



STATE OF DELAWARE

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

DIVISION OF CLIMATE, COASTAL AND ENERGY

STATE STREET COMMONS

100 W. WATER STREET, SUITE 7B

DOVER, DELAWARE 19904

**COASTAL
PROGRAMS**

PHONE
(302) 739-9283

July 1, 2026

Kelly Denit
Director, Office of Sustainable Fisheries
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, Maryland 20910

**RE: Delaware Coastal Management Program — Federal Consistency
Determination Concurrence for NMFS Implementation of ICCAT
Recommendations for Atlantic Swordfish and Tuna Species (FC 2026.0025)**

Dear Kelly Denit,

The Delaware Department of Natural Resources and Environmental Control (DNREC) Coastal Management Program (DCMP) has completed its review of the above-referenced project, dated and received by this office on May 7, 2026. The review request was submitted on behalf of the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS).

PROPOSED ACTION

NMFS proposes to implement recent binding recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT) on quotas for North Atlantic swordfish, South Atlantic swordfish, North Atlantic albacore (northern albacore), and Atlantic bluefin tuna.

This action would implement the management procedure adopted by ICCAT for North Atlantic swordfish, including analyzing a range of baseline quotas in anticipation that new baseline quotas may be adopted by ICCAT and implemented every three years. This action also considers the range of adjusted quotas that could result from applying previous years' underharvests or overharvests to the baseline quotas resulting from the management procedures for North Atlantic swordfish and northern albacore. This action does not change the existing baseline quotas for North Atlantic swordfish, South Atlantic swordfish, and northern albacore, and the ICCAT-recommended swordfish quota would continue to be divided among the established regulatory domestic sub-quota categories.

For bluefin tuna, this action would implement the increased U.S. baseline quota adopted by ICCAT in 2025 and divide that quota among the established regulatory domestic sub-quota categories. This action would also implement changes adopted by ICCAT in 2025 to the bluefin tuna quota associated with longline bycatch. This action further reiterates the method used to establish adjusted quotas annually based on previous years' under- or overharvests and any international quota transfers, for North Atlantic swordfish, South Atlantic swordfish, northern albacore, and bluefin tuna.

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. 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 was invited to participate in the review of the NMFS Implementation of ICCAT Recommendations for Atlantic Swordfish and Tuna Species. Public notice of this proposed action was published in the Delaware State News, The News Journal, and DNREC public notices webpage on June 3, 2026. The notice was also posted on DNREC public notices webpage 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

As a networked program, the DCMP coordinates consistency determination reviews with agencies administering enforceable mechanisms supporting the policies of the program pursuant to 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

The DCMP has considered the possible coastal effects of the proposed rule change, including the effect on commercial and recreational-for-hire fishers, managed target species, and protected species. The changes are proposed to have neutral effects on managed stocks and would continue to allow the fishing community to target species of interest, with an opportunity for increased catch of one species (Atlantic bluefin tuna). This aligns with the CZMA purpose and DCMP policies to balance both conservation and use of resources for recreation and economic benefits.

CONCURRENCE

Based on its review and pursuant to 15 CFR 930, the DCMP concurs that the project as proposed is consistent to the maximum extent practicable.

Pursuant to 15 CFR 930.46, the applicant 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 at (302) 739-9283.

Sincerely,


Jesse Hayden (Jul 1, 2026 15:54:19 EDT)

Jesse Hayden, Administrator
Delaware Coastal Management Program

JH/sz

cc: File FC 2026.0025
Carrie Soltanoff, NOAA
Steve Durkee, NOAA
Karyl Brewster-Geisz, NOAA
Larry Redd, NOAA
Faith Garcia, DFW