

Dated: July 24, 1996.

Allyn M. Davis,

Acting Regional Administrator.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

#### **PART 52—[AMENDED]**

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

#### **Subpart T—Louisiana**

2. Section 52.970 is amended by adding paragraph (c)(67) to read as follows:

##### **§ 52.970 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

(67) A revision to the Louisiana State Implementation Plan for General Conformity: LAC 33:III. CHAPTER 14. SUBCHAPTER A “Determining Conformity of General Federal Actions to State or Federal Implementation Plan” as adopted by the Louisiana Department of Environmental Quality Secretary and published in the Louisiana Register, Vol. 20, No. 11, 1268, November 20, 1994, was submitted by the Governor on November 10, 1994.

(i) Incorporation by reference.

(A) Louisiana General Conformity: LAC 33:III. CHAPTER 14. SUBCHAPTER A “Determining Conformity of General Federal Actions to State or Federal Implementation Plan” as adopted by the Louisiana Department of Environmental Quality Secretary and published in the Louisiana Register, Vol. 20, No. 11, 1268, November 20, 1994.

3. Section 52.994 is added to read as follows:

##### **§ 52.994 Conditional approvals.**

(a) General Conformity. A letter, dated December 5, 1995, from Assistant Secretary of the Louisiana Department of Environmental Quality to the EPA Regional Administrator, commits the State to make corrections in section 1405(B) for restoring the EPA’s authority in certain sections of the rule. Specifically, the letter states that:

The State of Louisiana submitted a State Implementation Plan (SIP) for General Conformity on November 30, 1994. The SIP review conducted by EPA General Counsel identified an inconsistency with the federal rule.

EPA’s General Counsel advised that under 40 CFR 51.859 and LAC 33:III.1411, administrative authority belongs to EPA; and

clarifies that all requirements of Section 51.859 (State’s 1411) are applicable to any analyses required in 40 CFR 51.859 (State’s LAC 33:III.1405). To clarify that requirements of Section 1411 are applicable to Section 1405 and to correct the inconsistency, the sentence cited in EPA’s review will be changed to read as follows: ‘Emissions from federal actions must be determined using methods described in Section 1411 of this Subchapter.’ Since Section 1411 gives administrative authority to EPA regional administrator, no further clarification will be needed.

The State commits to make the above rule change within one year from the Federal Register publication of final notice of conditional approval to Louisiana’s General Conformity SIP.

(b) (reserved)

[FR Doc. 96–23264 Filed 9–12–96; 8:45 am]

BILLING CODE 6560–50–P

#### **DEPARTMENT OF THE INTERIOR**

#### **Fish and Wildlife Service**

#### **50 CFR Part 17**

RIN 1018–AD96

#### **Endangered and Threatened Wildlife and Plants; Listing of the Umpqua River Cutthroat Trout in Oregon**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** The U.S. Fish and Wildlife Service (FWS) is adding the Umpqua River cutthroat trout (*Oncorhynchus clarki clarki*) to the List of Endangered and Threatened Wildlife. This measure, authorized by the Endangered Species Act of 1973 (Act), corresponds with a determination of endangered status for this species, as defined under the Act, by the National Marine Fisheries Service (NMFS) which has jurisdiction for this species.

**EFFECTIVE DATE:** September 9, 1996.

**FOR FURTHER INFORMATION CONTACT:** E. LaVerne Smith, Chief, Division of Endangered Species, U.S. Fish and Wildlife Service, (703/358–2171).

**SUPPLEMENTARY INFORMATION:** In accordance with Reorganization Plan No. 4 of 1970, the NMFS, National Oceanic and Atmospheric Administration, Department of Commerce, is responsible for the decisions regarding the Umpqua River cutthroat trout under the Act. 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 FWS is responsible for the actual addition of a species to the List of Endangered and Threatened Wildlife in 50 CFR 17.11(h).

The NMFS published its determination of endangered status for the Umpqua River cutthroat trout on August 9, 1996 (61 FR 41514). Accordingly, the FWS is now adding it to the List of Endangered and Threatened Wildlife as an endangered species. This addition is effective as of September 9, 1996, as indicated in the NMFS’s determination. Because this action of the FWS is nondiscretionary, and in view of the public comment period provided by NMFS on the proposed listing (July 8, 1994; 50 FR 35089), the FWS finds that good cause exists to omit the notice and public comment procedures of 5 U.S.C. 553(b).

