

that the quota for 1995 be further reduced. Three conservation organizations and numerous individuals also requested that the quota be reduced. Large reductions in the established quota would likely cause substantial financial hardship for vessels already commercially fishing for large coastal sharks. A complete closure of the established directed shark fishery for large coastal sharks would result in severe financial hardships for vessels already participating in the fishery, and could result in the displacement of vessels and crews from the large coastal shark fishery into other fisheries, including pelagic and small coastal sharks.

The Delaware Coastal Management Program has requested additional information concerning the basis for maintaining the quota at status quo, expressing a preference that the quota be further reduced. The AA has agreed to continue discussion on quota levels with Delaware officials, and Delaware officials have agreed that the proposed quota should be established by a final rule prior to a final resolution of this issue, because otherwise the fishery would be unrestricted.

While the 1994 SEW focused on the large coastal shark species group, declining catch per unit of effort and life history characteristics indicating low productivity for pelagics and small coastals also suggest that a prudent approach is warranted for these groups.

No new analyses were presented upon which to modify MSY or TAC of the pelagic and small coastal sharks. Accordingly, NMFS sets the semiannual commercial quotas for large coastal and pelagic sharks for 1995 at the 1994 levels. At present, no quota has been established for the small coastal species group. When analyses are presented, the AA may propose an appropriate quota for small coastal sharks.

NMFS also removes the specification of the year from those parts of the regulatory text referring to quotas. Thus, if a change in quota level from a previous year is not published, a change in the regulatory text will not be necessary to continue the previous level for the new year.

Classification

The AA has determined that this rule is necessary for conservation and management of shark resources in the Atlantic Ocean and is consistent with the national standards and other provisions of the Magnuson Act, and other applicable law. This final rule has been determined to be not significant for purposes of E.O. 12866. The quotas for 1995 are within the range analyzed in the Regulatory Flexibility Analysis (RFA) included in the EA/RIR prepared for the FMP and no new RFA has been prepared.

List of Subjects in 50 CFR Part 678

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: April 26, 1995.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 678 is amended as follows:

PART 678—ATLANTIC SHARKS

1. The authority citation for part 678 continues to read as follows:

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

2. Section 678.24, paragraph (b) is revised to read as follows:

§ 678.24 Commercial quotas.

* * * * *

(b) *Semiannual quotas.* The following commercial quotas apply:

(1) For the period January 1 through June 30:

(i) Large coastal species—1,285 metric tons, dressed weight.

(ii) Pelagic species—290 metric tons, dressed weight.

(2) For the period July 1 through December 31:

(i) Large coastal species—1,285 metric tons, dressed weight.

(ii) Pelagic species—290 metric tons, dressed weight.

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