

# **Development of Fishery Management Plans & Regional Operating Agreements**

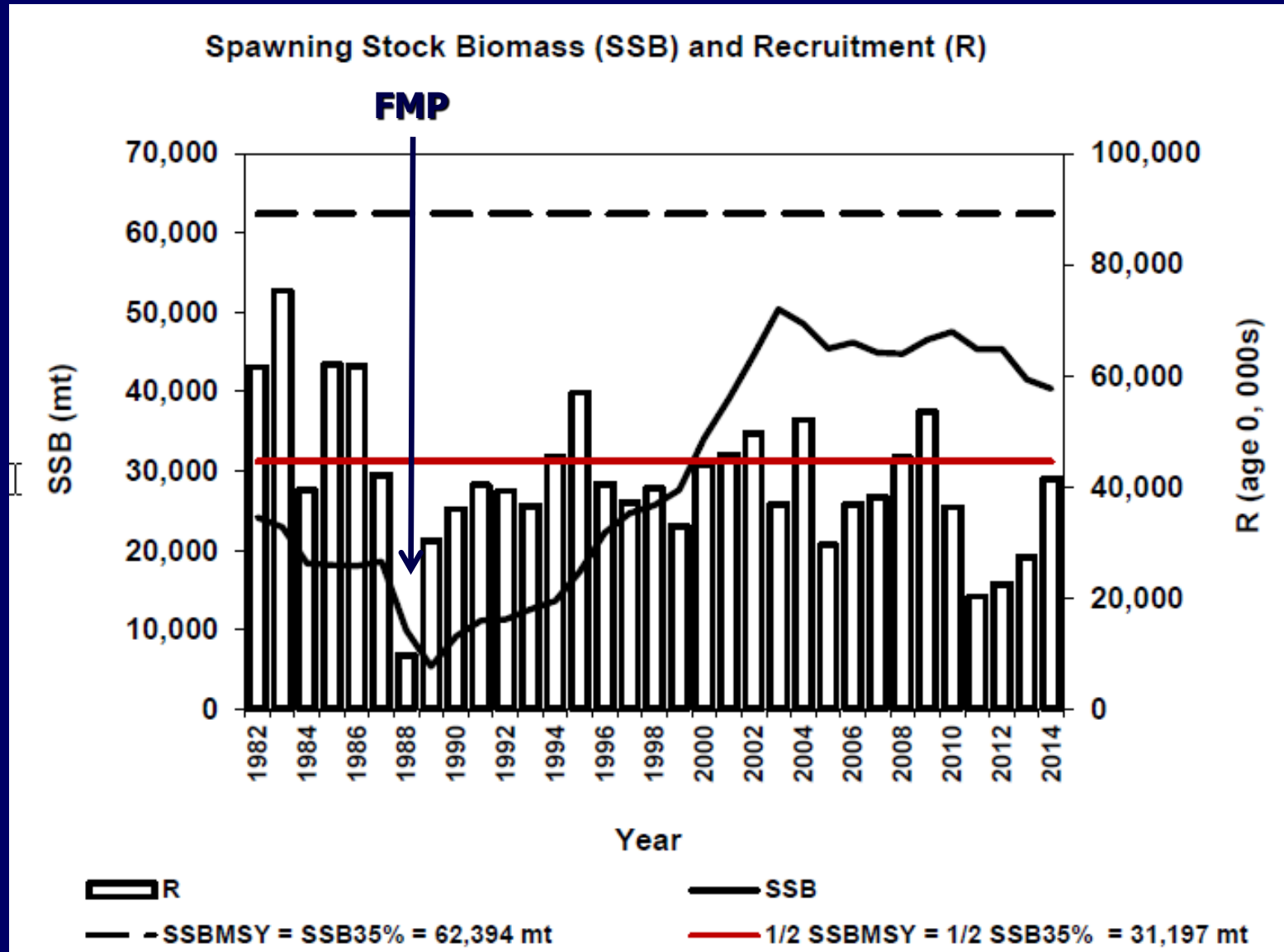


**Council Member Orientation  
October 27, 2015  
Silver Spring, MD**

# Overview

- **Frequent products associated with the fishery management plan process**
- **Common steps to developing these products**
- **Regional operating agreements and other useful process tools**

