

VEHICLES MANUFACTURED FOR OTHER THAN THE CANADIAN MARKET—Continued

Make	Model type(s)	Body	Model years(s)	VSP	VSA	VCP
Volkswagen	Transporter		1990	251		
Volkswagen	Transporter		1991	554		
Volvo	740 GL		1992	137		
Volvo	850 Turbo		1995–1998	286		
Volvo	940 GL		1992	137		
Volvo	940 GL		1993	95		
Volvo	945 GL	Wagon	1994	132		
Volvo	960	Sedan & Wagon	1994	176		
Volvo	C70		2000	434		
Volvo	S70		1998–2000	335		
Yamaha (MC)	Drag Star 1100		1999–2007	497		
Yamaha (MC)	FJ1200 (4 CR)		1991	113		
Yamaha (MC)	FJR 1300		2002			23
Yamaha (MC)	R1		2000	360		
Yamaha (MC)	Virago		1990–1998	301		

Issued on: August 27, 2013.

Christopher J. Bonanti,
Associate Administrator for Rulemaking.
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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 120109034–2171–01]

RIN 0648–XC823

Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Adjustments for the Common Pool Fishery

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

ACTION: Temporary rule; inseason adjustment.

SUMMARY: This action decreases the possession limit for Southern New England/Mid-Atlantic winter flounder and Gulf of Maine haddock for Northeast multispecies common pool vessels for the remainder of the 2013 fishing year. NMFS is taking this action because the common pool has caught 73 percent of its Southern New England/Mid-Atlantic winter flounder quota, and 96 percent of its Gulf of Maine haddock quota. This action is intended to prevent the overharvest of the common pool’s FY 2013 allocation of Southern New England/Mid-Atlantic winter flounder and Gulf of Maine haddock.

DATES: Effective August 28, 2013, through April 30, 2014.

FOR FURTHER INFORMATION CONTACT:

Brett Alger, Fishery Management Specialist, 978–675–2153, Fax 978–281–9135.

SUPPLEMENTARY INFORMATION:

Regulations governing the Northeast (NE) multispecies fishery are found at 50 CFR part 648, subpart F. The regulations authorize the Regional Administrator (RA) to adjust the possession limits for common pool vessels in order to prevent the overharvest or underharvest of the common pool quotas. Based on data reported through August 21, 2013, the common pool fishery has caught approximately 73 percent of its Southern New England/Mid-Atlantic (SNE/MA) winter flounder allocation of 136 mt, and 96 percent of its Gulf of Maine (GOM) haddock allocation of 2 mt. Despite a trip limit reduction for SNE/MA winter flounder, and a closure to the GOM Haddock Trimester Total Allowable Catch Area earlier this fishing year on July 16, 2013 (77 FR 42478), recent analysis shows that the common pool would likely exceed its allocation for both stocks if further action is not taken. To address this potential overharvest, the trip limit for SNE/MA winter flounder is reduced to 300 lb (136.1 kg) per trip, and the GOM haddock trip limit is reduced to zero for all common pool vessels. The trip limit adjustments are effective August 28, 2013, through April 30, 2014.

Catch will continue to be monitored through vessel trip reports, dealer-reported landings, vessel monitoring system catch reports, and other available information, and if necessary, additional adjustments to common pool management measures may be made.

Classification

This action is required by 50 CFR part 648, and is exempt from review under Executive Order 12866.

The Assistant Administrator for Fisheries, NOAA (AA), finds good cause pursuant to 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment because it would be impracticable and contrary to the public interest for the reasons stated below. Pursuant to 5 U.S.C. 553(d)(3), the AA also finds good cause to waive the 30-day delayed effectiveness period for the same reasons.

The regulations at § 648.86(o) authorize the RA to adjust the NE multispecies trip limits for common pool vessels in order to prevent the overharvest or underharvest of the common pool quotas. The catch data used as the basis for this action only recently became available. The available analysis indicates that if the SNE/MA winter flounder and GOM haddock trip limits are not reduced quickly, the common pool fishery will likely exceed its FY 2013 allocation for these stocks. Any overages of the common pool quota for these stocks would undermine conservation objectives and trigger the implementation of accountability measures that would have negative economic impacts on common pool vessels. This action reduces the probability of the common pool fishery exceeding its allocations for SNE/MA winter flounder and GOM haddock. As a result, the time necessary to provide for prior notice and comment, and a 30-day delay in effectiveness, would prevent NMFS from implementing the necessary trip limit adjustments in a timely manner, which could undermine conservation objectives of the NE Multispecies Fishery Management Plan, and cause negative economic impacts to the common pool fishery.

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

Dated: August 26, 2013.

Kelly Denit,

Acting Deputy 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

[Docket No. 110831548-3536-02]

RIN 0648-XC836

Atlantic Highly Migratory Species; Atlantic Commercial Shark Fisheries

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

ACTION: Temporary rule; inseason quota transfer.

SUMMARY: NMFS is transferring 68 metric tons (mt) dressed weight (dw) of non-blacknose small coastal shark (SCS) quota from the Atlantic region to the Gulf of Mexico region for the remainder of the 2013 fishing year. This action is based on consideration of the regulatory determination criteria regarding inseason adjustments, and applies to commercial Atlantic shark permitted vessels.

