



STATE OF DELAWARE

**DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

DIVISION OF CLIMATE, COASTAL AND ENERGY

STATE STREET COMMONS

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DOVER, DELAWARE 19904

**COASTAL  
PROGRAMS**

PHONE  
(302) 739-9283

Michael Pentony  
Regional Administrator  
NOAA NMFS  
Greater Atlantic Regional Fisheries Office  
55 Great Republic Drive  
Gloucester, MA 01930

Mar 20, 2025

**RE: Delaware Coastal Management Program — Federal Consistency Determination  
Concurrence for NOAA Amendment 25/Adjustment 69 to the Northeast Multispecies FMP  
(FC 2025.0015)**

Dear Michael Pentony,

The Delaware Department of Natural Resources and Environmental Control (DNREC) Coastal Management Program (DCMP) has completed its review of the above referenced project, received by this office on January 23, 2025.

**PROPOSED ACTION**

The National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) proposes to revise the Northeast Multispecies Fisheries Management Plan (FMP), which currently manages a suite of 13 species comprising 20 stocks of fish in Federal waters off the coast of Maine through North Carolina. Amendment 25 to the Northeast Multispecies FMP would revise the current Atlantic cod stock management units as defined in the 2023 Research Track Assessment of Atlantic Cod. The Amendment would delineate four cod stock units:

1. New stock unit of Eastern Gulf of Maine cod;
2. New stock unit of Western Gulf of Maine cod;
3. Revised stock unit of Georges Bank cod; and
4. New stock unit of Southern New England (SNE) cod.

Management measures for the four Atlantic cod stocks added to the FMP by Amendment 25 are included in a companion regulatory action, Framework Adjustment 69. Framework Adjustment 69 also includes specifications (i.e., quotas) for groundfish stocks, including the four new cod stocks, and management measures to implement the specifications.

## **FEDERAL CONSISTENCY UNDER THE COASTAL ZONE MANAGEMENT ACT**

Pursuant to the Coastal Zone Management Act (CZMA) of 1972, as amended, each federal agency activity within or outside the coastal zone that can have reasonably foreseeable effects on any land or water use or natural resource of the coastal zone shall be carried out in a manner which is consistent to the maximum extent practicable with the enforceable policies of approved state management programs. The National Oceanic and Atmospheric Administration (NOAA) is required to review and approve a proposed state management program for it to become effective. Under the CZMA implementing regulations, Federal Consistency with Approved Coastal Management Programs (15 CFR 930), subpart C, federal agencies are advised to provide state agencies with a consistency determination at the earliest practicable time in the planning or reassessment of an activity, and also before the federal agency reaches a significant point of decision-making in its review process. The term “consistent to the maximum extent practicable” in 15 CFR 930.32 means fully consistent with the enforceable policies of a management program unless full consistency is prohibited by existing law applicable to the federal agency.

## **PUBLIC PARTICIPATION**

In accordance with 15 CFR §930.42, the public notice of this proposed action was published in English in the Delaware State News and The News Journal on February 9, 2025. The notice was also posted on the DNREC public notices list service website on February 9, 2025, in English, Spanish, and Haitian Creole. The public was given 20 days to comment on this notice. No public comments were received.

## **FEDERAL CONSISTENCY ANALYSIS**

The DNREC DCMP coordinates the review of consistency determinations with agencies administering the enforceable and advisory policies of the program. The proposed activity is to be implemented in a manner consistent with the enforceable policies of the DCMP under Section 5.0 of the DCMP Federal Consistency Policy and Procedures document. The following agencies participated in this review:

DNREC, Division of Fish and Wildlife

## **CONCURRENCE**

Based on its review and pursuant to 15 CFR 930, the DCMP concurs that the NOAA Amendment 25/Adjustment 69 to the Northeast Multispecies FMP as proposed is consistent to the maximum extent practicable.

Pursuant to 15 CFR 930.46, NOAA NMFS shall notify the DCMP of any proposed modifications to activities after receiving a decision from the DCMP. Modifications will be subject to supplemental

federal consistency review if effects to any coastal use or resource will be substantially different than originally described. Please be advised that this federal consistency review does not negate the need for other authorizations that may be required.

Thank you for the opportunity to evaluate this federal activity. If you have any questions, please contact me or Stephanie Zmina of my staff at (302) 739-9283.

Sincerely,



[Jesse Hayden \(Mar 20, 2025 16:19 EDT\)](#)

Jesse Hayden, Administrator  
Delaware Coastal Management Program

JH/sz

cc: File FC 2025.0015  
Matthew Young, DFW  
Heather Nelson, NOAA