

including any pending petitions for rulemaking or outstanding exemptions. MTB received no comment addressing these concerns.

MTB has determined that this final rule is not a "major rule" under the terms of Executive Order 12291 or a significant regulation under DOT's regulatory policy and procedures (44 FR 11034), nor requires an environmental impact statement under the National Environmental Policy Act (49 U.S.C. 4321 *et seq.*).

Based on limited information available concerning the size and nature of entities likely to be affected by this final rule, I certify that this final rule will not have a significant economic impact on a substantial number of small entities because the overall economic impact of this rule will be minimal. A regulatory evaluation and environmental assessment are available for review in the docket.

**List of Subjects**

**49 CFR Part 172**

Hazardous Materials Transportation, Labeling, Packaging and containers.

**49 CFR Part 173**

Hazardous Materials Transportation, Packaging and containers.

In consideration of the foregoing, Parts 172 and 173 of 49 CFR are amended as follows:

1. Section 172.101 is amended by revising the following entries:

**PART 172—HAZARDOUS MATERIALS TABLES AND HAZARDOUS MATERIALS COMMUNICATIONS REGULATIONS**

+EAW	Hazardous materials descriptions and proper shipping names	Hazard class	Identification number	Label(s) required (if not excepted)	Packaging		Maximum net quantity in one package		Water shipments		
					Excep-tions	Specific require-ments	Passenger carrying aircraft or railcar	Cargo aircraft only	Cargo ves-sel	Pas-senger vessel	Other requirements
(1)	(2)	(3)	3(a)	(4)	5(a)	5(b)	6(a)	6(b)	7(a)	7(b)	7(c)
	Matches, safety, book card, or strike-on box	Flammable solid	UN 1844	None	§ 173.176	None	50 pounds	50 pounds	1.2	1.2	
	Matches, strike anywhere	Flammable solid	UN 1331	Flammable solid	None	§ 173.176a	Forbidden	Forbidden	1.2	1	

**PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS**

2. Section 173.176 is revised to read as follows:

**§ 173.176 Safety matches.**

(a) Safety matches (strike-on-box, book, and card) are matches which are intended to be ignited on a prepared surface. Safety matches, when offered for transportation, must be of a type which will not ignite spontaneously or undergo marked decomposition when subjected for eight consecutive hours to a temperature of 200 °F. (93.3 °C.). As used in this section, the term "safety matches" includes matches combined with or attached to the box, book, or card.

(b) Safety matches must be tightly packed in securely closed inside packagings to prevent accidental ignition under conditions normally incident to transportation, and further packed in outside fiberboard, wooden, or other equivalent-type packagings. Safety matches in outside packagings not exceeding 50 pounds gross weight are not subject to any other requirement (except marking) of this subchapter. Safety matches may be packed in the same outside packaging with materials not subject to this subchapter.

3. Section 173.176a is added to read as follows:

**§ 173.176a Strike anywhere matches.**

(a) Strike anywhere matches are matches which may be ignited by friction on a solid surface. Strike anywhere matches, when offered for transportation, must be of a type which will not ignite spontaneously or undergo marked decomposition when one complete inside package is subjected for eight consecutive hours to a temperature of 200 °F. (93.3 °C.).

(b) Strike anywhere matches may not be packed in the same outside packaging with any material other than safety matches. The safety matches must be packed in separate inside packagings.

(c) *Inside packagings.* Strike anywhere matches must be tightly packed in securely closed chipboard, fiberboard, wooden, or metal inside packagings to prevent accidental ignition under conditions normally incident to transportation. Each inside packaging may contain no more than 700 strike anywhere matches.

(d) *Outside packagings.* Strike anywhere matches must be packed in specification packagings as follows:

(1) Spec. 15A or 19B (§§ 178.191 of this subchapter). Wooden boxes, with inside packages. Gross weight must not exceed 100 pounds.

(2) Spec. 12B or 12C (§§ 178.205, 178.206 of this subchapter). Fiberboard boxes, with inside packages. Gross weight must not exceed 60 pounds. Fill-in pieces specified by § 178.205-14 or

§ 178.206-14 of this subchapter are not required.

(49 U.S.C. 1803, 1804, 1808, 49 CFR 1.53; App. A to Part 1)

Issued in Washington, D.C. on September 7, 1984.

L.D. Santman,  
Director, Materials Transportation Bureau.