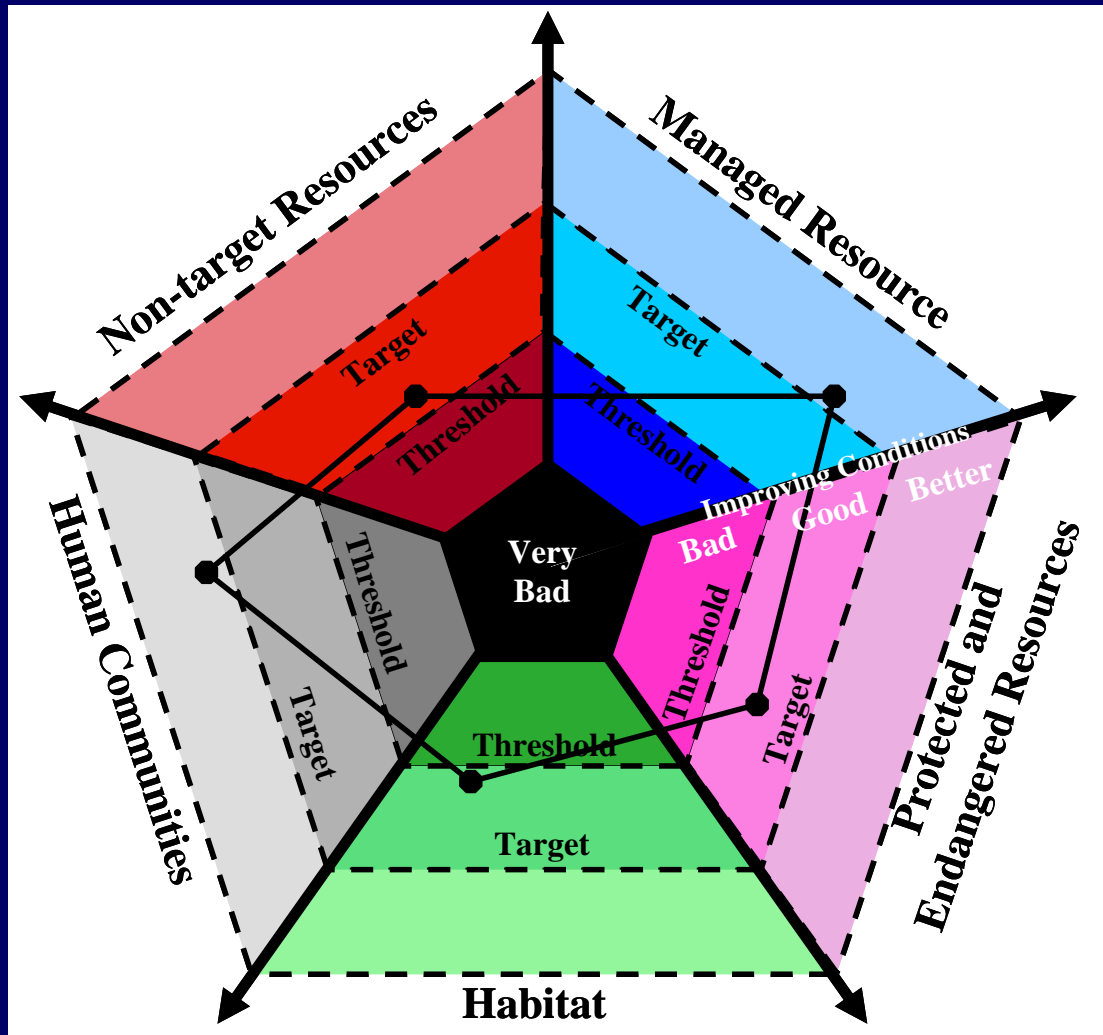
# FMP Development



# FMP-based Council Products

- **FMP and Amendments to the FMP** - new or novel measures proposed for a fishery
- **Frameworks to the FMP** - already contemplated in the FMP (not novel); tweak to existing measures.
- **Specifications (aka "specs.")** - sets/adjusts existing fishing measures for the upcoming fishing year(s)