DATES: The quota transfer is effective from September 2, 2013 until December 31, 2013.

FOR FURTHER INFORMATION CONTACT: Karyl Brewster-Geisz or Peter Cooper 301-427-8503; fax 301-713-1917.

SUPPLEMENTARY INFORMATION: The Atlantic shark fisheries are managed under the 2006 Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP), its amendments, and its implementing regulations (50 CFR part 635) issued under authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*).

Under § 635.27(b)(2), NMFS may conduct inseason quota transfers of regional quotas between regions for species or management groups where the species are the same between regions and the quota is split between regions for management purposes and not as a result of a stock assessment. Before making any adjustment, NMFS considers the following determination criteria in § 635.27(b)(2)(iii), and other

relevant factors: (1) The usefulness of information obtained from catches in the particular management group for biological sampling and monitoring of the status of the respective shark species and/or management group; (2) the catches of the particular species and/or management group quota to date and the likelihood of closure of that segment of the fishery if no adjustment is made; (3) the projected ability of the vessels fishing under the particular species and/or management group quota to harvest the additional amount of corresponding quota before the end of the fishing year; (4) effects of the adjustment on the status of all shark species; (5) effects of the adjustment on accomplishing the objectives of the fishery management plan; (6) variations in seasonal distribution, abundance, or migration patterns of the appropriate shark species and/or management group; (7) effects of catch rates in one area precluding vessels in another area from having a reasonable opportunity to harvest a portion of the quota; and/or (8) review of dealer reports, daily landing trends, and the availability of the respective shark species and/or management group on the fishing grounds.

Based on dealer reports received as of August 14, 2013, NMFS estimates that 53.0 metric tons (mt) dressed weight (dw) (116,819 lb dw) or 78 percent of Gulf of Mexico non-blacknose SCS quota has been landed; 0.7 mt dw (1,565 lb dw) or 35 percent of the Gulf of Mexico blacknose quota has been landed; 72.6 mt dw (160,080 lb dw) or 28 percent of the Atlantic non-blacknose SCS quota has been landed; and 11.6 mt dw (25,580 lb dw) or 64 percent of the Atlantic blacknose quota has been landed. According to the regulations at § 635.28(b)(2), NMFS will close the Gulf of Mexico non-blacknose SCS and blacknose management groups once the Gulf of Mexico non-blacknose SCS quota reaches, or is projected to reach, 80 percent of the quota, because the quotas for the Gulf of Mexico non-blacknose SCS and Gulf of Mexico blacknose management groups are linked. Alternatively, under § 635.27(b)(2)(iii), if the criteria and relevant factors listed above are met, NMFS could transfer some of the SCS quota from the Atlantic region to the Gulf of Mexico region because the non-blacknose SCS regional quotas were established for management purposes and not as a result of a stock assessment. NMFS has considered these criteria and their applicability to the non-blacknose SCS and blacknose shark quotas in the Atlantic and Gulf of Mexico regions.

These considerations include, but are not limited to, the following:

- Regarding the first criterion listed above, biological samples collected by NMFS scientific observers on commercial vessels targeting blacknose and non-blacknose SCS continue to provide NMFS with valuable data for ongoing scientific studies of shark age and growth, migration, and reproductive status. Regarding the second criterion, commercial shark dealer data show that landings of Gulf of Mexico non-blacknose SCS are approaching 80 percent of the quota (78 percent). Once the quota reaches, or is projected to reach 80 percent, both the Gulf of Mexico non-blacknose SCS and blacknose shark management groups would close.

- In relation to these potential quotas and considering the third, fourth, sixth, seventh, and eighth criteria, NMFS analyzed dealer landings data, catch trends, and potential migration of the species involved and determined that under current fishing rates, 68 mt dw is a reasonable amount of quota to transfer that would allow fishermen the opportunity to fully land non-blacknose SCS and blacknose shark quotas in both regions, while avoiding negative impacts to shark species. This action will not have impacts beyond those already analyzed in the 2006 Consolidated HMS FMP and its amendments, and thus is not expected to negatively impact the stock.

- In relation to the fifth criterion, this action is consistent with the quotas previously implemented and analyzed in the 2013 shark quota final rule (77 FR 75896, December 26, 2013) and in the final rule implementing Amendment 5a to the 2006 Consolidated Atlantic HMS FMP. Specifically, this action is consistent with the objective of providing opportunities to fully harvest shark quotas without exceeding them based upon the 2006 Consolidated HMS FMP goal: "Consistent with other objectives of this FMP, to manage Atlantic HMS fisheries for continuing optimum yield so as to provide the greatest overall benefit to the Nation, particularly with respect to food production, providing recreational opportunities, preserving traditional fisheries, and taking into account the protection of marine ecosystems."

Based on these considerations and other relevant factors, NMFS has determined that a quota transfer is warranted, and is transferring 68 mt dw (149,914 lb dw) from the Atlantic non-blacknose SCS quota to the Gulf of Mexico non-blacknose SCS quota as of 11:30 p.m. local time on September 2, 2013. This quota transfer results in an