[FR Doc. 84-24209 Filed 9-12-84; 8:45 am]

BILLING CODE 4910-60-M

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 17**

**Endangered and Threatened Wildlife and Plants; Determination of Experimental Population Status for an Introduced Population of Delmarva Fox Squirrel**

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

**ACTION:** Final rule.

**SUMMARY:** The U.S. Fish and Wildlife Service will introduce Delmarva Peninsula fox squirrels (*Sciurus niger cinereus*) into Sussex County, Delaware and designate this population as "nonessential experimental" in accordance with section 10(j) of the Endangered Species Act of 1973 (ESA), as amended. Section 10(j) of that Act authorizes "experimental" populations of endangered species to be treated as if

they were threatened for purposes of section 9. The Service has much more discretion in devising a management program for threatened species than for endangered species, especially on matters regarding incidental or regulated taking. Accordingly, a special rule to allow take in accordance with State law has been developed for this nonessential experimental population. Because this experimental population is "nonessential," the formal consultation requirement and prohibitions of section 7(a)(2) will not apply to this population. In the past, this species was more widespread, being found throughout the Delmarva Peninsula. This action is being taken in an effort to reestablish the Delmarva fox squirrel in an area outside its current range but within its historic range.

**DATES:** This rule takes effect September 13, 1984.

**ADDRESSES:** Questions concerning this action should be addressed to the Regional Director, U.S. Fish and Wildlife Service, Suite 700, One Gateway Center, Newton Corner, Massachusetts 02158. Comments and materials relating to this rule are available for public inspection by appointment during normal business hours at the Service's Regional Office in Newton Corner, Massachusetts.

**FOR FURTHER INFORMATION CONTACT:** Mr. Steve Parry, Assistant Regional Director, U.S. Fish and Wildlife Service, Newton Corner, Massachusetts 02158 (617/965-5100) or FTS 829-9316.

**SUPPLEMENTARY INFORMATION:** The Service determines that the 30-day delay in effective date called for under the Administrative Procedure Act for final regulations must be waived for good cause as described below.

Delaware contends that the Delmarva fox squirrels must be released by the week of September 17, 1984, to insure their maximum survivability. Release after that week would greatly reduce the likelihood of a successful transplantation due to lack of food and cover. The animals must be allowed to establish themselves before the advent of cold weather.

The Service concurs with this position and sets the effective date of this regulation on the date of publication.

#### Background

The Endangered Species Act Amendments of 1982, Pub. L. 97-304, became effective on October 13, 1982. Among the significant changes made by the 1982 Amendments was the creation of a new section 10(j) which established procedures for the designation of specific populations of listed species as "experimental populations." Under

conservation authorities present in the Endangered Species Act previous to the 1982 Amendments, the Service was permitted to translocate populations into unoccupied portions of a listed species' historical range when it would foster the conservation and recovery of the species.

Local opposition to translocation efforts, however, severely handicapped the effectiveness of translocation as a management tool. This opposition stemmed from concerns regarding the restrictions and prohibitions on private and Federal activities affecting endangered species under sections 7 and 9 of the Act. Under section 10(j) of the 1982 Amendments, past and future translocated populations established outside the current range may now be designated, at the discretion of the Service, as "experimental." Such a designation will increase the Service's flexibility to manage these translocated populations because the Amendments provide that such experimental populations of species which are otherwise listed as endangered may be treated as threatened. The Service has much more discretion in devising management programs for threatened species than for endangered species, especially on matters regarding incidental or regulated takings. Moreover, experimental populations found to be "nonessential" to the continued existence of the species in question would be treated as if they were only proposed for listing for purposes of section 7 and therefore would not be afforded protection under section 7(a)(2) of the Act, which requires Federal agencies to refrain from activities that are unlikely to jeopardize the continued existence of a listed species or destroy or adversely modify its critical habitat. The individual organisms comprising the designated experimental population will be removed from an existing source or donor population only after it has been determined that the removal itself will not violate section 7(a)(2) of the ESA and complies with the permit requirements in section 10(a) (1) (A) and (d). The species included in this rule is the Delmarva Peninsula fox squirrel (*Scirus niger cinereus*), which is currently listed as endangered.

The Delmarva fox squirrel was historically found in southeastern Pennsylvania, Delaware, south-central New Jersey, eastern Maryland, and the Virginia portion of the Delmarva Peninsula. It is believed that the fox squirrel was never as abundant as the gray squirrel. Although little is known about its former distribution, it is likely that it was scattered and discontinuous

throughout its range with more specific habitat requirements than those of the gray squirrel.