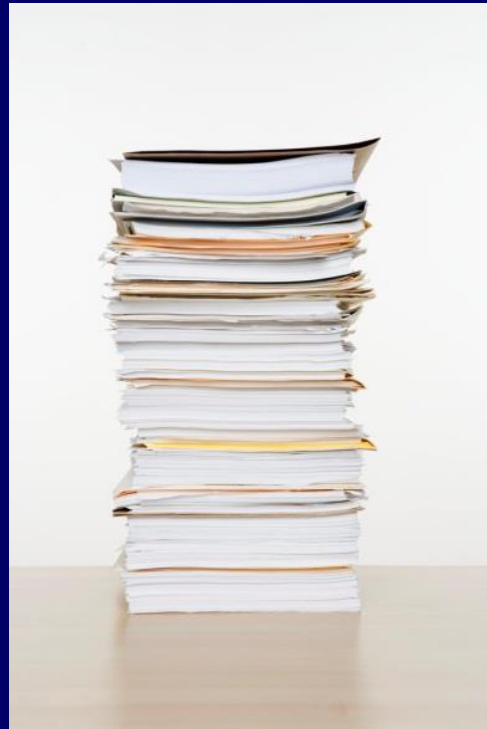
# Environmental Impacts Decision Document rel. to Valued Ecosystem Components



Inform  
Council, NMFS  
Regional  
Administrator,  
and public of  
impacts to  
VECs and  
tradeoffs  
among policy  
choices

# Council Input on Policy Options

- Recommendations from Council analyzed
- Submitted to NMFS to implement and enforce



# Level of Document Analysis Under NEPA

- **Categorical Exclusion (CE)** - administrative types of actions; no environmental impacts
- **Environmental Assessment** - impacts to VECS expected/analyzed, but not significant
- **Environmental Impacts Statement** - significant impacts expected/analyzed

# Don't forget the Other Applicable Laws

ESA	“No jeopardy” record-based determination Timing: consultation = 135 days
RFA	Consider Economic Impacts and alternatives Certification: record-based determination
EO 12866	Alternatives, Cost-benefit analysis
APA	Record shows compliance with all law; Notice and Comment; 30-day delay
Others	CZMA, MMPA, PRA, treaty rights, etc.



