

Small Numbers Determination

Under the rule, NMFS may not authorize incidental take of marine mammals in an LOA if it will exceed “small numbers.” In short, when an acceptable estimate of the individual marine mammals taken is available, if the estimated number of individual animals taken is up to, but not greater than, one-third of the best available abundance estimate, NMFS will determine that the numbers of marine mammals taken of a species or stock are small (see 89 FR 31535, May 24, 2024). For more information please see NMFS’ discussion of small numbers in the 2021 final rule (86 FR 5438, January 19, 2021).

The take numbers for authorization are determined as described above in the Summary of Request and Analysis section. Subsequently, the total incidents of harassment for each species are multiplied by scalar ratios to produce a derived product that better reflects the number of individuals likely to be taken within a survey (as compared to the total number of instances of take), accounting for the likelihood that some individual marine mammals may be taken on more than 1 day (see 86 FR 5404, January 19, 2021). The output of this scaling, where appropriate, is incorporated into adjusted total take estimates that are the basis for NMFS’ small numbers determinations, as depicted in table 1.

This product is used by NMFS in making the necessary small numbers determinations through comparison with the best available abundance estimates (see discussion at 86 FR 5391, January 19, 2021). For this comparison, NMFS’ approach is to use the maximum theoretical population, determined through review of current stock assessment reports (SAR; <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments>) and model-predicted abundance information (<https://seamap.env.duke.edu/models/Duke/GOM>). Information supporting the small numbers determinations is provided in table 1.

TABLE 1—TAKE ANALYSIS

Species	Authorized take	Scaled take ¹	Abundance ²	Percent abundance
Rice's whale	0	n/a	51	n/a
Sperm whale	518	218.9	3,007	7.3
<i>Kogia</i> spp	³ 194	58.7	980	7.1
Beaked whales	1,297	131.0	803	16.3
Rough-toothed dolphin	1,341	385.0	4,853	7.9
Bottlenose dolphin	1,573	451.4	165,125	0.3
Clymene dolphin	1,339	384.2	4,619	8.3
Atlantic spotted dolphin	1,070	307.2	21,506	1.4
Pantropical spotted dolphin	12,286	3,526.0	67,225	5.2
Spinner dolphin	207	59.5	5,548	1.1
Striped dolphin	2,376	681.8	5,634	12.1
Fraser's dolphin	517	148.3	1,665	8.9
Risso's dolphin	404	119.1	1,974	6.0
Blackfish ⁴	3,216	948.7	6,113	15.5
Short-finned pilot whale	900	265.4	2,741	9.7

¹ Scalar ratios were applied to “Authorized Take” values as described at 86 FR 5322, 5404 (January 19, 2021) to derive scaled take numbers shown here.

² Best abundance estimate. For most taxa, the best abundance estimate for purposes of comparison with take estimates is considered here to be the model-predicted abundance (Garrison *et al.*, 2023). For Rice's whale, Atlantic spotted dolphin, and Risso's dolphin, the larger estimated SAR abundance estimate is used.

³ Includes 11 takes by Level A harassment and 183 takes by Level B harassment. Scalar ratio is applied to takes by Level B harassment only; small numbers determination made on basis of scaled Level B harassment take plus authorized Level A harassment take.

⁴ The “blackfish” guild includes melon-headed whales, false killer whales, pygmy killer whales, and killer whales.

Based on the analysis contained herein of TGS's proposed survey activity described in its LOA application and the anticipated take of marine mammals, NMFS finds that small numbers of marine mammals will be taken relative to the affected species or stock sizes (*i.e.*, less than one-third of the best available abundance estimate) and therefore the taking is of no more than small numbers.

Authorization

NMFS has determined that the level of taking for this LOA request is consistent with the findings made for the total taking allowable under the incidental take regulations and that the amount of take authorized under the LOA is of no more than small numbers. Accordingly, we have issued an LOA to TGS authorizing the take of marine

mammals incidental to its geophysical survey activity, as described above.

Dated: March 17, 2025.

Catherine Marzin,

Deputy Director, Office of Protected Resources, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XE777]

Magnuson-Stevens 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 of receipt of application; 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 Atlantic Capes Fisheries, Inc., in partnership with Rutgers University. Regulations under the Magnuson-Stevens Fishery Conservation and Management Act

require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFP.

DATES: Comments must be received on or before April 7, 2025.

ADDRESSES: You may submit written comments by the following method:

- *Email: nmfs.gar.efp@noaa.gov.* Include in the subject line “SCOQ Mixing Amendment Accounting Protocols”.

