

Groundfish Amendment 18 Action Plan

Council: New England Fishery Management Council

Fishery: Northeast Multispecies FMP

Title of Action: Amendment 18

Scope: accumulation limits, fleet diversity

Problem Statement/Objective of Action:

To address concerns related to the potential for decreased fleet diversity and increased consolidation in the fishery resulting from:

- Catch shares and currently low catch limits.
- Increases in catch limits as stocks rebuild in the future.

Goals:

1. Promote a diverse groundfish fishery, including different gear types, vessel sizes, ownership patterns, geographic locations, and levels of participation through sectors and permit banks;
2. Enhance sector management to effectively engage industry to achieve management goals and improve data quality;
3. Promote resilience and stability of fishing businesses by encouraging diversification, quota utilization and capital investment.
4. Prevent any individual(s), corporation(s), or other entity(ies) from acquiring or controlling excessive shares of the fishery access privileges.

Likely Range of Alternatives:

- No action.
- Accumulation limits.
 - Limit the holdings of PSC on an individual stock or aggregate basis.
 - Limit the holdings of permits.
- Fleet diversity measures.
 - Allow in-season U.S./Canada TAC trading of sector sub-ACL or sector ACE.
 - Create Handgear A fishery (e.g., sub-ACL).
 - Address concentrations of effort in inshore Gulf of Maine.
 - Create a Redfish Exemption Area
- Other
 - Allow ACE trading data to be non-confidential.

Type of NEPA Analysis Expected (CE/EA/EIS):

This action is expected to require an Environmental Impact Statement.

Type of ESA Consultation Expected (Informal/Formal):

This action is expected to have an informal ESA consultation.

Applicable Laws/Issues:

- Magnuson-Stevens Act: Typical issues and analyses expected
- Administrative Procedure Act: Typical issues and analyses expected
- National Environmental Policy Act: Typical issues and analyses expected
- Regulatory Flexibility Act: Typical issues and analyses expected
- Paperwork Reduction Act: Typical issues and analyses expected
- Coastal Zone Management Act: Typical issues and analyses expected
- Endangered Species Act: Typical issues and analyses expected.
- Marine Mammal Protection Act: Typical issues and analyses expected
- E.O. 12866 (Regulatory Planning and Review): Typical issues and analyses expected
- E.O. 13132 (Federalism): Typical issues and analyses expected
- Essential Fish Habitat: Typical issues and analyses expected
- Information Quality Act: Typical issues and analyses expected
- E.O. 13158 on Marine Protected Areas
- E.O. 12898 on Environmental Justice

PDT Chair: Jamie Cournane, NEFMC Staff

NEFMC Project Manager: Rachel Feeney, NEFMC Staff

GARFO Project Manager: Michael Ruccio, GARFO Staff

Implementation Team Manager: TBD

Plan Development Team Membership and Other Individuals:

	Organization	Name	Responsibility
Plan Development Team	NEFMC	Jamie Cournane	Chair of Groundfish PDT, Groundfish FMP Coordinator.
	NEFMC	Rachel Feeney	Primary author of all A18-related documents and meeting materials.
	NEFMC	Jonathon Peros	Support with meeting and document needs.
	NMFS GARFO Sustainable Fisheries Division	Michael Ruccio	Primary point of contact in NMFS for A18. Identify potential policy, regulatory, and administrative issues during development and review. Support with data needs.
	NMFS GARFO Sustainable Fisheries Division	Sarah Heil	Identify potential policy, regulatory, and administrative issues during development and review. Support with data needs.
	NMFS GARFO Analysis & Program Support Division	Dan Caless, Ted Hawes	Support data requests. Identify potential monitoring issues during development and review.
	NMFS GARFO NEPA	Tim Cardiasmenos	Review document for completeness in terms of NEPA requirements during development and review.

