

Dated: June 8, 2005.

**Mitchell Luxenberg,**

*Acting Director, Management and Budget,  
National Ocean Service, National Oceanic  
and Atmospheric Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 060805D]

#### Taking and Importing of Marine Mammals

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

**ACTION:** Notice; affirmative finding.

**SUMMARY:** The Assistant Administrator for Fisheries, NMFS, (Assistant Administrator) has renewed the affirmative finding for the Government of Mexico under the Marine Mammal Protection Act (MMPA). This affirmative finding will allow yellowfin tuna harvested in the Eastern Tropical Pacific (ETP) in compliance with the International Dolphin Conservation Program (IDCP) by Mexican-flag purse seine vessels or purse seine vessels operating under Mexican jurisdiction to be imported into the United States. The affirmative finding was based on review of documentary evidence submitted by the Government of Mexico and obtained from the Inter-American Tropical Tuna Commission (IATTC) and the U.S. Department of State.

**DATES:** Effective April 1, 2005, through March 31, 2006.

**FOR FURTHER INFORMATION CONTACT:** Regional Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213; phone 562-980-4000; fax 562-980-4018.

**SUPPLEMENTARY INFORMATION:** The MMPA, 16 U.S.C. 1361 *et seq.*, allows the entry into the United States of yellowfin tuna harvested by purse seine vessels in the ETP under certain conditions. If requested by the harvesting nation, the Assistant Administrator will determine whether to make an affirmative finding based upon documentary evidence provided by the government of the harvesting nation, the IATTC, or the Department of State.

The affirmative finding process requires that the harvesting nation meet its obligations under the IDCP and

obligations of membership in the IATTC. Every 5 years, the government of the harvesting nation must request an affirmative finding and submit the required documentary evidence directly to the Assistant Administrator. On an annual basis NMFS will review the affirmative finding and determine whether the harvesting nation continues to meet the requirements. A nation may provide information related to compliance with IDCP 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 IDCP.

As a part of the affirmative finding process set forth in 50 CFR 216.24(f), the Assistant Administrator considered documentary evidence submitted by the Government of Mexico or obtained from the IATTC and the Department of State and determined that Mexico has met the MMPA's requirements to receive an affirmative finding.

After consultation with the Department of State, the Assistant Administrator issued the Government of Mexico's affirmative finding allowing the continued importation into the United States of yellowfin tuna and products derived from yellowfin tuna harvested in the ETP by Mexican-flag purse seine vessels or purse seine vessels operating under Mexican jurisdiction. The affirmative finding will remain valid through March 31, 2010, subject to subsequent annual reviews by NMFS.

Dated: June 10, 2005.

**William T. Hogarth**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration (NOAA)

#### Marine Protected Areas Center New England Region Public Dialogue Meeting

**AGENCY:** National Ocean Service, NOAA, Department of Commerce.

**ACTION:** Notice of public meeting.

**SUMMARY:** Notice is hereby given of a public meeting concerning the development of a national system of marine protected areas (MPAs) pursuant to Executive Order 13158 (May 26, 2000). The Gulf of Mexico Region Public Dialogue will be held July 18, 2005, 6:30-9 p.m. in New Orleans, Louisiana. This is the third in a series of regional dialogues to be held around the United States to solicit input from the public concerning their views on a national system of MPAs. Additional meetings will be announced and scheduled pending available resources. Refer to the Web page listed below for background information concerning the development of the national system of MPAs. Meeting room capacity is limited to 75 people, and as such interested participants are required to RSVP via the e-mail address (preferable), fax number, or phone number listed below, by no later than 5 p.m. e.d.t. on July 8, 2005. Attendance will be available to the first 75 people who respond.

Those who wish to attend but cannot due to space or schedule limitations can find background materials at the Web page listed below and may submit written statements to the e-mail, fax, or mailing address below. A written summary of the meeting will be posted on the Web site within one month of its occurrence.

**DATES:** The meeting will be held Monday, July 18, 2005 from 6:30 p.m. to 9 p.m. e.d.t.

**ADDRESSES:** The meeting will be held at the New Orleans Marriott, 555 Canal Street, New Orleans, Louisiana 70130.

**FOR FURTHER INFORMATION CONTACT:** Jonathan Kelsey, National System Development Coordinator, National Marine Protected Areas Center, 1305 East-West Highway, Silver Spring, Maryland 20910. (Phone: (301)-713-3155 ext. 230, Fax: (301)-713-3110); e-mail: [mpa.comments@noaa.gov](mailto:mpa.comments@noaa.gov); or visit the National MPA Center Web site at [http://mpa.gov/national\\_system/](http://mpa.gov/national_system/).

**SUPPLEMENTARY INFORMATION:** These forums are intended to solicit the public's views regarding the development of a national system of MPAs. All input received via these