



New England Fishery Management Council

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COUNCIL SOLICITING CONTRACT WORK **Groundfish Sector System/Catch Shares Program Review** **October 22, 2018**

Project Description

The New England Fishery Management Council (Council) requires the services of an independent contractor to assist the Council and its technical working group to conduct a review the Northeast Multispecies (groundfish) sector system, a catch share program. This is a short-term, temporary contractor role, commencing on or about December 15, 2018 and ending when the Council and the technical working group complete the review (tentatively June 2019). The technical working group is comprised of Council, Northeast Fisheries Science Center, and Greater Atlantic Regional Fisheries Office staff. It is anticipated that the contractor will assist the technical working group by facilitating working group meetings, coordinating working group review documents, assisting with developing and writing the draft program review document, and prepare the final review document for the Council and National Marine Fisheries Service with input from key Council and scientific stakeholders.

Project Background

National Oceanic and Atmospheric Administration's (NOAA) catch share policy (<https://www.fisheries.noaa.gov/national/laws-and-policies/fisheries-management-policy-directives>) explains that Councils should periodically review catch share programs to evaluate whether a program is meeting its goals and objectives. The policy also states, "NOAA recommends Councils apply the LAPP [limited access privilege program] review and duration principles to all catch share programs". The NOAA guidance for conducting reviews, explains that:

Section 303A(c)(1)(G) of the MSA requires the Councils and Secretary to "include provisions for the regular monitoring and review by the Council and the Secretary of the operations of the program, including determining progress in meeting the goals of the program and this Act, and any necessary modification of the program to meet those goals, with a formal and detailed review 5 years after the implementation of the program and thereafter to coincide with scheduled Council review of the relevant Fishery Management Plan (FMP); but no less frequently than once every 7 years)" of all LAPPs established after January 12, 2007.

At its December 2017 meeting, the Council approved a list of priorities for 2018, which included a review of the groundfish sector/catch share program under the Northeast Multispecies Fishery Management Plan.

Focus of the review

The evaluation period of review will be strictly focused on fishing years 2010 to 2015 (May 1, 2010 to April 30, 2016). This period covers the first six years of the catch share program since Amendment 16. Information prior to program establishment will cover fishing years 2007 to 2009 (May 1, 2007 to April 30, 2010).

The working group recommends the catch share review cover the following items:

1. Executive Summary
2. Purpose, Need, and Scope of the Northeast Multispecies (Groundfish) catch share review
3. Northeast Multispecies Fishery
 - a. Summary of groundfish resources
 - b. Summary of management history
 - i. Goals and objectives of Amendment 13, 16, 18 – document the goals and objectives, focusing on FMP and Amendment(s)
 - ii. Summary of changes to the catch share program since Amendment 16
 - c. Summary of the sector fishery
 - i. Allocations – Document the initial allocations and any changes, including any stocks with commercial and recreational allocations
 - ii. Eligibility
 1. Document the eligibility requirements
 2. Survey current and historical participants’ satisfaction with the program and changes in their well-being (time permitting)
 - iii. Transferability – Document the policy and criteria for transfers of catch privileges and any restrictions
 - iv. Duration – Document the lifespan of the catch privileges
 - v. New Entrants
 1. Document the programs to assist new entrants
 2. Explain any barriers to entry, including costs
 3. Explain if entry cost has increased such that market power is being exercised and economic inefficiencies are being created
 - vi. Auctions and royalties – explain that this is not applicable
4. Evaluation of the catch share program
 - a. Introduction and summary
 - b. Catch and sustainability
 - i. Document system of catch limits and status of stocks
 - ii. Document by stock any overages, including their magnitude and frequency and any accountability measures implemented
 - iii. Document utilization rates and in cases of less than full utilization explain the drivers
 - iv. Document changes in bycatch and discard mortality
 - c. Fleet capacity and diversity
 - i. Capacity and consolidation
 - ii. Diversity (dimensions: gear types, vessel sizes, geographic locations (ports), participations levels)
 - iii. Sector and Common Pool participation
 - iv. Permit Banks
 - v. Excessive shares
 1. Analyze and evaluate the equity/disproportional impacts of existing caps
 2. Examine what impacts the caps have on market power by affected entities