	NMFS NEFSC Population Dynamics Branch	Paul Nitschke	Consultation on development of measures and biological impact analyses.
	NMFS NEFSC Social Science Br.	Chad Demarest	Complete data requests for the PDT. Economic Impact Analyses.
	Maine DMR	Sally Sherman	Consultation on development of measures and data analysis.
	Mass. DMF	Steve Correia	Consultation on development of measures and data analysis.
	NMFS GARFO Protected Species	Danielle Palmer	Consultation on development of measures and impacts on protected resources.
Other Individuals	NMFS GCNE	Gene Martin	Consultation on potential legal issues and questions.
	NMFS GARFO Habitat Conservation Div.	David Stevenson	Consultation on development of measures and impacts on habitat.
	NMFS Enforcement	Tim Donovan	Consultation on development of measures.
	NMFS NEFSC Social Science Br.	Anna Henry	Complete data requests for the PDT. Collaborate on Social Impact Analyses.
	NMFS NEFSC Fisheries Sampling Branch	Amy Van Atten	Complete observer program data requests for the PDT. Identify potential monitoring/observer program issues during development and review.
	US Coast Guard	TBD	Identify potential enforcement issues during development and review.

Implementation Team Membership:

Organization	Name	Responsibility
NMFS GARFO APSD	Ted Hawes	NMFS permit and ownership related information manager??
Others TBD		

Implementation Team Issues:

- Enforcement: TBD
- Information Resource Management (IRM): TBD
- Statistics: TBD
- Observer Coverage: TBD
- Administrative issues/costs: TBD
- Regulatory clarification/simplification: TBD
- Data Requirements: TBD
- VMS: TBD
- Protected Resources: TBD
- Plan for How to Measure the Effectiveness of the Action: TBD

Timeline for Development/Review/Implementation:

2010	
Jun. 23	NEFMC vote on four goals that would become A18 goals.
Nov. 16	NEFMC approves 2011 priorities, including preparing an amendment to consider fleet diversity and accumulation cap objectives.
2011	
Apr. 7	NMFS publishes control date for A18.
Jun. 9	NEFMC holds Accumulation Limits Workshop.
Sept. 28	NEFMC approves A18 scoping document.
Dec. 21	NMFS publishes NOI to prepare and EIS and hold public scoping meetings.
2012	
Mar. 1	Scoping period closes.
Jun. 21	NEFMC receives summary of scoping comments.
2013	
Mar. 6	Joint Committee/AP meeting focused on A18. Discuss work to date and fishery performance. List data analysis that would inform A18 development.
Mar. 13	PDT meets to discuss data analysis feasibility.
Apr. 16	Committee meeting focused on accumulation limits.
Jun. 10	AP meeting to make recommendations on refining A18 goals and objectives.
Jun. 12	Committee meeting to potentially refine A18 goals and objectives.
Jun. 19	NEFMC revises A18 goals, eliminates objectives.
Jul.-Sept.	Committee develops measures.
Sept. 24-26	NEFMC only considered Committee's motions on permit and PSC splitting.
Sept.-Nov.	Committee develops measures.
Nov. 20	NEFMC was scheduled to consider Committee's motions, but did not.
Aug.-Dec.	Compass Lexecon excessive shares analysis.
2014	
Jan.-Jun.	Committee and NEFMC develop measures.
June 12-13	CIE peer review of Compass Lexecon report.
June 17-19	NEFMC partially approves Range of Alternatives (HA measures and US/CA) and adds Inshore/Offshore Gulf of Maine cod measures.
Late July	CIE peer review reports finalized.
Aug.-Sept.	Committee meetings focus on accumulation limits and inshore/offshore GOM measures.
Sept.30-Oct. 2	NEFMC tables approving Range of Alternatives and did not consider Committee's motions.
Nov. 17-20	NEFMC scheduled to approve remaining Range of Alternatives.
Nov.-Dec.	Revised NOI, PDT develop DEIS, analyze probable effects.
2015	
Jan. – Apr.	DEIS development cont.
Apr. 28-30	NEFMC approves DEIS with range of alternatives, selects preferred alternatives.
Jun. 1	DEIS accepted by NMFS.
Jul. 1	EPA approves DEIS and issues NOA that DEIS is available.
Jul.-Aug.	DEIS 45-day public comment period.
Sept. 22-24	NEFMC votes on final action.

Nov. 1	FEIS submitted to GARFO.
Nov. – Dec.	EIS review, revisions, final submission, and deeming of proposed regulations. NMFS publishes NOA. 60-day public comment period.
2016	
Jan.- Feb.	Continue review/comment period.
May 1	Possible implementation of measures.

Worksheet 1: Timeline of Actions

See timeline for all Groundfish actions.

Worksheet 2: PDT Resources

Note: These are the PDT resources anticipated from May 2014 forward. Green rows are completed work. Yellow rows are ongoing work. Red rows are work not yet begun.