# Collect data to support impact analyses for policy options



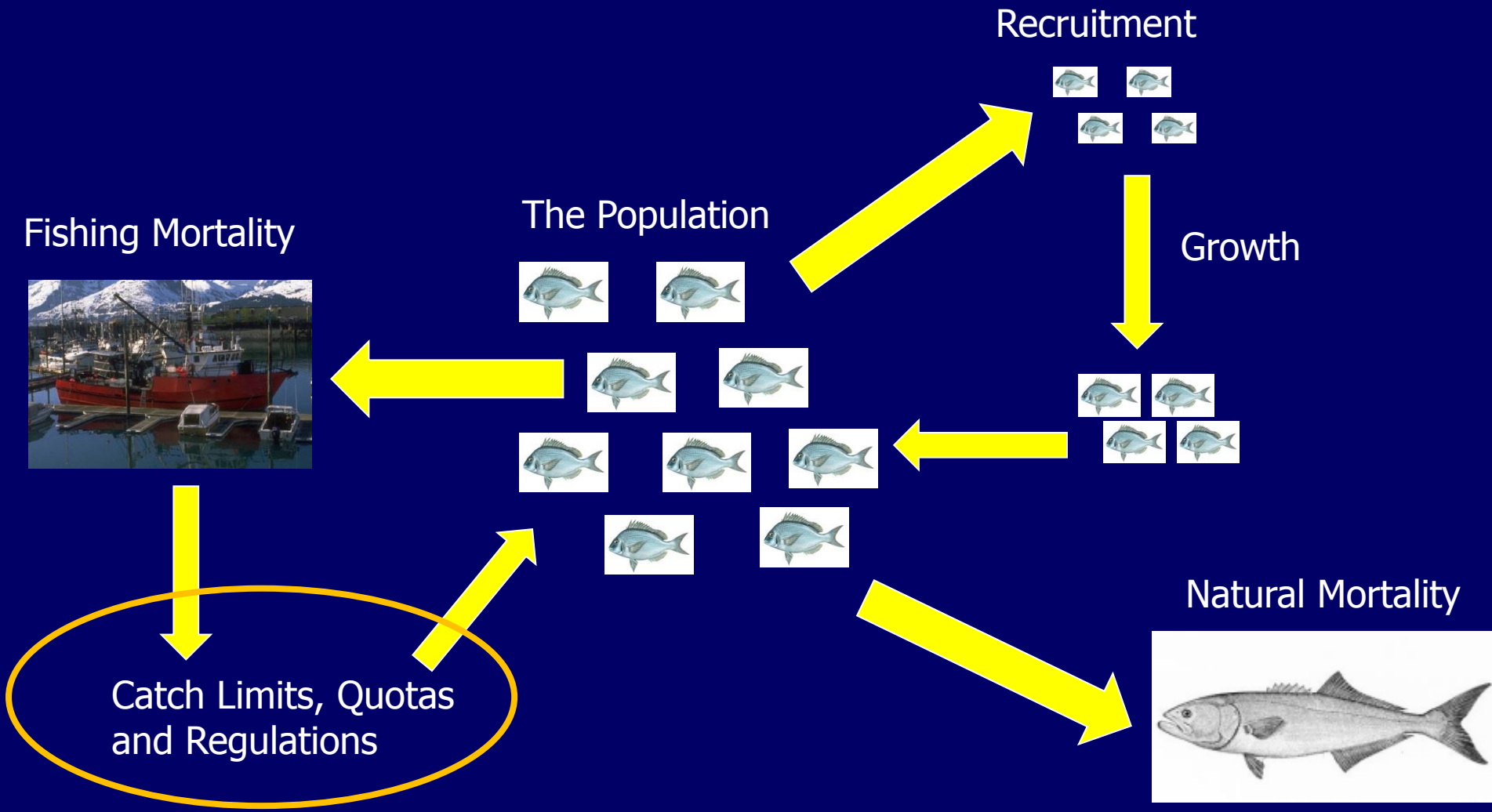
- ❑ **Biological (target, non-target, habitat/ecosystems, PR)**
- ❑ **Commercial landings and bycatch/discards**
- ❑ **Recreational landings and bycatch/discards**
- ❑ **Fishing effort**
- ❑ **Economic**
- ❑ **Social**

# Two Examples

- Specifications - Environmental Assessment
- Amendment - Environmental Impact Statement



# Specifications Starts with Assessing the Stock



# Specifications Decision Process

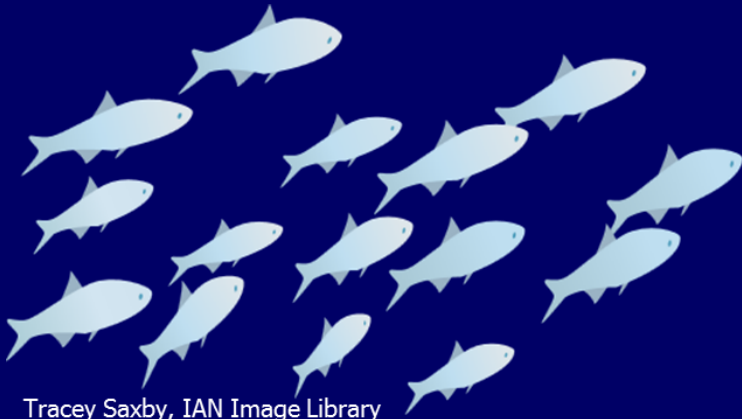
## Science Inputs

*Updated stock assessment*

Can take  
months for  
these steps!

