



## New England Fishery Management Council

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## MEETING SUMMARY

### Groundfish Plan Development Team

By webinar

Wednesday, January 9, 2019

The Groundfish Plan Development Team (PDT) met to discuss a proposal for a new sector and provide feedback to the Groundfish Committee on the application.

**Meeting Attendance:** Jamie M. Cournane PhD (Chair), Greg DeCelles PhD, Kevin Sullivan, Matt Cieri PhD, and Robin Frede. In addition, 1 member of the public attended, Amanda Cousart. Due to the partial federal government shutdown, NOAA staff were on furlough and unable to attend the PDT meeting.

The meeting began at 1pm.

#### *Process for Approving New Northeast Multispecies (Groundfish) Sector*

Framework Adjustment 55<sup>1</sup> implemented a revised process for approving new Northeast Multispecies (Groundfish) Sectors in order to add flexibility to the sector approval process (see pp. 52-53). The Council reviews the new sector applications for consistency with the requirements and goals of the sector program in Section 4.2.3 of Amendment 16<sup>2</sup> (starting on p.98). The following is an overview of the process for approving new sectors:

- New sectors do not need to be approved through a Council action (such as a Framework Adjustment or Amendment).
- A sector is required to notify the Council and NMFS in writing of its intent to form a new sector no later than 30 days prior to the deadline to submit an operations plan for the following fishing year.
- A sector submits an operations plan consistent with the existing process for operations plan approval. The operations plan shall be accompanied by a cover letter requesting formation of the new sector and the approval of the operations plan.
- After the deadline to submit operations plans for new sectors, NMFS notifies the Council in writing of its intent to consider new sectors for approval.
- Prior to the approval of new sector(s), the Council adds review of new sectors to the agenda of the next available Council meeting (prior to NMFS final decision).
- The Council provides the Groundfish Committee an opportunity to discuss the proposals in a public meeting prior to the Council meeting.

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<sup>1</sup> See Framework 55 here: [https://s3.amazonaws.com/nefmc.org/160408\\_FW55\\_formal\\_submission\\_resubmit\\_corrected.pdf](https://s3.amazonaws.com/nefmc.org/160408_FW55_formal_submission_resubmit_corrected.pdf)

<sup>2</sup> See Amendment 16 here: [https://s3.amazonaws.com/nefmc.org/091016\\_Final\\_Amendment\\_16.pdf](https://s3.amazonaws.com/nefmc.org/091016_Final_Amendment_16.pdf)

- Council comments are submitted to NMFS prior to rulemaking, and NMFS only approves a new sector upon the Council’s endorsement. NMFS explains any deviations from those recommendations when sectors are approved/disapproved.
- NMFS makes a determination about the formation of the proposed sector being consistent with the Administrative Procedure Act (APA), and approves or disapproves the operations plan through the existing process.

### ***Current Groundfish Sectors***

Nineteen sectors are operating in the 2018 fishing year (FY). GARFO’s sector webpage<sup>3</sup> provides a list of approved sectors with links to each sector’s operations plan and contract, approved amendments, and the comprehensive FY2015-FY2020 environmental assessment.

### ***Proposal for a New Groundfish Sector: Mooncusser Sector***

The PDT reviewed the proposal packet (cover letter, preliminary operations plan, and Environmental Assessment table) for a new groundfish sector, *Mooncusser Sector*, dated January 8, 2019 and the letter from Regional Administrator, Michael Pentony to Executive Director, Tom Nies dated December 17, 2018 requesting review of the new sector proposal.

The PDT focused its review on consistency with the requirements and goals of the sector program in Amendment 16, noting no glaring concerns with the proposal. The proposal also appears to be consistent with other sector proposals previously approved. The sector would be comprised of inactive permits and be lease only for FY2019. The proposal contains language about the ability for permits to be active, and the PDT wondered if the sector would potentially become active in FY2020. The Committee/Council may wish to revisit the proposal should the permits become active in the sector (see pp. 10 of the operations plan, excerpt provided).

In FY2018, approximately 0% of the permits currently enrolled in the Sector for FYs 2019 and 2020 are attached to vessels actively fishing for NE multispecies. For FYs 2019 and 20, the Sector has 3 permits currently enrolled. Of those, 0 permits affiliated with 0 vessels are anticipated to actively fish for NE groundfish in FYs 2019 and 2020. While these numbers may change if additional members join, the Sector expects that, compared to FY 2018, there would be little to no change from the consolidation that previously occurred among Members. The member permits that are not attached to active NE multispecies vessels in FYs 2019 and 2020 are the same permits that did not fish in FY2018. In most cases, a Member who owns multiple permits fished the ACE (or DAS if in the Common Pool) of all those permits on a single 1 hull and will now continue to fish the ACE contributed by all those permits on the same single hull, resulting in little-to-no additional consolidation.

The proposal also contains language describing an active sector’s operations.

### ***Other business***

The PDT plans to convene meetings during the partial Federal government shutdown, when the tasks to be completed match the abilities and skills of the PDT members able to attend (i.e., Council and State Agency staff).

The meeting adjourned at approximately 1:30 pm.

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<sup>3</sup> See <https://www.greateratlantic.fisheries.noaa.gov/sustainable/species/multispecies/index.html>, select the “Sector” tab and then the “Approved Sectors” tab.