The fox squirrel was confined to savannah or park-like areas, forests bordering rivers and streams, and small open woodlots with little or no understory. As the forests were cut for agricultural purposes and forest products, they became unsuitable for fox squirrels. As the forest regrew, dense undergrowth developed, at least during the pole and early saw timber stages. Before second-growth forests were old enough to develop the open park-like conditions of mature forests, they were cut again. Thus, environments suitable to Delmarva fox squirrels were not recreated in the cutting cycle, and Delmarva fox squirrels declined and disappeared in many areas. By the turn of the century this animal had disappeared from southern New Jersey, Pennsylvania, and Virginia, but it is thought that it remained in Delaware until possibly the 1930's. It is currently found in eastern Maryland and was reintroduced into eastern Virginia in the 1970's.

Throughout their range, fox squirrels are currently adapted to these park-like conditions. They are often found in savannah areas, oak openings, and in narrow belts of trees along streams and rivers.

Good fox squirrel habitat contains mature trees that produce a dependable annual mast crop with a variety of tree species providing insurance against a food shortage brought about by failure of one or more of the species present. Good habitat for this species is currently located in Sussex County, Delaware. The establishment of an experimental population in this area will greatly enhance the recovery potential of this species by reestablishing a population in its former range. After the effective date of this rule, 6-18 fox squirrels taken from viable populations located in Dorchester and Talbot Counties, Maryland, will be introduced into the Sussex County site. The Dorchester and Talbot county populations have been monitored by the State of Maryland for the past 10 years. These are healthy populations that are naturally expanding their current range. The removal of 6-18 animals over a period of 18 months is not likely to jeopardize the continued existence and viability of these populations and release of this experimental population in Sussex County, Delaware, will further the conservation of the species throughout its range.

### Status of Reintroduced Populations

The reintroduced population of Delmarva Peninsula fox squirrels is designated as an experimental population that is "nonessential" to the continued existence of the species according to the provisions of the 1982 Amendments to the Endangered Species Act. Thus, section 7(a)(1), which authorized Federal agencies to establish programs furthering the conservation of the species, and section 7(a)(4), which requires Federal agencies to confer informally with the Secretary regarding actions that are likely to jeopardize the continued existence of the species, would apply to the fox squirrels in the experimental population. The restrictions on Federal agency activity in section 7(a)(2), which pertain to listed species, would not apply.

Justification for the "nonessential" status for the introduced experimental population is as follows: By the early 1970's, the Delmarva fox squirrel was found in portions of four eastern shore counties of Maryland, and one location in Virginia. In Kent County, Maryland, this species is known from the Eastern Neck National Wildlife Refuge (NWR) and in Accomac County, Virginia, from the Chincoteague NWR (a translocated population established in the early 1970's).

Population status has changed since the early 1970's, principally due to translocation efforts by the State of Maryland to restore this species. Additional translocated and reproducing populations now exist within historic range in the Maryland counties of Cecil, Kent (outside of Eastern Neck NWR), Somerset, Worcester, Dorchester, and Talbot, and a summer 1982 translocation to Northampton County, Virginia has been accomplished. These successful transplantations indicate that the likelihood of the success of this effort is very high.

Techniques for trapping and relocating this species are in place. Relocation efforts have been successful in Maryland for the past 10 years and techniques are continually being improved and refined. Monitoring of 6 release sites in Maryland has shown reproduction in five of six sites within 1 year of release and the Chincoteague site now serves as a donor population for other reintroductions. This suggests that no new procedures need to be developed to proceed with this reintroduction.

The removal of individuals from extant populations in Talbot and Dorchester County is not expected to affect adversely the viability of those populations; therefore, the loss of the

reintroduced populations is not likely to appreciably reduce the likelihood of the survival of the species in the wild. In fact, the anticipated success of this reintroduction will enhance the recovery potential of this species by extending its current range and occupying currently unutilized habitat.

### Location of Reintroduced Populations

The site for reintroduction of Delmarva Peninsula fox squirrels is totally isolated from existing populations of this species. The fox squirrels will be released into the Assawoman Wildlife Area in Sussex County, Delaware, in the extreme southeast corner of the State between Miller and Dirikson Creeks. This is approximately 50 miles from the nearest extant population located at the Chincoteague NWR.

Previous releases of this species have shown that individuals are not likely to travel more than 2 to 3 miles from the point of release. This assures that the Delaware population will remain geographically isolated and easily identifiable from other extant populations.

