

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[RTID 0648-XE944]

**Magnuson-Stevens Act Provisions; Atlantic Coastal Fisheries Cooperative Management Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits**

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

**ACTION:** Notice; request for comments.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Greater Atlantic Region, NMFS, has made a preliminary determination that an Exempted Fishing Permit (EFP)

application contains all of the required information and warrants further consideration. The EFP would allow federally permitted fishing vessels to fish outside fishery regulations in support of exempted fishing activities proposed by the Commercial Fisheries Research Foundation (CFRF). Regulations under the Magnuson-Stevens Fishery Conservation and Management Act and the Atlantic Coastal Fisheries Cooperative Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

**DATES:** Comments must be received on or before June 16, 2025.

**ADDRESSES:** You may submit written comments by email at [nmfs.gar.efp@noaa.gov](mailto:nmfs.gar.efp@noaa.gov). Include in the subject line "CFRF Ventless Trap EFP." All comments received are a part of the

public record and may be posted for public viewing without change. All personal identifying information (e.g., name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "anonymous" as the signature if you wish to remain anonymous).

**FOR FURTHER INFORMATION CONTACT:** Christine Ford, Fishery Management Specialist, [christine.ford@noaa.gov](mailto:christine.ford@noaa.gov), 978-281-9185.

**SUPPLEMENTARY INFORMATION:** The applicant submitted a complete application for an EFP to conduct commercial fishing activities that the regulations would otherwise restrict. This EFP would exempt the participating vessels from the following Federal regulations:

TABLE 1—REQUESTED EXEMPTIONS

CFR citation	Regulation	Need for exemption
50 CFR 697.21(c) .....	Gear specification requirements ....	To allow for closed escape vents and smaller trap mesh and entrance heads.
§ 697.19(a), (b), (c), and (d) .....	Trap limit requirements for Areas 1, 2, 3, and 4.	To allow for 3 additional traps per fishing vessel, for a total of 60 additional traps.
§ 697.19(j) .....	Trap tag requirements .....	To allow for the use of untagged traps (though each modified trap will have the participating fisherman's identification attached).
§ 697.20(a), (d), (g), and (h)(1) and (2).	Possession restrictions .....	To allow for onboard biological sampling of undersized, v-notched, and egg-bearing lobsters and undersized and egg-bearing Jonah crabs.

TABLE 2—PROJECT SUMMARY

Project title	A collaborative fishing vessel approach to addressing data needs for the American lobster and Jonah crab fisheries
Project start .....	07/01/2025.
Project end .....	05/31/2026.
Project objectives .....	To continue to provide distribution, abundance, and biological data on juvenile lobsters and Jonah crabs from times and areas with low coverage from traditional surveys.
Project location .....	Lobster Management Areas 1, 2, 3, and 4.
Number of vessels .....	Up to 20.
Number of trips .....	Up to 26 per inshore vessel; up to 36 per offshore vessel (up to 816 total).
Trip duration (days) .....	Up to 4.
Total number of days .....	Up to 3,264.
Gear type(s) .....	Trap.
Number of tows or sets .....	Up to 2,448.
Duration of tows or sets .....	7 days inshore; 10 days offshore.

**Project Narrative**

This project would continue an ongoing effort to collect data on juvenile lobster and Jonah crab abundance and distribution in areas and times of the year with low or no coverage by traditional surveys. To date, this project has collected data from over 251,000 lobsters and 144,000 Jonah crabs, as well as coupled bottom water temperatures from the Gulf of Maine to the Mid-Atlantic.

The project would include up to 6 inshore vessels (Lobster Management Area 2) and up to 14 offshore vessels (Lobster Management Areas 1, 3, and 4). Each vessel would fish 3 modified, ventless traps designed to capture juvenile lobsters, totaling up to 60 modified traps. Vessels may fish all three ventless traps on one trawl, or may spread them out across two or three trawls. The modified traps would adhere to the standard coastwide survey

gear for lobster and Jonah crab set by the Atlantic States Marine Fisheries Commission (ASMFC) and would be fished with standard Atlantic Large Whale Take Reduction Plan-compliant trawls. The traps would remain in the water for up to 12 months and be hauled regularly, following the normal fishing schedule of the participating vessels.

This study would take place during regular fishing activity of the participating vessels, but catch from

modified traps would remain separate from that of standard gear. Operators would collect data on size, sex, presence of eggs, and shell hardness for lobsters and Jonah crabs, and v-notch and shell disease for lobsters. Operators would return all specimens from modified gear to the ocean once sampling was complete.

The study is designed to inform management by addressing questions about changing reproduction and recruitment dynamics of lobster and to develop a foundation of knowledge for the data-deficient Jonah crab fishery. CFRF would share data with the Atlantic Coastal Cooperative Statistics Program, the Northeast Fisheries Science Center, ASMFC, and the Rhode Island Department of Environmental Management every 6 months.

