

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 300****[I.D. 110701C]****Notification of U.S. Shrimp Quota Allocation in the Northwest Atlantic Fisheries Organization (NAFO) Regulatory Area**

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

**ACTION:** Notification of U.S. shrimp quota allocation.

**SUMMARY:** NMFS announces that the 67-metric ton shrimp quota available for harvest by the United States in Division 3L of the NAFO Regulatory Area has been allocated.

**DATES:** The quota allocation is effective through December 31, 2001.

**ADDRESSES:** Information relating to NAFO fish quotas and the NAFO Conservation and Enforcement Measures is available from Jennifer L. Anderson at the NMFS Northeast Regional Office, One Blackburn Drive, Gloucester, Massachusetts 01930 (phone: 978-281-9226, fax: 978-281-9135, e-mail: jennifer.anderson@noaa.gov) and from NAFO on the World Wide Web at <<http://www.nafo.ca>>.

**FOR FURTHER INFORMATION CONTACT:** Jennifer L. Anderson, 978-281-9226, or Patrick E. Moran, 301-713-2276.

**SUPPLEMENTARY INFORMATION:****Background**

NAFO has established and maintains conservation measures in its Regulatory Area that include one effort limitation fishery as well as fisheries with total allowable catches and member nation quota allocations. At the 2000 NAFO Annual Meeting, the United States received allocations for several NAFO stocks, including an effort allocation for shrimp in NAFO Division 3M (only 1 vessel may fish for 100 days) and 67 metric tons of shrimp in NAFO Division 3L. NMFS published a notice summarizing the availability and procedures for harvesting these stocks (65 FR 71270, November 30, 2000), and that information is not repeated here.

**U.S. Allocations**

Expressions of interest in harvesting the U.S. allocation for 3M shrimp from the NAFO Regulatory Area were accepted from U.S. vessel owners in

possession of a valid High Seas Fishing Compliance Act permit and from U.S. fishing interests intending to make use of vessels of other NAFO Contracting Parties under chartering arrangements. U.S. vessels were given first consideration and the 3M shrimp allocation was initially awarded to a U.S. vessel. However, the vessel subsequently chose to forgo the use of the allocation and no other expressions of interest were made on behalf of U.S. vessels.

NAFO regulations permit NAFO Contracting Parties to enter into chartering arrangements with other Contracting Parties to utilize shrimp fishing days and quotas. Because no additional expressions of interest were received from U.S. vessels, on June 22, 2001, Mayflower International, Ltd., was authorized by NMFS to make use of a chartering arrangement with the Republic of Estonia to fish the 2001 U.S. effort allocation for 3M shrimp. Due to the success of this operation, Mayflower International, Ltd., has requested a continuation of the chartering arrangement with the Republic of Estonia in order to harvest the U.S. 3L shrimp quota allocation.

NMFS did not announce that the U.S. 3L shrimp allocation was available to chartering arrangements in the **Federal Register** notice published on November 30, 2000. However, the NAFO Conservation and Enforcement Measures stipulate that charter arrangements are available to only one vessel per year. Because no U.S. vessels have expressed interest in this fishery, and because the NAFO regulations prohibit additional chartering arrangements for the 2001 fishing year, NMFS has awarded the U.S. 3L shrimp quota allocation to Mayflower International, Ltd. Final approval of this transfer is contingent upon a favorable vote from the NAFO Contracting Parties and strict adherence to the NAFO Conservation and Enforcement Measures by the chartering operation and the Government of the Republic of Estonia.

This arrangement will continue to provide an economic benefit to Mayflower International Ltd., and its employees, while at the same time maximizing the opportunity for the United States to enhance its fishing history for the 3L and 3M shrimp stocks. Mayflower International, Ltd., has also agreed to provide further information on the characteristics and economics of this fishery. This information may prove useful to future U.S. vessels interested in participating NAFO fisheries.

Dated: November 14, 2001.

**John Oliver,**

*Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.*

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 648**

**[Docket No. 001121328-1041-02; I.D. 110801E]**

**Fisheries of the Northeastern United States; Scup Fishery; Commercial Quota Harvested for Winter II Period**

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

**ACTION:** Commercial quota harvested for Winter II period.

**SUMMARY:** NMFS announces that the scup commercial quota available in the Winter II period to the coastal states from Maine to North Carolina has been harvested. Federally permitted commercial vessels may not land scup in these states for the remainder of the 2001 Winter II quota period (through December 31, 2001). Regulations governing the scup fishery require publication of this notification to advise the coastal states from Maine through North Carolina that the quota has been harvested and to advise Federal vessel permit holders and Federal dealer permit holders.

**DATES:** Effective 0001 hrs local time, November 20, 2001, through 2400 hrs local time, December 31, 2001.

**FOR FURTHER INFORMATION CONTACT:** Jennifer L. Anderson, Fishery Management Specialist, (978) 281-9344.

**SUPPLEMENTARY INFORMATION:**

Regulations governing the scup fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is allocated into three quota periods. The Winter II commercial quota (November through December) is distributed to the coastal states from Maine through North Carolina. The process to set the annual commercial quota and the seasonal allocation is described in § 648.120.

The total commercial quota for scup for the 2001 calendar year was initially set at 4,444,600 lb (2,016,037 kg) (66 FR 12902; March 1, 2001) and subsequently adjusted downward to 3,495,261 lb (1,585,424 kg) (66 FR 47413; September

12, 2001), to account for 2002 period overages. The Winter II period quota is set at 708,469 lb (321,356 kg). Because there were no commercial overages from the 2000 Winter II period, it was not necessary to adjust the 2001 Winter II period quota.

Section 648.121 requires the Administrator, Northeast Region, NMFS (Regional Administrator) to monitor the commercial scup quota for each quota period and, based upon dealer reports, state data, and other available information, to determine when the commercial quota has been harvested. NMFS is required to publish notification in the **Federal Register** advising and notifying federally permitted commercial vessels and federally permitted dealers that, effective upon a specific date, the scup commercial quota has been harvested. The Regional Administrator has determined, based upon dealer reports and other available information, that the scup commercial quota for the 2001 Winter II period has been harvested.

The regulations at § 648.4(b) provide that Federal scup moratorium permit holders agree as a condition of the permit not to land scup in any state after NMFS has published a notification in the **Federal Register** stating that the commercial quota for the period has been harvested and that no commercial quota for scup is available. Therefore, effective 0001 hours, November 20, 2001, further landings of scup by vessels holding Federal scup moratorium permits are prohibited through December 31, 2001. The Winter I period for commercial scup harvest will open on January 1, 2002. Effective 0001 hours, November 20, 2001, federally permitted dealers are also advised that they may not purchase scup from federally permitted vessels that land in coastal states from Maine through North Carolina for the remainder of the Winter II period (through December 31, 2001).

#### 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: November 14, 2001.

**Valerie L. Chambers,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 01-28918 Filed 11-15-01; 1:06 pm]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 010319071-1103-02; I.D. 111401C]

#### Fisheries of the Northeastern United States; Spiny Dogfish Fishery; Commercial Quota Harvested for Period 2

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

**ACTION:** Closure; commercial quota for period 2.

**SUMMARY:** NMFS announces that the period 2 spiny dogfish commercial quota available to the coastal states from Maine through Florida has been harvested. Federally permitted commercial vessels may no longer land spiny dogfish for the duration of period 2 (through April 30, 2002). Regulations governing the spiny dogfish fishery require publication of this notification to advise the coastal states from Maine through Florida that the quota has been harvested and to advise vessel permit holders and dealer permit holders that no commercial quota is available for landing spiny dogfish in these states.

**DATES:** Effective 0001 hrs local time, November 21, 2001, through 2400 hrs local time, April 30, 2002.

**FOR FURTHER INFORMATION CONTACT:** Myles Raizin, Fishery Policy Analyst, at (978) 281-9104.

**SUPPLEMENTARY INFORMATION:** Regulations governing the spiny dogfish fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota, which is allocated into two quota periods based upon percentages of the annual quota. The period 2 commercial quota (November through April) is distributed to the coastal states from Maine through Florida as described in § 648.230.

The initial total commercial quota for spiny dogfish for the 2001 fishing year was 4,000,000 lb (1,814 mt) (66 FR 22473, May 4, 2001). The commercial quota is allocated into two periods (May 1 through October 31, and November 1 through April 30), with trip limits intended to preclude directed fishing. Quota period 1 was allocated 2,316,000 lb (1,050 mt) and quota period 2 was

allocated 1,684,000 lb (764 mt) of the commercial quota, respectively.

The Administrator, Northeast Region, NMFS (Regional Administrator) monitors the commercial spiny dogfish quota for each quota period and, based upon dealer reports, state data and other available information, determines when the commercial quota has been harvested. NMFS is required to publish a notice in the **Federal Register** advising and notifying commercial vessels and dealer permit holders that, effective upon a specific date, the spiny dogfish commercial quota has been harvested and no commercial quota is available for landing spiny dogfish for the remainder of a given quota period. The Regional Administrator has determined, based upon dealer reports and other available information, that the 2001 commercial period 2 quota for spiny dogfish has been harvested.

Section 648.4(b) provides that Federal spiny dogfish permit holders agree, as a condition of the permit, not to land spiny dogfish in any state after NMFS has published notification in the **Federal Register** that the commercial quota for the period has been harvested and that no commercial quota for the spiny dogfish fishery is available. The Regional Administrator has determined that period 2 for spiny dogfish no longer has commercial quota available. Therefore, effective 0001 hrs local time, November 21, 2001, landings of spiny dogfish in coastal states from Maine through Florida by vessels holding commercial Federal fisheries permits are prohibited through 2400 hrs local time, April 30, 2001. The fishing year 2002 quota period 1 for commercial spiny dogfish harvest will open on May 1, 2002. Effective November 21, 2001, federally permitted dealers are also advised that they may not purchase spiny dogfish from vessels issued federal spiny dogfish permits that land in coastal states from Maine through Florida.

#### 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: November 14, 2001.

**Valeria L. Chambers,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
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