### Management

This translocation project will be a joint cooperative effort between the Delaware Department of Natural Resources and Environmental Control, the Maryland Department of Natural Resources, and the Fish and Wildlife Service. The Delmarva Fox Squirrel Recovery Plan identifies reintroduction as a viable recovery task for enhancing recovery of the species and has been endorsed by the fox squirrel recovery team. Present plans call for the release of approximately 6 animals (4 females, 2 males) in the fall of the year, followed 6 months later with a spring release of approximately 6 additional animals (4 females, 2 males). A third release of approximately 6 animals the following fall will result in a total reintroduction of approximately 18 animals.

Released animals will be checked periodically to determine movement, reproductive success, and general health. The activities of the introduced population will be continually monitored by the Delaware Department of Natural Resources and Environmental Control and will be reported to the Delmarva Fox Squirrel Recovery Team and the FWS. It will be the responsibility of the Service to compile and disseminate this information to interested parties.

This nonessential experimental population will be treated as a threatened species under all provisions of the Act other than section 7 (except subsection (a)(1) thereof). All of the

prohibitions referred to in the special rule apply to this population. Members of this experimental population could be incidentally taken in accordance with applicable State law. Thus, if a squirrel hunter accidentally took a member of this experimental population based upon a misidentification of the species, there would be no violation of the Endangered Species Act, although it would be a violation of State law.

This reintroduction is not expected to conflict with human activities or hinder the utilization of the Assawoman Wildlife Area by the public. The reintroduction site is managed by the State of Delaware for the enhancement of the State's native wildlife resources and the introduction of Delmarva fox squirrel is consistent with this effort.

The Service proposed to adopt rules governing the designation of this Delmarva fox squirrel population as experimental on April 5, 1984 (49 FR 13558).

### Summary of Comments and Recommendations

The Service received comments from the following:

Delaware Department of Natural Resources and Environmental Control, Maryland Department of Natural Resources, and the National Wildlife Federation (NWF).

Delaware and Maryland expressed support of this effort as they have throughout the development of this regulation and all the preliminary efforts to identify release sites and to formulate management objectives. Delaware pointed out that the Management section should be amended to reflect the actual reintroduction timetable from spring (stated in the proposed rule) to fall of 1984 for the first release. A second release would occur the following spring and a third release in the fall of 1985. This correction has been made. Delaware also requested that a phrase be added to the last sentence of the Management section clearly expressing that take of Delmarva fox squirrel is in violation of State law. We have complied with the request and amended this section accordingly, as well as having refined the special rule language to carefully tailor the protections afforded to meet the "necessary and advisable" test of section 4(d) of the Act.

NWF stated that allowing incidental take is arbitrary and expressed opposition to the special rule which allows take in accordance with State law. They believe that relaxation of the restrictions imposed by section 7 and 9 of the Act are not justified without the

State having expressed opposition to reintroduction. The Service regrets this misunderstanding. The decisions to designate this population as experimental nonessential and to develop the special rules associated with this designation were based on extensive discussion with Delaware and Maryland and the final position as expressed in this regulation is a consensus of those discussions.

Without the experimental designation and relaxed protections, this action would face opposition from the State of Delaware.

To clarify the take restriction and exemptions in this regulation, the Service has made wording changes in the following sections: The Management section was reworded to indicate that take prohibitions for this population are referred to in the special rule. In addition, the special rule was reworded to incorporate the specific prohibitions and restrictions that apply to this population. The Service believes this is necessary to clarify the incidental take question and to clarify the responsibilities of both Delaware and the Service in this undertaking.

Executive Order 12291, Paperwork Reduction Act, and Regulatory Flexibility Act.

The U.S. Fish and Wildlife Service has determined that this is not a major rule

as defined by Executive Order 12291; that the rule would not have a significant economic effect on a substantial number of small entities as described in the Regulatory Flexibility Act (Pub. L. 96-354). The introduction site occurs within several miles of Atlantic Ocean resorts in a region that can be considered as high use for vacationers and wildlife enthusiasts. However, this site is not in the vicinity of a high concentration of year-round inhabitants. The Assawoman Wildlife Area has been set aside by the State of Delaware for wildlife use. The introduction of a nonessential experimental population into this area is compatible with current utilization of the site and is expected to have no impact on public use days. No private entities will be affected by this action. The rule as proposed does not contain any information collection or recordkeeping requirements as defined in the Paperwork Reduction Act of 1980 (Pub. L. 96-511).