FOR FURTHER INFORMATION CONTACT:

Christine Ford, Fishery Management Specialist, *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 648.14(j)(1)(iii) ...	Prohibition against fishing for, retaining, or landing both surfclams and ocean quahogs (SCOQ) in or from the EEZ on the same trip.	Retaining and landing both species on the same trip is needed to calculate the amount of mixing, in order to develop protocols for future estimation of discards and mixing at sea.
50 CFR 648.14(j)(1)(iv) ...	Prohibition against fishing for, retaining, or landing ocean quahogs in or from the EEZ on a trip designated as a surfclam fishing trip under § 648.15(b); or fishing for, retaining, or landing surfclams in or from the EEZ on a trip designated as an ocean quahog fishing trip under § 648.15(b).	Retaining and landing ocean quahogs on a designated surfclam trip, or retaining and landing surfclams on a designated ocean quahog trip is needed to calculate the amount of mixing, in order to develop protocols for future estimation of discards and mixing at sea.

TABLE 2—PROJECT SUMMARY

Project title	SCOQ Mixing Amendment Accounting Protocols Study.
Project start	Upon issuance.
Project end	One year from issuance.
Project objectives	To conduct industry-funded research to determine best practices and protocols for: (1) estimating discards of non-target clam species for eVTR reporting; (2) estimating pre-landing bushel volumes of surfclam/ocean quahogs that are mixed in cages; and (3) fully accounting for the volume of bushels separated from mixed cages to be reported to NMFS.
Project location	Southern New England and Mid-Atlantic.
Number of vessels	Up to 15.
Number of trips	Up to 1,200.
Trip duration (days)	Up to 2 days.
Total number of days	Up to 2,400.
Gear type(s)	Dredge.
Number of tows or sets	25 per trip.
Duration of tows or sets	1 hour.

Project Narrative

There are increasing numbers of surfclams moving into the deeper water habitat of ocean quahogs. Current regulations do not allow for the landing of both species on the same trip. In response to this issue, the Mid-Atlantic Fisheries Management Council (MAFMC) is working on solutions and a preferred alternative for an amendment to the SCOQ Fishery Management Plan. Atlantic Capes Fisheries, in partnership with Rutgers University, is requesting an EFP to conduct industry-funded research to develop protocols for fishing vessel crews (the crew) to accurately estimate surfclam and ocean quahog discards and mixing at sea, and scientifically evaluate the accuracy of those methods.

This EFP would authorize up to 15 vessels to fish for, retain, and land both

surfclams and ocean quahogs on the same trip, either in mixed or separate cages, regardless of which species the trip was designated for. On each trip, the crew would make independent estimates of mixing using protocols co-developed by scientists, industry, and the Northeast Fisheries Science Center (NEFSC). Processors would independently sort and document catch at the plant. A subset of trips (approximately two per month) would carry a project scientist, to collect independent estimates using scientifically derived protocols, taking into consideration methods provided by the Northeast Fisheries Observer Program. Project scientists would also collect estimates at the processing plant, though not from the same trips on which they collected at-sea estimates.

All independent estimates would be submitted to Rutgers University for

comparison. The results of the comparisons would be summarized in a report made available to the MAFMC, NEFSC, and the Greater Atlantic Regional Fisheries Office.

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.

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).

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

Dated: March 18, 2025.

Karen H. Abrams,

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

[FR Doc. 2025-04877 Filed 3-20-25; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XE794]

New England Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public webinar of its Joint Herring Committee and Advisory Panel to consider actions affecting New England fisheries in the exclusive economic zone (EEZ).

Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This webinar will be held on Friday, April 11, 2025, at 9:30 a.m.

ADDRESSES:

Webinar registration URL information: <https://nefmc-org.zoom.us/meeting/register/TBis4dq3S6GqKutcVTezWQ>.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Cate O’Keefe, Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Atlantic Herring Committee and Advisory Panel will meet jointly to discuss Specifications—receive a report

from the Plan Development Team (PDT) and the Atlantic States Marine Fisheries Commission’s (ASMFC) Technical Committee and summary of Scientific and Statistical Committee (SSC) recommendations, and consider revising recommendations for fishing year (FY) 2025 and 2026 specifications, FY 2027 default specifications and possible in-season adjustments, and make recommendations to the Committee/Council as appropriate. Other business will be discussed if necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council’s intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Cate O’Keefe, Executive Director, at (978) 465-0492, at least 5 days prior to the meeting date.

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

Dated: March 18, 2025.

Key Israel Marquez,

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

[FR Doc. 2025-04870 Filed 3-20-25; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XE716]

Magnuson-Stevens 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 Cape Cod Commercial Fishermen’s Alliance. Regulations under the Magnuson-Stevens Fishery Conservation and 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 April 7, 2025.

ADDRESSES: You may submit written comments by email at nmfs.gar.efp@noaa.gov. Include in the subject line “CCFA SCOQ 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, 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: