

Section 648.22 requires NMFS to close the directed Loligo squid fishery in the EEZ when 80 percent of the quarterly allocation is harvested in Quarters I, II, and III, and when 95 percent of the total annual DAH has been 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 *Loligo* 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 80 percent of the DAH for *Loligo* squid in Quarter I will be harvested. Therefore, effective 0001 hours, February 20, 2005, the directed fishery for *Loligo* squid is closed and vessels issued Federal permits for *Loligo* squid may not retain or land more than 2,500 lb (1,134 kg) of *Loligo* during a calendar day. The directed fishery will reopen effective 0001 hours, April 1, 2005, when the Quarter II 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: February 14, 2005.

Alan D. Risenhoover,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[I.D. 021505A]

Fisheries off West Coast States and in the Western Pacific; Western Pacific Crustacean Fisheries; 2005 Bank-specific Harvest Guidelines

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

ACTION: Notification of no harvest guideline for crustaceans.

SUMMARY: NMFS announces that an annual harvest guideline for the commercial lobster fishery in the Northwestern Hawaiian Islands (NWHI) will not be issued for the year 2005.

FOR FURTHER INFORMATION CONTACT: Alvin Katekaru, NMFS Pacific Islands Regional Office, at (808)973-2937.

SUPPLEMENTARY INFORMATION: Under the regulations implementing the Fishery Management Plan for Crustacean Fisheries of the Western Pacific Region (Crustaceans FMP) at 50 CFR

660.50(b)(2), every year NMFS is required to publish a harvest guideline for lobster Permit Area 1, which encompasses the exclusive economic zone (0 to 200 nm from shore) around the NWHI. The fishery has been closed since 2000. This action is (a) taken as a precautionary measure to prevent overfishing of the lobster resources while NMFS conducts biological research and assessment on the lobster stocks; (b) in compliance with an order of the U.S. District Court for the District of Hawaii to keep the NWHI commercial lobster fishery closed until an environmental impact statement and a biological opinion have been prepared for the Crustaceans FMP; and (c) consistent with Executive Orders 13178 and 13196, issued in December 2000 and January 2001, respectively, that established the NWHI Coral Reef Ecosystem Reserve.

NMFS will not publish any harvest guideline for the NWHI commercial lobster fishery for the year 2005, and no harvest of NWHI lobster resources is allowed. NMFS intends to continue to study and assess the status of the lobster populations in the NWHI and examine the resulting information to determine the appropriate direction for future fishery management actions.

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

Dated: February 15, 2005.

Alan D. Risenhoover,
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