**National Environmental Policy Act (NEPA)**

An Environmental Assessment (EA) under NEPA has been prepared and is available to the public at the Office of Endangered Species, U.S. Fish and Wildlife Service at the address listed above. Based upon the information

considered in the EA, a decision has been made that the preparation of an Environmental Impact Statement is not required for this action.

**Author**

The principal author of this proposal is Peter G. Poulos, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240.

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

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture).

**Regulation Promulgation**

**PART 17—[AMENDED]**

Accordingly, Part 17, Subchapter B of Chapter I, Title 50 of the U.S. Code of Federal Regulations, is amended as set forth below:

1. The authority citation for Part 17 reads as follows:

Authority: Pub. L. 93-205, 87 Stat. 884; Pub. L. 94-359, 90 Stat. 811; Pub. L. 95-632, 92 Stat. 3751; Pub. L. 96-159, 93 Stat. 1225; and Pub. L. 97-304, 98 Stat. 1411 (16 U.S.C. 1531 *et seq.*).

2. Amend Section 17.11(h) by adding the following in alphabetical order (following the existing entry for this species) to the list of endangered and threatened mammals:

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Mammals							
Squirrel, Delmarva Peninsula fox.....	<i>Sciurus niger cinereus</i> .....	U.S.A. (Delmarva Peninsula to southeast PA).	U.S.A. (De—Sussex County).....	XN	161	NA	17.84(a)

3. Part 17 is amended by adding new paragraph (a) to § 17.84 to read as follows:

**§ 17.84 Special rules—Vertebrates.**

(a) Delmarva Peninsula fox squirrel (*Sciurus niger cinereus*).

(1) The Delmarva Peninsula fox squirrel population identified in paragraph (6) below is a nonessential experimental population.

(2) No person shall take this species, except:

(i) For educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act and in accordance with applicable State fish and wildlife conservation laws and regulations; or

(ii) Incidental to recreational activities.

(3) Any violation of applicable State fish and wildlife conservation laws or regulations with respect to the taking of this species (other than incidental taking as described in paragraph (2)(ii)) will also be a violation of the Endangered Species Act.

(4) No person shall possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever, any such species taken in violation of these regulations or in violation of applicable State fish and wildlife laws or regulations or the Endangered Species Act.

(5) It is unlawful for any person to attempt to commit, solicit another to

commit, or cause to be committed, any offense defined in paragraph (2) or (4).

(6) The site for reintroduction of Delmarva Peninsula fox squirrel is totally isolated from existing populations of this species. The nearest extant population is in the Chincoteague National Wildlife Refuge approximately 50 miles from the reintroduction site. The reintroduction site is within the historic range of this species and is located at the Assawoman Wildlife Area, Sussex County, Delaware. Observation of previous releases have shown that fox squirrels have not traveled more than 2 or 3 miles from release sites, therefore, the possibility of this population contacting extant wild populations is unlikely.

(7) The reintroduced population will be checked periodically to determine its condition and the success of the reintroduction. Of special concern will be the establishment of breeding pairs and the reproductive success of the population. The movement patterns of the released individuals and the overall health of the population will also be observed.

[Experimental Population for Delmarva Peninsula Fox Squirrel]

Dated: August 22, 1984.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife Parks.

[FR Doc. 84-24193 Filed 9-12-84; 8:45 am]

BILLING CODE 4310-55-M

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 672

[Docket No. 40302-21]

#### Groundfish of the Gulf of Alaska; Notice of Closure

**AGENCY:** National Marine Fisheries Service (NMFS), NOAA, Commerce.  
**ACTION:** Notice of closure.

**SUMMARY:** The Director, Alaska Region, NMFS (Regional Director), has determined that the optimum yield of sablefish will be achieved in the Central Regulatory Area of the Gulf of Alaska, and that a closure of this area to a directed fishery for sablefish by fishermen of the United States is necessary to prevent overfishing of sablefish. This action is intended to promote the conservation of sablefish.

**DATES:** This notice is effective at noon, Alaska Daylight Time (ADT), September 11, 1984, until noon, Alaska Standard Time, December 31, 1984. Public comments are invited on this closure until September 26, 1984.

**ADDRESS:** Comments should be sent to Robert W. McVey, Director, Alaska Region, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802. During the comment period, the data upon which this notice is based will be available for public inspection during business hours (8:00 a.m. to 4:30 p.m., weekdays) at the NMFS Alaska Regional Office, Federal Building, Room 453, 709 West Ninth Street, Juneau, Alaska.

