

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 678**

[I.D. 073098A]

Atlantic Shark Fisheries; Large Coastal Shark Species

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

ACTION: Closure.

SUMMARY: NMFS is closing the commercial fishery for large coastal sharks conducted by persons aboard vessels issued a Federal Atlantic shark permit in the Western North Atlantic Ocean, including the Gulf of Mexico and the Caribbean Sea. This action is necessary to ensure that the adjusted second semiannual quota for the period July 1 through December 31, 1998, is not exceeded.

DATES: The closure is effective from 11:30 p.m. local time August 4, 1998, through December 31, 1998.

FOR FURTHER INFORMATION CONTACT: Margo Schulze or Karyl Brewster-Geisz, 301-713-2347, fax 301-713-1917; or Buck Sutter, 727-570-5447, fax 727-570-5364.

SUPPLEMENTARY INFORMATION: The Atlantic shark fishery is managed under the Fishery Management Plan for Sharks of the Atlantic Ocean and its implementing regulations are found at 50 CFR part 678 and issued under authority of the Magnuson-Stevens

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

Section 678.24(b) of the regulations provides for two semiannual quotas of large coastal sharks to be harvested from Atlantic, Caribbean, and Gulf of Mexico waters by commercial fishers. The second semiannual quota is available for harvest from July 1 through December 31, 1998.

The Assistant Administrator for Fisheries, NOAA (AA), is required under § 678.25 to monitor the catch and landing statistics and, on the basis of these statistics, to determine when the catch of Atlantic, Caribbean, and Gulf of Mexico sharks will equal any quota under § 678.24(b). When shark harvests reach, or are projected to reach, a quota established under § 678.24(b), the AA is further required under § 678.25 to close the fishery.

The first semiannual quota was available for harvest from January 1 through June 30, 1998. Final data indicated that the catch of large coastal shark species from January 1 through March 31, 1998, totaled 684.8 mt, which was 42 mt more than the established quota. Therefore, the adjusted quota for large coastal shark species for the second 1998 semiannual period was decreased from 642 mt to 600 mt (63 FR 29355, May 29, 1998).

The AA has determined, based on the reported catch and other relevant factors, that the adjusted semiannual quota for the period July 1 through December 31, 1998, for large coastal sharks in or from the Western North Atlantic Ocean, including the Gulf of Mexico and Caribbean Sea, will be attained as of August 3, 1998. During

the closure, retention of large coastal sharks is prohibited for persons fishing aboard vessels issued a permit under § 678.4, unless the vessel is operating as a charter vessel or headboat, in which case the vessel may retain up to two large coastal sharks per trip subject to the provisions of § 678.25(a)(2). The retention, sale, purchase, trade, or barter or attempted sale, purchase, trade, or barter of carcasses and/or fins of large coastal sharks harvested by a person aboard a vessel that has been issued a permit under § 678.4 is prohibited, except for those that were harvested, offloaded, and sold, traded, or bartered prior to the closure, and were held in storage by a dealer or processor.

Persons fishing aboard vessels issued a Federal Atlantic shark permit under § 678.4 are reminded that, as a condition of permit issuance, the vessel may not retain a large coastal shark during the closure, except as provided by § 678.24(a). Fishing for pelagic and small coastal sharks may continue. The recreational fishery is not affected by this closure.

Classification

This action is taken under 50 CFR part 678 and is exempt from review under E.O. 12866.

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

Dated: July 30, 1998.

Bruce Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 98-20828 Filed 7-30-98; 4:40 pm]

BILLING CODE 3510-22-F