UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

February 9, 2009

MEMORANDUM FOR: The Record

FROM: Robert D. Mecum
Acting Administrator, Alaska Region

SUBJECT: Categorical Exclusion for a Regulatory Amendment to Remove Outdated Text from Regulations at 50 CFR part 679

Description of the Actions

This non-controversial rule removes regulations in 50 CFR part 679 that are expired. The corrections in this rule will remove the clutter of outdated regulations which will result in clearer regulations and will reduce the potential for confusion.

In § 679.20, NMFS would remove paragraphs (a)(5)(i)(D), (E), and (F), (a)(5)(iv)(C), and (c)(2); and remove the parenthetical phrase "(Effective April 1, 2005)" from paragraphs (c)(5) and (c)(6).

This action improves the efficiency of the regulations and is necessary to remove the clutter of outdated regulations and potential confusion.

Effects of the Actions

Removal of outdated regulations does not have the potential to pose significant effects to the quality of the human environment. Improving the efficiency of regulations is an action of a routine administrative nature.

Categorical Exclusion

These actions would not result in any changes to the human environment. As defined in Sections 505 and Sec. 6.03.b.3c(i), actions such as routine operations and routine maintenance and regulations and guidelines of an administrative, financial, legal, technical or procedural nature, are categorically exempt from additional NEPA analysis.

As such, these actions are categorically excluded from the need to prepare an Environmental Assessment.

cc: Records
Alaska Region NEPA Coordinator: Steven K. Davis