



August 22, 2025

Re: Federal Consistency Determination for a Proposed Rule to Prohibit Retention of Mobulid Rays in Fisheries for Atlantic Highly Migratory Species (RIN 0648-BN53)

Dear Coastal Zone Program Manager:

This document provides your State Coastal Zone Management Program (CZMP) with the National Marine Fisheries Service (NMFS) consistency determination under the Coastal Zone Management Act (CZMA) § 307(c) for a proposed rule that would prohibit retention of mobulid rays in fisheries for Atlantic highly migratory species (HMS), to require mobulid rays to be released unharmed in HMS fisheries, and to implement mobulid ray handling practices for vessels fishing with pelagic longline gear.

This action is necessary to implement a binding recommendation of the International Commission for the Conservation of Atlantic Tunas (ICCAT), Recommendation 24-12, which was adopted in November 2024, pursuant to the Atlantic Tunas Convention Act. The proposed rule published in the *Federal Register* on August 22, 2025. The comment period for the proposed rule is open until September 22, 2025.

Pursuant to 15 CFR 930.36(e), NMFS is providing one consistency determination that addresses the commonalities and differences of each state's enforceable policies. Pursuant to 15 CFR part 923 subparts (B) through (F), NMFS has reviewed the enforceable policies relevant to this action of each state along the Atlantic coast, Gulf of America, and Caribbean. As described below, NMFS finds this action to be consistent with the following policies contained in each state's CZMP: uses subject to management; special management areas; boundaries; authorities and organizations; and public involvement and national interest. In addition, NMFS finds this action to be consistent to the maximum extent practicable with the enforceable policies to manage, preserve, and protect the coastal natural resources, including fish and wildlife, and to provide recreational opportunities through public access to waters off the coastal areas. Specifically, under these enforceable policies, this proposed action is intended to protect mobulid rays and minimize their bycatch and bycatch mortality to the extent practicable in HMS fisheries consistent with ICCAT Recommendation 24-12, as well as National Standard 9 of the Magnuson-Stevens Fishery Conservation and Management Act.

Consistent with 15 CFR 930.41(a), NMFS requests that, once you have received our consistency determination and accompanying information, you review this information within 60 days and advise us of your agreement or disagreement with our consistency determination. Please refer to the subject line in your reply to this letter. In the event that there is no response from your agency within 60 days of receipt of this package, we will presume your agency's concurrence with our determination of consistency.



Please contact Carrie Soltanoff, carrie.soltanoff@noaa.gov, or Karyl Brewster-Geisz, karyl.brewster-geisz@noaa.gov, at 301-427-8503 if you have any questions on the proposed action.

Sincerely,

For

Kelly Denit
Director, Office of Sustainable Fisheries
National Marine Fisheries Service