

part 17. For NMFS the applicable ESA regulations would include those promulgated in 50 CFR part 222, 226 and 424.

In making this decision, the agencies recognized that certain ESA responsibilities pertaining to the Umpqua River ESU should be retained by NMFS for a short time so that pending rulemaking and consultation issues can be efficiently concluded prior to FWS assuming complete jurisdiction for the species. Because the original status review and listing decisions for this ESU were conducted by NMFS, the final de-listing assessment will continue to be conducted by NMFS. The results of this assessment have been announced in a **Federal Register** document¹ and, in accordance with section 4(a)(2)(B) of the ESA, will require FWS' concurrence on any de-listing determination for the Umpqua River ESU. Also, NMFS will continue to conduct ESA section 7 consultations for this ESU until publication of a final determination.

In addition, the agencies have determined that the FWS would conclude the final listing determination for southwestern Washington/Columbia River cutthroat trout populations in light of their proposed listing status. FWS has, therefore, assumed sole ESA regulatory responsibilities (e.g., conferencing requirements) for addressing these populations. Final listing determinations for the Southwestern Washington/Columbia River and Umpqua River populations are expected to be completed by April 2000. Regardless, both agencies will continue to coordinate activities such as section 7 consultations and Habitat Conservation Plans involving watersheds shared by coastal cutthroat trout and salmonid species under NMFS jurisdiction (e.g., steelhead, coho, and chinook salmon).

References Cited

A complete list of all references cited herein is available on request from the Fish and Wildlife Service (See **ADDRESSES** section).

Author

The primary author of this document is Rollie White, Fish and Wildlife Service, (see **ADDRESSES** section).

Authority

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

Dated: April 12, 2000.

Cynthia U. Barry,

Acting Regional Director, Region 1, Fish and Wildlife Service.

Dated: April 7, 2000.

Penelope D. Dalton,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[I.D. 041700B]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Closure of the Commercial Red Snapper Component

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

ACTION: Closure.

SUMMARY: NMFS closes the commercial fishery for red snapper in the exclusive economic zone (EEZ) of the Gulf of Mexico. NMFS has determined that the spring portion of the annual commercial quota for red snapper will be reached on May 8, 2000. This closure is necessary to protect the red snapper resource.

DATES: Closure is effective noon, local time, May 8, 2000, until noon, local time, on September 1, 2000.

FOR FURTHER INFORMATION CONTACT: Dr. Roy Crabtree, 727-570-5305.

SUPPLEMENTARY INFORMATION: The reef fish fishery of the Gulf of Mexico is managed under the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP). The FMP was prepared by the Gulf of Mexico Fishery Management Council and is implemented under the authority of the Magnuson-Stevens Fishery Conservation and Management Act by regulations at 50 CFR part 622. Those regulations set the commercial quota for red snapper in the Gulf of Mexico at 4.65 million lb (2.11 million kg) for the current fishing year, January 1 through December 31, 2000. The red snapper commercial fishing season is split into two time periods, the first commencing at noon on February 1 with two-thirds of the annual quota (3.06 million lb (1.39 million kg)) available, and the second commencing at noon on September 1 with the remainder of the

annual quota available. During the commercial season, the red snapper commercial fishery opens at noon on the first of each month and closes at noon on the 10th of each month, until the applicable commercial quotas are reached.

Under 50 CFR 622.43(a), NMFS is required to close the commercial fishery for a species or species group when the quota for that species or species group is reached, or is projected to be reached, by publishing a notification to that effect in the **Federal Register**. Based on current statistics, NMFS has determined that the available commercial quota of 3.06 million lb (1.39 million kg) for red snapper will be reached when the fishery closes at noon on May 8, 2000. Accordingly, the commercial fishery in the EEZ in the Gulf of Mexico for red snapper will remain closed until noon, local time, on September 1, 2000. The operator of a vessel with a valid reef fish permit having red snapper aboard must have landed and bartered, traded, or sold such red snapper prior to noon, local time, May 8, 2000.

During the closure, the bag and possession limits specified in 50 CFR 622.39(b) apply to all harvest or possession of red snapper in or from the EEZ in the Gulf of Mexico, and the sale or purchase of red snapper taken from the EEZ is prohibited. In addition, the bag and possession limits for red snapper apply on board a vessel for which a commercial permit for Gulf reef fish has been issued, without regard to where such red snapper were harvested. However, the bag and possession limits for red snapper apply only when the recreational quota for red snapper has not been reached and the bag and possession limit has not been reduced to zero. The prohibition on sale or purchase does not apply to sale or purchase of red snapper that were harvested, landed ashore, and sold prior to noon, local time, May 8, 2000, and were held in cold storage by a dealer or processor.

Classification

This action is taken under 50 CFR 622.43(a) and is exempt from review under Executive Order 12866.

Dated: April 17, 2000.

Bruce Morehead,

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

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¹ See the **Federal Register** issue of April 19, 2000 (I.D. 121198A).