## SSC, PDT, Advisors Meetings

*Science and technical, and stakeholder input*



Tracey Saxby, IAN Image Library

## Public Council Meeting

*Recommends fishery  
management measures*

# Specifications Implementation Process

## Proposed Action

*Packaged and analyzed by staff*

## Staff Submit Specs to NMFS

*NMFS reviews; staff edits*

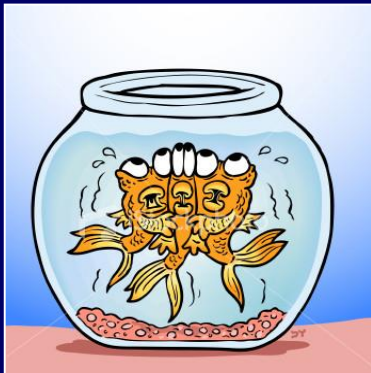
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## NMFS Rulemaking

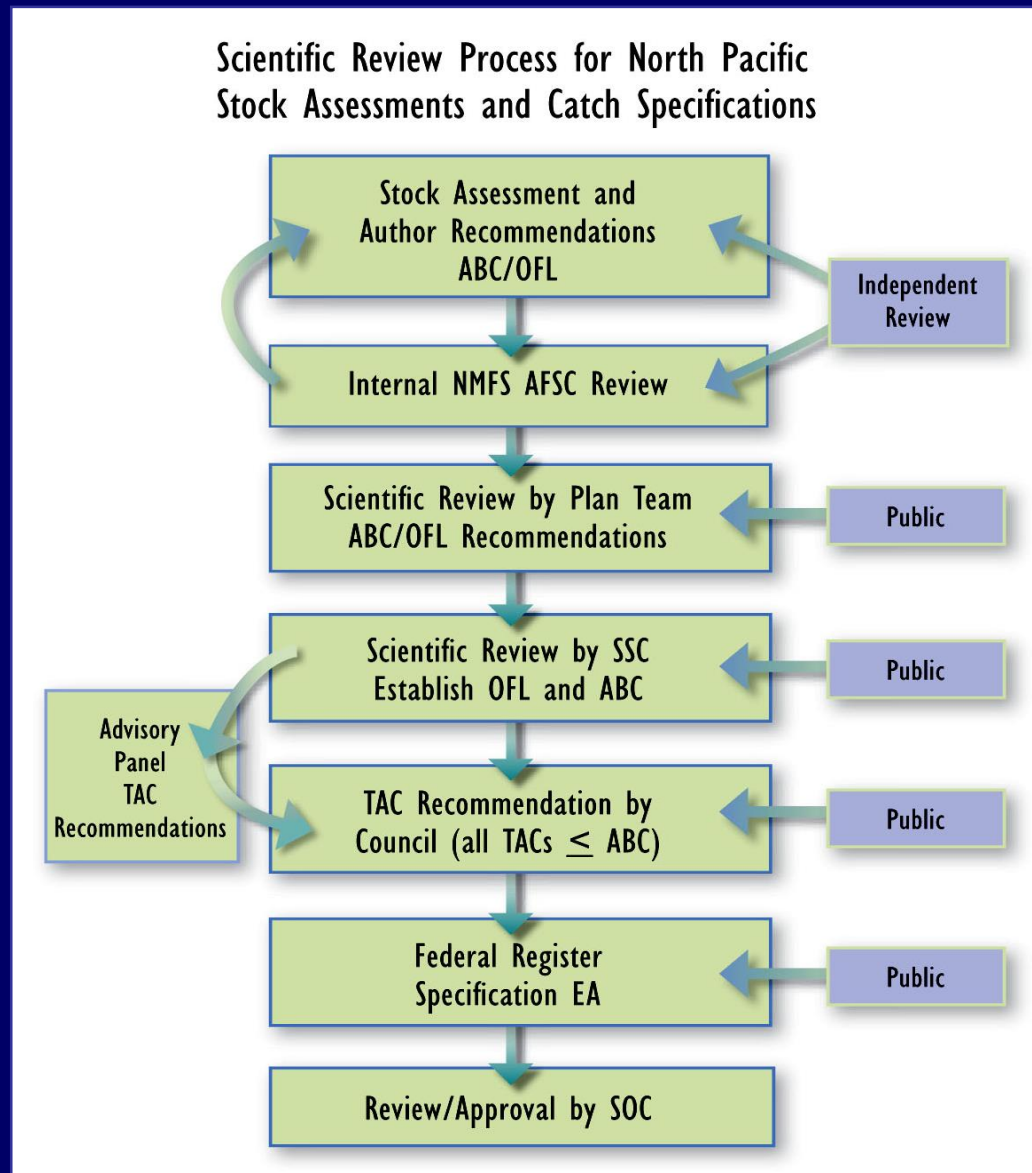
*Proposed rule, public comment period*

## NMFS Final Decision

*Implementation*



# Ex.: NPFMC Quota Setting Process





# Specifications

- Cyclical process (often 1-3 yrs.)
- Often takes longer for cooperatively managed species
- Staff from all the agencies (Council, NMFS, Commissions) involved work diligently to make sure all the pieces come together on time



I'm almost there!



# Amendment Process

- May use additional action specific groups
- Also do scoping and public hearings (add. public processes)
- Timelines - typically a min. of 2 years; multi-issue is about 3+ years
- Council's Committees may play important role during development



# Amendment Development Process

Problem/Idea identified

*Council votes to initiate*

Scoping (Under MSA, and/or EIS under NEPA)

*Present public with issue, consider possible actions*

Council Reviews Scoping Comments

*Task PDT with measures to be developed*



Council/Committee Meetings

