

limit on school size over a 4-year consecutive period is not exceeded, and closing the General category fishery on December 20 will reduce the likelihood of overharvest of quota in this commercial fishery.

Delaying this action would be contrary to the public interest as BFT are now available in nearshore waters and will soon migrate out of range of the commercial and recreational fleets. As both the Angling and General categories are currently closed, fishery participants are not currently able to access the BFT while the fish are available and accessible in nearshore areas off the south Atlantic states. It is in the public interest to act quickly to open the fisheries while the BFT are available so that the short window of fishing opportunity is not lost. Therefore, the AA finds good cause under 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment. For all of the above reasons and because this action relieves a restriction (e.g., reopens fisheries), there is good cause under 5 U.S.C. 553(d) to waive the delay in effectiveness of this action.

This action is being 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: December 7, 2004.

Alan D. Risenhoover,
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

[Docket No. 040910261-4325-02; I.D. 072704A]

RIN 0648-AS08

Atlantic Highly Migratory Species; Atlantic Commercial Shark Management Measures; Correction

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

ACTION: Final rule; fishing season notification; correction.

SUMMARY: This document corrects the season closure dates in a final rule published November 30, 2004. Corrections concern the first trimester season closure dates for large coastal sharks (LCS) for the Gulf of Mexico and the first trimester season closure dates for the South Atlantic.

DATES: Effective January 1, 2005.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION: On November 30, 2004, NMFS published in the **Federal Register** a final rule that established the opening and closure dates of the first trimester season for the Atlantic commercial shark fishery (69 FR 69537). In that rule, the closure dates for LCS in the Gulf of Mexico and the South Atlantic in Table 1 were inverted. This document corrects that error.

Correction

Rule FR Doc. 04-26414 published on November 30, 2004 (69 FR 69537), to be effective January 1, 2005, is corrected as follows.

On page 69538, in Table 1, the first two rows are corrected to read as follows:

Species Group	Region	First Trimester Season Opening Dates	First Trimester Season Closure Dates
Large Coastal Sharks	Gulf of Mexico	January 1 - February 28, 2005, 11:30 p.m. local time	February 28, - April 30, 2005, 11:30 p.m. local time
	South Atlantic	January 1 - February 15, 2005, 11:30 p.m. local time	February 15, - April 30, 2005, 11:30 p.m. local time
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Authority: 16 U.S.C. 1801, *et seq.*

Dated: December 7, 2004.

Alan D. Risenhoover,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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