information as the obtaining of information by or for an agency by means of identical questions posed to, or identical reporting, recordkeeping, or disclosure requirements imposed on, 10 or more persons. Furthermore, 5 CFR 1320.3(c)(4) specifies that "ten or more persons" refers to the persons to whom a collection of information is addressed by the agency within any 12-month period.

This rule does not include any collections of information that require approval by OMB under the Paperwork Reduction Act. The information needed to monitor the status of the Tinian monarch will be collected primarily by the Commonwealth of the Northern

Marianas, the U.S. Navy, and the Service. We do not anticipate a need to request data or other information from the public to satisfy monitoring information needs. If it becomes necessary to collect information from 10 or more individuals, groups, or organizations per year, we will first obtain information collection approval from OMB.

#### National Environmental Policy Act

We have determined that preparation of an Environmental Assessment or Environmental Impact Statement, as defined under the authority of the National Environmental Policy Act of 1969, is not necessary when issuing regulations adopted pursuant to section 4(a) of the Act. We published a notice outlining our reasons for this determination in the **Federal Register** on October 25, 1983 (48 FR 49244).

#### References Cited

A complete list of all references cited herein is available upon request from the Pacific Islands Fish and Wildlife Office (*see ADDRESSES* section).

#### Author

The primary authors of this final rule are Eric A. VanderWerf, Pacific Islands Fish and Wildlife Office, U.S. Fish and Wildlife Service (*see ADDRESSES* section), and Michael Lusk, formerly with the Service's Pacific Islands Fish and Wildlife Office.

#### List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

#### Regulation Promulgation

■ For the reasons set out in the preamble, we hereby amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

#### PART 17—[AMENDED]

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

**Authority:** 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Pub. L. 99–625, 100 Stat. 3500, unless otherwise noted.

#### § 17.11 [Amended]

■ 2. Section 17.11(h) is amended by removing the entry for "Monarch, Tinian (old world flycatcher)" under "BIRDS" from the List of Endangered and Threatened Wildlife.

Dated: August 20, 2004.

**Marshall P. Jones, Jr.,**

*Deputy Director, Fish and Wildlife Service.*

[FR Doc. 04–20700 Filed 9–20–04; 8:45 am]

BILLING CODE 4310–55–P

#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 031104274–4011–02; I.D. 091404I]

#### Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Closure of the Directed Fishery for *Illex* Squid

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

**ACTION:** Closure.

**SUMMARY:** NMFS announces that the directed fishery for *Illex* squid in the Exclusive Economic Zone (EEZ) will be closed effective 0001 hours, September 21, 2004. Vessels issued a Federal permit to harvest *Illex* squid may not retain or land more than 10,000 lb (4.54 mt) of *Illex* squid per trip for the remainder of the year (through December 31, 2004). This action is necessary to prevent the fishery from exceeding its yearly quota and allow for effective management of this stock.

**DATES:** Effective 0001 hours, September 21, 2004, through 2400 hours, December 31, 2004.

**FOR FURTHER INFORMATION CONTACT:** Don Frei, Fishery Management Specialist, 978–281–9221, fax 978–281–9135, e-mail don.frei@noaa.gov.

#### SUPPLEMENTARY INFORMATION:

Regulations governing the *Illex* squid fishery are found at 50 CFR part 648. The regulations require specifications for maximum sustainable yield, initial optimum yield, allowable biological catch, domestic annual harvest (DAH), domestic annual processing, joint venture processing and total allowable levels of foreign fishing for the species managed under the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan. The procedures for setting the annual initial specifications are described in § 648.21.

The 2004 specification of DAH for *Illex* squid was set at 24,000 mt (69 FR 4861, February 2, 2004). Section 648.22 requires NMFS to close the directed *Illex* squid fishery in the EEZ when 95 percent of the total annual DAH is

projected to be harvested. NMFS is further required to notify, in advance of the closure, the Executive Directors of the Mid-Atlantic, New England, and South Atlantic Fishery Management Councils; mail notification of the closure to all holders of *Illex* squid permits at least 72 hours before the effective date of the closure; provide adequate notice of the closure to recreational participants in the fishery; and publish notification of the closure in the **Federal Register**. The Administrator, Northeast Region,

NMFS, based on dealer reports and other available information, has determined that 95 percent of the total DAH for *Illex* squid has been harvested. Therefore, effective 0001 hours, September 21, 2004, the directed fishery for *Illex* squid is closed and vessels issued Federal permits for *Illex* squid may not retain or land more than 10,000 lb (4.54 mt) of *Illex*. Such vessels may not land more than 10,000 lb (4.54 mt) of *Illex* during a calendar day. The directed fishery will reopen effective

0001 hours, January 1, 2005, when the 2005 quota becomes available.

**Classification**

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

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

Dated: September 14, 2004.

**Alan D. Risenhoover**,  
*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 04-21210 Filed 9-16-04; 2:03 pm]

**BILLING CODE 3510-22-S**