National Environmental Policy Act

The FWS 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 Act, as amended. A notice outlining the FWS’s reasons for this determination was published in the Federal Register on October 25, 1983 (48 FR 49244).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Export, Import, Reporting and recordkeeping requirements, and Transportation.

Regulation Promulgation

Accordingly, part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations is amended 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.

2. Section 17.11(h) is amended by adding the following, in alphabetical order under Fish, to the List of Endangered and Threatened Wildlife, to read as follows:

##### **§ 17.11 Endangered and threatened wildlife.**

\* \* \* \* \*

(h) \* \* \*

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
*	*	*	*	*	*		*
FISH							
*	*	*	*	*	*		*
Trout, Umpqua River cutthroat.	<i>Oncorhynchus clarki clarki</i> .	U.S.A. (AK, CA, OR, WA), Canada.	Umpqua R. (U.S.A.—OR) naturally spawning pops.in mainstem and tributaries.	E	588	NA	NA
*	*	*	*	*	*		*

Dated: August 29, 1996.

John G. Rogers,

Acting Director, Fish and Wildlife Service.

[FR Doc. 96-23451 Filed 9-12-96; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 285

[I.D. 090696G]

#### Atlantic Tuna Fisheries; Fishery Closure

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

**ACTION:** Closure.

**SUMMARY:** NMFS has determined that the Atlantic bluefin tuna (ABT) General category quota for the September period has been attained. Therefore, the General category fishery for the September period will be closed effective at 11:30 p.m. on September 9, 1996. This action is being taken to prevent overharvest of the adjusted 165 metric tons (mt) subquota for the September period. In addition, NMFS has determined that the Incidental other category has attained its 1996 annual quota. Therefore, the Incidental other category for 1996 will be closed effective September 9, 1996.

**EFFECTIVE DATES:** The closure of the General category for the September period is effective 11:30 p.m. local time on September 9, 1996, through September 30, 1996, and the closure of the Incidental other category is effective 11:30 p.m. local time on September 9, 1996, through December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** John Kelly, 301-713-2347, or Mark Murray-Brown, 508-281-9260.

#### SUPPLEMENTARY INFORMATION:

Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) governing the harvest of ABT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 285. Section 285.22 subdivides the U.S. quota recommended by the International Commission for the Conservation of Atlantic Tunas among the various domestic fishing categories.

NMFS is required, under 285.20(b)(1), to monitor the catch and landing statistics and, on the basis of these statistics, to project a date when the catch of ABT will equal the quota and publish a Federal Register announcement to close the applicable fishery.

#### General Category Closure

Implementing regulations for the Atlantic tuna fisheries at 50 CFR 285.22 provide for a quota of 159 mt of large medium and giant ABT to be harvested from the regulatory area by vessels fishing under the General category quota during the period beginning September 1 and ending September 30. Due to an underage of 6 mt in the August subquota, the September subquota was adjusted to 165 mt. Based on reported catch and effort, NMFS projects that this revised quota has been reached. Therefore, fishing for, retaining, possessing, or landing large medium or giant ABT under the General category quota must cease at 11:30 p.m. local time September 9, 1996. The General category will reopen October 1, 1996 with a quota of 63 mt for the October-December period. Note that this October-December quota includes a 10-mt set aside for the New York Bight fishery.

#### Incidental Other Category Closure

Implementing regulations for the Atlantic tuna fisheries at 50 CFR 285.22 provide for a quota of 1 mt of large

medium and giant ABT to be harvested from the regulatory area by vessels fishing under the Incidental other category quota over the period January 1 - December 31. Based on reported catch, NMFS projects that this quota has been reached. Therefore, retaining, possessing, or landing large medium or giant ABT under the Incidental other category quota must cease at 11:30 p.m. local time September 9, 1996.

#### Classification

This action is taken under 50 CFR 285.20(b) and 50 CFR 285.22 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 971 *et seq.*

Dated: September 9, 1996.

Gary C. Matlock,

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

[FR Doc. 96-23449 Filed 9-9-96; 4:39 pm]

BILLING CODE 3510-22-F

#### 50 CFR Part 622

[Docket No. 96061317-6247-02; I.D. 050996C]

RIN 0648-AI71

#### Reef Fish Fishery of the Gulf of Mexico; Amendment 13

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

**ACTION:** Final rule.

**SUMMARY:** NMFS issues this final rule to implement Amendment 13 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP). Amendment 13 extends the red snapper vessel permit endorsement and trip limit system until implementation of either the individual transferrable quota (ITQ) system approved under Amendment 8 to the FMP or an alternate program to restrict access to