

seriously injured incidental to commercial fisheries. Pursuant to the MMPA, NMFS convenes Take Reduction Teams composed of stakeholders to develop recommendations that achieve a short-term goal of reducing mortalities and serious injuries of marine mammals covered by the Take Reduction Plan to a rate below each stock's Potential Biological Removal (PBR) level, which is defined by the MMPA as the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach or maintain its optimum sustainable population. NMFS considers those recommendations when implementing Take Reduction Plans through the rulemaking process. The Atlantic Large Whale Take Reduction Team (Team) was first convened in 1996 to recommend measures to reduce mortalities and serious injuries of right, humpback, and fin whales incidental to certain commercial fisheries. Since 1997, the Atlantic Large Whale Take Reduction (Plan) has been amended several times to reduce the impacts of fishing gear on large whales in U.S. waters through measures that include area closures, gear configuration requirements, and gear marking. On September 17, 2021, NMFS published a Plan amendment (86 FR 51970; (2021 rule), that implemented modifications to reduce mortalities and serious injuries caused by entanglement in the Northeast American lobster and Jonah crab trap/pot fishery.

However, at the time, NMFS believed additional entanglement-related mortality and serious injury reduction would be needed to meet the goal set by the MMPA. As part of the rulemaking process that would establish these additional entanglement risk reduction measures, NMFS published a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Phase 2 Modifications to the Plan on September 9, 2022 (87 FR 55405). NMFS reconvened the Team in Fall 2022 to develop recommendations for measures to further address entanglement risk in all East Coast fixed-gear fisheries managed under the Plan. In December 2022, shortly after the Team voted on recommendations, Congress passed the Consolidated Appropriations Act, 2023 (CAA). The CAA deemed the 2021 rule sufficient to ensure that the continued Federal and State authorizations of the American lobster and Jonah crab fisheries are in full compliance with the MMPA and Endangered Species Act for a period

ending December 31, 2028. The 2-year timeline for an EIS as defined by the Fiscal Responsibility Act of 2023 updates to the National Environmental Policy Act (NEPA) makes the timeline for an EIS incompatible with the CAA's Congressionally mandated effective date of December 31, 2028, for a new Plan amendment. Therefore, NMFS withdraws this NOI to comply with NEPA requirements.

NMFS may issue NOIs to prepare EISs for future Plan amendments, including for any amendment that may be required December 31, 2028.

Authority: NEPA, 42 U.S.C. 4321 *et seq.*, and MMPA, 31 U.S.C. 1361 *et seq.*

Dated: February 19, 2026.

Shannon Bettridge,

Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF551]

Marine Mammals; File No. 28985

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that Minnesota Zoological Gardens, 13000 Zoo Boulevard, Apple Valley, MN 55124 (Responsible Party: John Frawley), has applied in due form for an enhancement permit for one captive Hawaiian monk seal (*Neomonachus schauinslandi*).

DATES: Written comments must be received on or before March 25, 2026.

ADDRESSES: The application and related documents are available for review by selecting "Records Open for Public Comment" from the "Features" box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 28985 from the list of available applications. These documents are also available upon written request via email to NMFS.Pr1Comments@noaa.gov.

Written comments on this application should be submitted via email to NMFS.Pr1Comments@noaa.gov. Please include File No. 28985 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request

via email to NMFS.Pr1Comments@noaa.gov. The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Jennifer Skidmore or Sara Young, (301) 427-8401.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

The Minnesota Zoological Gardens proposes continued maintenance of one non-releasable Hawaiian monk seal for enhancement purposes. This animal would be provided with daily husbandry care and treatment for current medical conditions, routine veterinary care, and would be made available for opportunistic research. The zoo will continue public awareness through education and observation, and non-intrusive husbandry and medical studies conducted incidental to the routine care and husbandry of the animals. The permit is requested for a 10-year period.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: February 18, 2026.

Shannon Bettridge,

Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

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