- d. Community impacts
 - i. Fishery dependence
 - ii. Shoreside infrastructure
 - e. Commercial allocations, utilization, and transferability
 - i. Allocations and use
 - ii. Quota market and leasing
 - iii. Transboundary management
 - f. Bycatch and discards
 - i. Within-groundfish discards and bycatch
 - ii. Extra-groundfish discards and bycatch
 - iii. Discard and bycatch mortality
 - g. Research, cooperation with industry, assessment procedures
 - h. Minimizing adverse impacts to essential fish habitat to the extent practicable
 - i. Data collection, monitoring, and enforcement
 - i. Document the existing data collections, monitoring, and enforcement programs
 - ii. Evaluate the programs with respect to achieving the goals and objectives
 - iii. Document any improvements expected through future actions
5. Summary of Findings
- a. Net benefits to the Nation
 - b. Participation at varying levels and excessive shares
 - c. Fishery capacity and conservation and management
 - d. Safety, compliance, and enforcement
 - e. Future data and research needs
6. Cost Recovery – explain that the program does not include cost recovery
7. Acknowledgements and Meetings

The successful candidate will support the technical working group and Council staff to prepare and present a draft Catch Shares Program Review document to the Groundfish Plan Development Team, Groundfish and Recreational Advisory Panels, Scientific and Statistical Committee, Groundfish Committee, and Council in the second quarter of 2019 (April - June 2019) for review and input. The candidate will be expected to coordinate and attend meetings of the working group and work closely with Council staff and working group members.

Statement of Work

The primary role of this position is to support the technical working group, to summarize the Groundfish Catch Shares Program Review, and prepare the program review document and presentations. The contractor will be a technical working group member. Under the overall direction of the Council Groundfish Plan Coordinator the contractor will research information to summarize in the program review document, including researching updated information and writing clear summaries of relevant information to support Council deliberations on this topic.

The contractor will be expected to operate independently, with little administrative support.

Necessary office space and equipment will be provided by the contractor; approved travel expenses will be reimbursed by the Council.

1. Familiarity with the U.S. federal fisheries management system, including an understanding of the key relevant statutes (e.g. Magnuson-Stevens Fishery Conservation and Management Act, National Environmental Policy Act, Administrative Procedures Act, Endangered Species Act, etc.) and regulatory guidance. Familiarity with federal fisheries management in New England is preferred but not required
2. General understanding of fishery management programs at the state and national levels
3. Experience interacting with fisheries managers, scientists, and stakeholders
4. Familiarity with the use of scientific information in the fishery management process
5. Ability to research and compile fisheries management policies and scientific research with minimal supervision
6. Strong writing and speaking skills. Demonstrated ability to summarize complex policies and procedures in clear, easily read documents, or through concise verbal discussions
7. Advance degree in a fisheries policy or technical field preferred
8. Demonstrated ability to summarize conflicting information in an objective manner
9. Candidates employed by advocacy organizations or by organizations that are parties in fishery lawsuits will not be considered

Expected Responsibilities and Deliverables

The following list illustrates the activities expected from the Contractor. This list is not all-inclusive and a detailed list of deliverables will be negotiated.

1. Support the development of the review document (see above outline).
2. Prepare and present the Groundfish Catch Shares Program Review Document
 - a. Review draft with the technical working group early in 2019
 - b. Present the draft to the Groundfish Plan Development Team, Groundfish and Recreational Advisory Panels, Scientific and Statistical Committee, and Groundfish Committee in April-May 2019 and incorporate input
 - c. Present to full Council in June 2019 and incorporate input
 - d. Finalize document during May-June 2019

Application Submission Contact

Interested professionals are encouraged to submit a letter of interest, current resume or curriculum vitae, examples of similar work completed for other organizations or publications, and budget with expected expenses. In addition, applicants should describe the approach that would be used to meet the requirements of this project, including deliverables. Travel expenses need not be included as approved travel will be reimbursed by the Council. Letters of interest and supporting materials should be received no later than November 30, 2018 and addressed to Thomas Nies, NEFMC, 50 Water Street, Mill 2, Newburyport, MA 01950, or sent by e-mail to tnies@nefmc.org. Questions concerning this proposal should be directed to the same address.

This work will be funded under New England Fishery Management Council Award #NA10NMF4410007. Compliance with the Magnuson-Stevens Fishery Conservation and Management Act (P.L.401-208 as amended) and the Council's standard contract terms and conditions will be expected.

NEFMC takes affirmative action toward to ensuring equal opportunities; the Council encourages women-owned businesses, protected veterans, and individuals with disabilities to submit letters of interest and other requested materials for consideration under this announcement.

Disclaimer

1. All costs associated with the preparation and presentation of the proposal will be borne by consultants submitting letters of interest.
2. Materials submitted will not be returned.
3. Respondents must disclose any relevant conflicts of interest and will be expected to comply with all federal grant contracting requirements.
4. The Council reserves the right to accept or reject any or all letters of interest received; negotiate with all qualified potential candidates; cancel or modify the Request for Proposals in part or in its entirety; and/or change the application guidelines, when it is in its best interests.