A18 Goals/Measures	Specific needs	Primary PDT Participation	Start Date	End Date	Duration
Accumulation limits	Narrow range of PSC alternatives	Rachel, Chad	May 2014	June 2014 (complete)	1 month
	Refine entities to which alternatives apply	Rachel, Chad	May 2014	June 2014 (complete)	1 month
	Conduct and finalize fleet diversity analysis	Chad, other SSB staff	June 2013 (and earlier)	October 2014 (complete)	17 months
	Input on impacts of PSC caps on sales, buybacks, divestiture	Rachel, Mike, Chad, Anna, Willie	July 2014	July 2014 (complete)	1 month
	Analyze alternatives	Rachel, Jamie, Mike, Chad, Anna, Danielle	November 2014	March 2015 (not started)	5 months
U.S./CA trading	Analyze alternatives	Rachel, Jamie, Sarah, Danielle, Mike	July, 2014	March 2015 (ongoing)	9 months
	Revise NOI	Rachel, Mike, Tim, Sarah	November 2014	January 2015 (not started)	2 months
HA fishery	Analyze alternatives	Rachel, Jamie, Jonathon, Mike, Willie, Danielle, Paul, Steve	July 2014	March 2015 (ongoing)	9 months
Inshore/Offshore Gulf of Maine	Compile/provide data on historical catch patterns and stock distribution	Rachel, Steve, Paul, Jamie, Chad	July 2014	September 2014 (complete)	2.5 months

	Develop alternatives (boundary, sub-ACLs, gear & time restrictions)	Rachel, Jonathon, Jamie, Steve, Paul, Chad, Anna, Sally, Sarah	May 2014	November 2014	6 months
	Revise NOI (if recreational alternatives remain in A18)	Rachel, Mike	November 2014	January 2015 (not started)	2 months
	Analyze alternatives	Rachel, Jamie, Jonathon, Mike, Chad, Anna, Paul, Jamie, Steve, Danielle	November 2014	March 2015 (not started)	5 months
Data Confidentiality	Develop alternatives	Rachel, Mike (w/ Mark Grant)	May 2014	July 2014 (complete)	3 months
	Analyze alternatives	Rachel, Jamie, Jonathon, Mike, Chad, Anna, Paul, Jamie, Steve, Danielle	November 2014	March 2015 (not started)	5 months
Redfish Exemption Area	Develop alternatives	Rachel, Mike, Willie	October 2014	November 2014 (ongoing)	1 month
	Analyze alternatives	Rachel, Jamie, Jonathon, Mike, Chad, Anna, Paul, Jamie, Steve, Danielle	November 2014	March 2015 (not started)	5 months
Affected Environment	Update/augment	Rachel, Jamie, Jonathon, Anna, Danielle	July 2014	March 2015 (ongoing)	9 months

Other Issues:

Enforcement: TBD

Statistics: TBD

Observer Coverage: TBD

Administrative issues/costs: TBD

Regulatory clarification/simplification: TBD

Action Plan Versions:

Version	Date	Author	Change Description
1	May 28, 2013	Rachel Feeney	Initial version. Shared among Council staff and primary GARFO contacts (Ruccio, Murphy).
2	June 13, 2013	Rachel Feeney	Includes feedback from primary GARFO contacts.
3	August 20, 2013	Rachel Feeney	Update timeline and A18 goals.
4	January 13, 2014	Rachel Feeney	Update timeline, add Anna Henry to PDT
5	April 16, 2014	Rachel Feeney	Update timeline
6	May 1, 2014	Rachel Feeney	Update timeline, conform document to Tiger Team action plan format
7	May 6, 2014	Rachel Feeney	Includes feedback from GARFO project manager
8	June 10, 2014	Rachel Feeney	Update timeline
9	June 26, 2014	Rachel Feeney	Update timeline
10	July 1, 2014	Rachel Feeney	Remove Kevin Madley on list of “other individuals.” Add Danielle Palmer to PDT. Update worksheet 2.
11	July 17, 2014	Rachel Feeney	Update worksheet 2.
12	July 28, 2014	Rachel Feeney	Update worksheet 2.
13	November 5, 2014	Rachel Feeney	Update range of alternatives, timeline, worksheet 2, and format.