*Review measures as developed, send back to PDT for further work*

# Amendment Development Process

## Public Hearing Draft

*Council approves and solicits add. public comments*

## Council/Committee Review Comments

*Considers measures relative to comments*

## Continued Development

*PDT works through measures*

## Presented DEIS

*Council considers approval*



# Amendment Implementation Process

Submit to NMFS

*Staff makes final edits/submits*

NMFS Rulemaking

*Proposed rule, Public comment period*

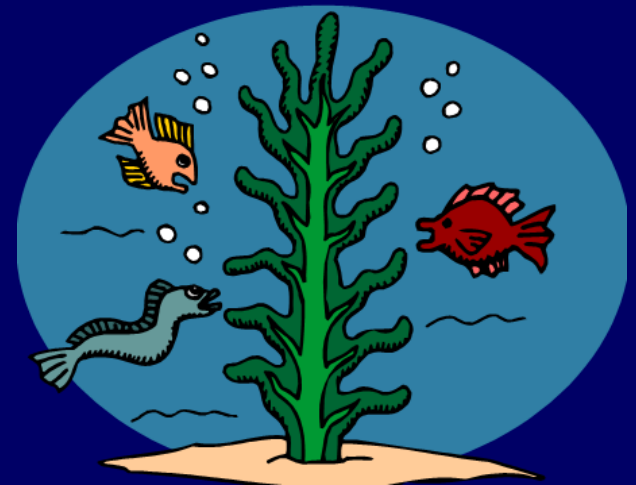
NMFS Final Decision

*Implementation*



# Other Useful Process Tools

- Statement of Organization Practices and Procedures (SOPPs)
- Regional Operating Agreements
- Overall Operational Guidelines



# SOPPS

- Describes each Council operations in detail
- All Council's have them; posted online



# ROAs

- Describes mutual agreement and working relationships (ex: Mid)
  - MAFMC
  - NMFS's Regional Office
  - NMFS's Fisheries Science Center
  - NMFS's Office of Law Enforcement
  - NOAA's Office of General Counsel (represents NMFS but is actually part of NOAA).

# ROAs

- Describes interactions of FMATs/PDTs in support of FMP/MSA actions; other logistics
- Action planning process
- [http://www.nmfs.noaa.gov/sfa/laws\\_policies/operational\\_guidelines/index.html](http://www.nmfs.noaa.gov/sfa/laws_policies/operational_guidelines/index.html)
- Included as part of overall operational guidelines (already covered)



# Questions?

