

limit for vessels fishing under the General category quota reverts to one fish per day on authorized fishing days. Additionally, the scheduled RFDs for September 16, 17, 19, 23, 24, 26, 30, and October 1 and 3, remain in effect. If catch rates continue to be low after September 15, daily retention limits may be increased and some or all of the remaining previously scheduled RFDs may be waived as well.

Inseason Transfer to the Harpoon Category

Under the implementing regulations at 50 CFR 635.27 (a)(7), NMFS has the authority to allocate any portion of the Reserve to any category quota in the fishery, other than the Angling category school BFT subquota (for which there is a separate reserve), after considering the following factors: (1) The usefulness of information obtained from catches in the particular category for biological sampling and monitoring of the status of the stock; (2) the catches of the particular category quota to date and the likelihood of closure of that segment of the fishery if no allocation is made; (3) the projected ability of the vessels fishing under the particular category quota to harvest the additional amount of BFT before the end of the fishing year; (4) the estimated amounts by which quotas established for other gear segments of the fishery might be exceeded; (5) effects of the transfer on BFT rebuilding and overfishing; and (6) effects of the transfer on accomplishing the objectives of the HMS FMP.

The 2001 annual BFT quota specifications previously issued under § 635.27 provide for a quota of 55 mt of large medium and giant BFT to be harvested from the regulatory area by vessels fishing under the Harpoon category quota. As of August 23, 2001, Harpoon category landings totaled approximately 48 mt, with 7 mt available for the remainder of the season.

After considering the factors for making transfers between categories and from the Reserve, NMFS has determined that 15 mt of the remaining 41.9 mt of Reserve should be transferred to the Harpoon category. Thus, the Harpoon category quota is adjusted to 70 mt for the 2001 fishing year.

Once the adjusted Harpoon category quota has been attained, the Harpoon category will be closed. Announcement of the closure will be filed with the Office of the Federal Register, stating the effective date of closure, and further communicated through the Highly Migratory Species Fax Network, the Atlantic Tunas Information Line, NOAA weather radio, and Coast Guard Notice

to Mariners. Although notification of closure will be provided as far in advance as possible, fishermen are encouraged to call the Atlantic Tunas Information Line at (888) USA-TUNA or (978) 281-9305, to check the status of the fishery before leaving for a fishing trip.

Classification

This action is taken under 50 CFR 635.23(a)(4) and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 971 *et seq.* and 1801 *et seq.*

Dated: August 29, 2001.

Richard W. Surdi,

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 635

[I.D. 082901B]

Atlantic Highly Migratory Species (HMS) Fisheries; Large Coastal Shark Species

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

ACTION: Postponement of closure; fishing season notification.

SUMMARY: NMFS notifies eligible participants of the commercial fishery for large coastal sharks (LCS) in the Western North Atlantic Ocean, including the Gulf of Mexico and the Caribbean Sea, which was scheduled to be closed on August 31, 2001, at 11:30 p.m. local time, has been extended to September 4, 2001, at 11:30 p.m. local time.

DATES: The commercial fishery for LCS will close on September 4, 2001, at 11:30 p.m. local time through December 31, 2001.

FOR FURTHER INFORMATION CONTACT: Christopher Rogers or Karyl Brewster-Geisz, 301-713-2347; fax 301-713-1917.

SUPPLEMENTARY INFORMATION: The Atlantic shark fishery is managed under the Fishery Management Plan for Atlantic Tunas, Swordfish, and Sharks, and its implementing regulations found at 50 CFR part 635 issued under authority of the Magnuson-Stevens

Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*).

On June 26, 2001, NMFS announced in the **Federal Register** (66 FR 33918) that the LCS commercial quota for the second semi-annual 2001 fishing season was 697 metric tons (mt) dressed weight (dw). Additionally, NMFS announced that, based on past catch rates, the LCS fishery would close on August 31, 2001. As of July 31, 2001, approximately 331 mt dw, or 47 percent of the available quota, had been reported landed. Extending the season should ensure that eligible participants have an adequate opportunity to harvest the available quota.

Commercial fishing for pelagic and small coastal sharks may continue until further notice. When quotas for these species are projected to be reached, NMFS will file notice of closure at the Office of the Federal Register.

This action is taken under 50 CFR part 635 and is exempt from review under Executive Order 12866.

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

Dated: August 29, 2001.

Richard W. Surdi

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 635

[I.D. 070201A]

Atlantic Highly Migratory Species; Swordfish Quota Adjustment

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

ACTION: Adjustment of annual catch quotas.

SUMMARY: NMFS adjusts the 2001 fishing year directed fishery and incidental catch quotas for North Atlantic swordfish to account for underharvest from the 1999 fishing year. Any unharvested quota from the 2000 fishing year will be transferred at a later date, once final landings have been tabulated. The 2001 South Atlantic swordfish quota remains at 289 mt dw. This action is consistent with the Fishery Management Plan for Atlantic Tunas, Swordfish, and Sharks (HMS FMP) and the provisions for swordfish quota adjustments at 50 CFR part 635.