If approved, the applicant may request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

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

Dated: May 27, 2025.

**Kelly Denit,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648–XE830]

#### Taking and Importing of Marine Mammals

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

**ACTION:** Notice; new 5-year affirmative finding for Colombia, Ecuador, El Salvador, Guatemala, Mexico, Peru, and Spain.

**SUMMARY:** The NMFS Assistant Administrator (Assistant Administrator) has issued a new 5-year affirmative finding for the Governments of

Colombia, Ecuador, El Salvador, Guatemala, Mexico, Peru, and Spain (referred to hereafter as “The Nations”) under the Marine Mammal Protection Act (MMPA) related to the eastern tropical Pacific Ocean (ETP) tuna purse seine fishery and the importation of yellowfin tuna from nations participating in this fishery. This affirmative finding will allow the importation into the United States of yellowfin tuna and yellowfin tuna products harvested in the ETP, in compliance with the Agreement on the International Dolphin Conservation Program (AIDCP), by purse seine vessels operating under The Nations’ jurisdiction or exported from The Nations. NMFS bases the affirmative finding determination on reviews of documentary evidence submitted by the Governments of The Nations and of information obtained from the Inter-American Tropical Tuna Commission (IATTC).

**DATES:** This new affirmative finding is effective for the 5-year period of April 1, 2025, through March 31, 2030.

**FOR FURTHER INFORMATION CONTACT:**

Justin Greenman, West Coast Region, NMFS, by mail: 501 W Ocean Blvd., Suite 4200, Long Beach, CA 90802, email: [justin.greenman@noaa.gov](mailto:justin.greenman@noaa.gov), or phone: (562) 980–3264.

**SUPPLEMENTARY INFORMATION:** The MMPA, 16 U.S.C. 1361 *et seq.*, allows for importation into the United States of yellowfin tuna harvested by purse seine vessels in the ETP from a nation with jurisdiction over purse seine vessels with carrying capacity greater than 400 short tons that harvest tuna in the ETP, only if the nation has an “affirmative finding” issued by the NMFS Assistant Administrator. See section 101(a)(2)(B) of the MMPA, 16 U.S.C. 1371(a)(2)(B); see also 50 CFR 216.24(f)(6)(i). If requested by the government of such a nation, the Assistant Administrator will determine whether to make an affirmative finding based upon documentary evidence provided by the government, the IATTC, or the Department of State.

The affirmative finding process requires that the harvesting nation is meeting its obligations under the AIDCP and its obligations of membership in the IATTC. Every 5 years, the government of the harvesting nation must request a new affirmative finding and submit the required documentary evidence directly to the Assistant Administrator. On an annual basis, NMFS must determine whether the harvesting nation continues

to meet the requirements of their 5-year affirmative finding. NMFS does this by reviewing the documentary evidence from the last year. A nation may provide information related to compliance with AIDCP and IATTC measures directly to NMFS on an annual basis or may authorize the IATTC to release the information to NMFS to annually renew an affirmative finding determination without an application from the harvesting nation.

An affirmative finding will be terminated, in consultation with the Secretary of State, if the Assistant Administrator determines that the requirements of 50 CFR 216.24(f) are no longer being met or that a nation is consistently failing to take enforcement actions on violations, thereby diminishing the effectiveness of the AIDCP.

As a part of the affirmative finding process set forth in 50 CFR 216.24(f)(8), the Assistant Administrator considered documentary evidence submitted by the Governments of The Nations and obtained from the IATTC and has determined that The Nations have each met the MMPA’s requirements to receive a new 5-year affirmative finding.

After consultation with the Department of State, the Assistant Administrator issued new 5-year affirmative findings to each of The Nations, allowing the importation into the United States of yellowfin tuna and products derived from yellowfin tuna harvested in the ETP by purse seine vessels operating under The Nations’ jurisdiction or exported from The Nations. Issuance of new 5-year affirmative findings for The Nations does not affect implementation of an intermediary nation embargo under 50 CFR 216.24(f)(9), which applies to exports from a nation that exports to the United States yellowfin tuna or yellowfin tuna products that was subject to a ban on importation into the United States under section 101(a)(2)(B) of the MMPA, 16 U.S.C. 1371(a)(2)(B).

These new affirmative findings for each of The Nations are for the 5-year period of April 1, 2025, through March 31, 2030, subject to subsequent annual reviews by NMFS.

Dated: May 27, 2025.

**Samuel D. Rauch, III,**

*Deputy Assistant Administrator for  
Regulatory Programs, National Marine  
Fisheries Service.*

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