DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service
50 CFR Part 17
RIN 1018-AB41
Endangered and Threatened Wildlife and Plants; Emergency Listing of the Sacramento River Winter-Run Chinook Salmon
ACTION: Emergency rule.
SUMMARY: The Service is adding the Sacramento River winter-run Chinook salmon (Oncorhynchus tshawytscha) to the List of Endangered and Threatened Wildlife for 240 days. This measure is required by section 4(a)(2)(A) of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in order to implement an emergency determination of threatened status by the National Marine Fisheries Service, which has jurisdiction for the winter-run Chinook Salmon.
DATES: This emergency listing is effective on April 2, 1990 and expires on November 28, 1990, or until the final listing is effective, whichever occurs first.
SUPPLEMENTARY INFORMATION: Under the Endangered Species Act, and in accordance with Reorganization Plan No. 4 of 1970, the National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration, Department of Commerce, is responsible for the Sacramento River winter-run Chinook salmon.
salmon. Under section 4(a)(2)(A) of the Act, NMFS must decide whether a species under its jurisdiction should be listed as endangered or threatened. The Fish and Wildlife Service (FWS) is responsible for the actual addition of a species to the List of Endangered and Threatened Wildlife in 50 CFR 17.11(h).

NMFS published its emergency determination of threatened status for the Sacramento River winter-run Chinook salmon published April 2, 1990 (55 FR 12191) in final rules section under the Department of Commerce, National Oceanic and Atmospheric Administration). Accordingly, the FWS is required by section 4(a)(2)(A) of the Act to add the Sacramento River winter-run Chinook salmon as a threatened species to the List of Endangered and Threatened Wildlife for the 240-day period of the NMFS emergency rule.

Because this FWS action is nondiscretionary, and in view of NMFS's emergency finding under section 4(b)(7) of the Act, the FWS finds that good cause exists to omit the notice and public comment procedures of 5 U.S.C. 553(b).

The FWS also has determined that an Environmental Assessment, as defined under the authority of the National Environmental Policy Act of 1969 does not need to be prepared in regard to regulations adopted under section 4(a) of the Act. A notice outlining the reasons for this determination was published in the Federal Register on October 25, 1985 (48 FR 49244).

List of Subjects in 50 CFR Part 17

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

§ 17.11 Endangered and threatened wildlife.

(h) * * *

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<tr>
<th>Species</th>
<th>Common name</th>
<th>Scientific name</th>
<th>Historic range</th>
<th>Vertebrate population where endangered or threatened</th>
<th>Status</th>
<th>When listed</th>
<th>Critical habitat</th>
<th>Special rules</th>
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<td>Salmon, chinook</td>
<td>Oncorhynchus tshawyts-</td>
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Richard N. Smith,
Acting Director, Fish and Wildlife Service.

[FR Doc. 90-7058 Filed 4-5-90; 8:45 am]

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