**FOR FURTHER INFORMATION CONTACT:** Ronald J. Berg (Fishery Management Biologist, NMFS), 907-586-7230.

**SUPPLEMENTARY INFORMATION:** The Fishery Management Plan for the Groundfish Fishery of the Gulf of Alaska (FMP), which governs the groundfish fishery in the fishery conservation zone under the Magnuson Fishery Conservation and Management Act (Magnuson Act), provides for inseason adjustments of fishing seasons and areas. Implementing rules at §§ 672.20 and 672.22 specify that these adjustments will be made by the Secretary of Commerce (Secretary by notice in the Federal Register).

Three regulatory areas of the Gulf of Alaska are defined in § 672.2. One of these is the Central Regulatory Area, for which the optimum yield (OY) of sablefish is 3,060 metric tons (mt). Of this amount, 160 mt will be harvested by foreign nations and 290 mt will be harvested by U.S. fishermen in joint ventures. These amounts will be taken, as operational bycatches in directed fisheries for the other target species, during the remainder of the fishing year. Through August 25, 1984, U.S. fishermen have harvested and landed 2,116 mt of sablefish in the directed sablefish fishery. The balance of the OY available to U.S. fishermen for a directed fishery is 494 mt, which will be harvested by noon on September 11, 1984. The Regional Director has determined that the OY for sablefish will be taken by U.S. and foreign fishermen during the 1984 fishing year and that further fishing for sablefish by U.S. fishermen beyond September 11, 1984, would cause the OY to be exceeded.

Therefore, the Secretary issues this notice prohibiting further fishing for sablefish by U.S. fishermen in a directed fishery in the Central Regulatory Area after noon on September 11, 1984. This closure will be effective when this notice is filed for public inspection with the Office of the Federal Register and after it has been publicized for 48 hours through procedures of the Alaska Department of Fish and Game. If comments are received, the necessity of this closure will be reconsidered and a subsequent notice will be published in the Federal Register, either confirming this notice's continued effect, modifying it, or rescinding it.

#### Other Matters

The sablefish stock in the Central Regulatory Area will be subject to harm unless this order takes effect promptly. The Agency therefore finds for good cause that advance notice and public comment on this order is contrary to the public interest and that the effective date should not be delayed.

This action is taken under the authority of §§ 672.20 and 672.22 and

complies with Executive Order 12291. It is not subject to the requirements of the Regulatory Flexibility Act. It requires no collection of information for purposes of the Paperwork Reduction Act.

#### List of Subjects in 50 CFR 672

Fisheries.

(16 U.S.C. 1801 *et seq.*)

Dated: September 10, 1984.

Carmen J. Blondin,

Deputy Assistant Administrator for Fisheries Resource Management, National Marine Fisheries Service.

[FR Doc. 84-24257 Filed 9-12-84; 8:45 am]

BILLING CODE 3510-22-M

#### 50 CFR Part 663

[Docket No. 40453-4053]

#### Pacific Coast Groundfish Fishery

**AGENCY:** National Marine Fisheries Service (NMFS), NOAA, Commerce.

**ACTION:** Notice of fishing restrictions and request for comments.

**SUMMARY:** NMFS issues this notice establishing restrictions which further reduce the levels of fishing for widow rockfish taken off the coasts of Washington, Oregon, and California, and seeks public comment on this action. This action is authorized under regulations implementing the Pacific Coast Groundfish Fishery Management Plan and is necessary to help prevent the optimum yield for widow rockfish from being reached before the end of 1984. This action is intended to lower fishing rates, reduce the risk of biological stress, and reduce the probability of fishery closure before the end of the year.

**DATE:** This notice is effective from 0001 (Pacific Daylight Time) September 9, 1984, until modified, superseded, or rescinded. Comments will be accepted through September 24, 1984.

**ADDRESSES:** Send comments to Dr. T.E. Kruse, Acting Director, Northwest Region, National Marine Fisheries Service, 7600 Sand Point Way NE, BIN C15700, Seattle, WA 98115; or to Mr. E.C. Fullerton, Director, Southwest Region, National Marine Fisheries Service, 300 South Ferry Street, Terminal Island, CA 90731. The aggregate data upon which this notice is based are available for public inspection at the Office of the Director, Northwest Region, at the address above, during business hours until the end of the comment period.