

NOAA Fisheries Policy Directives – Administration & Internal Operations

Administration and Operations - An overview of all policies relevant to the NEFMC Program Review is provided, along with the purpose and goals (if available). The date listed after each policy is the original implementation date, and all policies with a description have been renewed unless otherwise noted. Full copies of all policies are available online from NOAA Fisheries: <https://www.fisheries.noaa.gov/national/laws-and-policies/policy-directive-system>

30 - Administration and Operations

- **30-102 Policy on Regulatory Process (2/01/2006)**
 - 30-102-01 E.O. 12866 Listing Procedure (6/07/1994)
 - 30-102-02 Procedures for Clearance of Rules (7/14/1995)
 - 30-102-03 Memoranda, Classification, and Determination Guidance for Regulations (12/27/2007)
 - 30-102-07 Preparation of Federal Register Documents (6/24/1997)
 - 30-102-09 Inclusion of Addresses and Telephone Numbers in the Code of Federal Regulations (3/18/1996)
 - 30-102-11 Guidance for the Preparation and Clearance of Issues Advisories (1/10/2008)
 - 30-102-13 Procedures for Clearance of Regulatory Packages Under the Regulatory Streamlining Program (10/27/2007)
- **30-104 NMFS Employee Involvement and Open Communication Policy (9/29/1995)**
- **30-105 Policy on Regulatory Simplicity (10/27/1995)**
- **30-112 Policy for Interagency Agreements and MOAs or MOUs (1/28/1998)**
 - 30-112-01 Clearance and Review Policy and Procedures for Interagency Agreements and MOAs or MOUs (1/28/1998)
- **30-115 Delegations of Authority For NMFS (1/01/2004)**
- **30-116 Accepting Email Comments Policy (2/02/2004)**
 - 30-116-01 Accepting Email Comments: Guidelines For Developing SOPs (2/02/2004)
 - 30-116-02 Accepting Electronic Comments: Headquarters SOPs (2/02/2004)
- **30-117 Requests From Headquarters Staff (3/04/2004)**
- **30-118 Requests for Information from GAO and OIG (9/30/2004)**
- **30-119 Operating Agreement between Regional Offices and Regional Science Centers (1/01/2004)**

- 30-119-01 Operating Agreement Between Regional Offices and Regional Science Centers: Guidelines (2004)
- 30-119-01-01-ser Operating Agreement b/w SERO and SEFSC (2/17/2004)
- 30-119-01-02-akr Operating Agreement b/w AKRO and AKFSC (2/18/2004)
- 30-119-01-03-SWR Operating Agreement b/w SWRO and SWFSC (6/17/2010)
- 30-119-01-04-NER Operating Agreement b/w NERO and NEFSC (9/01/2004)
- 30-119-01-05-NWR Operating Agreement b/w NWRO and NWFSC (2/20/2004)
- 30-119-01-06-pir Operating Agreement b/w PIRO and PIFSC (12/20/2010)
- 30-119-01-07-PIC Operating Agreement for Shared Programmatic Activities Between Pacific Islands Fisheries Science Center and Southwest Fisheries Science Center (6/25/2010)
- 30-119-01-08-SWC Operating Agreement for Shared Programmatic Activities Between Southwest Fisheries Science Center and Northwest Fisheries Science Center (6/21/2010)
- 30-120 NMFS Permit Fees (1/03/2005)
- 30-121 Agreements with the National Ocean Service (1/01/1992)
 - 30-121-01 MOU b/w AA for Fisheries and AA for Ocean Services and Coastal Zone Management Concerning the National Marine Sanctuary Program (1/01/1992)
 - 30-121-02 Cooperative Enforcement Agreement B/W NOAA, US Coast Guard and State of Hawaii for Law Enforcement Services under the MFCMA, ESA AND MMPA (8/27/1992)
 - 30-121-05 MOA b/w NMFS SEFSC and NOS Sanctuaries and Reserves Division (11/03/1994)
 - 30-121-07 Intra-NOAA Agreement b/w the AA of NMFS and the AA of Ocean Services and Coastal Zone Management (6/23/1998)
 - 30-121-11 Improving Working Relations Between the National Marine Sanctuary Program and NMFS
 - 30-121-12 MOU Between the National Marine Fisheries Service, National Observer Program and the National Ocean Service, National Marine Debris Program (2/17/2010)
- 30-122 Private Sector Certification of Fisheries (3/25/2005)
- 30-123 Administrative Records Guidelines (6/01/2005)
 - 30-123-01 Guidelines for Agency Administrative Records (rescinded 2/07 pending update)
- 30-125 NMFS Freedom of Information Act Policy (8/03/2005)

- 30-125-01 [NMFS Freedom of Information Act Handbook \(8/03/2005\)](#)
- 30-125-Annex-A [Freedom of Information Act ANNEX: Records Management for Fishery Management Councils \(2/19/2013\)](#)
- 30-126 [Classification of Fishery Observers under the Fair Labor Standards Act \(1/27/2006\)](#)
- 30-127 [Managing the Provision of Environmental Information \(11/17/2005\)](#)
 - 30-127-01 [Procedures for Managing the Provision of Environmental Information \(11/17/2005\)](#)
- 30-129 [Stakeholder Participation in Council Development of Limited Access Privilege Programs \(2/01/2007\)](#)

This Policy Directive outlines the US Governmental Accountability Office's (GAO) recommendations for more strategic approach to communication and recommended that the Councils adopt a set of core principles to guide stakeholder participation. A set of core principles (below), a general communications policy, and a Council commitment to outreach will allow for increased communication and stakeholder involvement in the development of LAPPs.

Core principles:

- Use an open and clearly defined decision making process;
 - Make key information readily available and understandable;
 - Actively conduct outreach and solicit stakeholder input;
 - Involve stakeholders early and throughout the decision-making process;
 - Foster responsive, interactive communication between stakeholders and decision makers;
 - Use formal and informal participation methods; and
 - Include all stakeholder interests.
- 30-130 [Review of Draft Documents Related to Proposed Liquefied Natural Gas Terminals \(1/18/2007\)](#)
 - 30-131 [Delegation of Authorities for Completing NEPA Documents \(3/05/2007\)](#)

The majority of this policy is for internal NMFS protocols, though the NMFS Regional NEPA coordinator will work with the Council on all NEPA documents.

- 30-131-01 [Procedures for the Review and Clearance of Fishery Management NEPA Documents \(9/12/2007\)](#)

This document is intended to provide guidance to Office of Sustainable Fisheries (OSF) staff now assuming National Environmental Policy Act (NEPA) roles and responsibilities that were previously performed by the Assistant Administrator for Fisheries (AA) and staff of the OSF Clearance Unit as a result of the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) Policy Directive 30-131, Delegations of Authority for Completing NEPA Documents (NMFSPD 30-131), effective March 5, 2007. This procedural directive integrates NMFSPD 30-131, into existing procedures for submission, review, and clearance and/or concurrence for NEPA documentation associated with regulatory actions.

There is nothing specific in this policy for Council staff, aside that these procedures are followed by the NMFS NEPA Coordinator at GARFO who reviews NEPA documents prepared by the Council, and submits the required letters and documentation for clearance.

- 30-132 [National Environmental Policy Act Compliance for Fishery Management Actions under the Magnuson-Stevens Act \(2/19/2013\)](#)

The National Marine Fisheries Service (NMFS) is issuing this Policy Directive (PD) to revise and update its policies and procedures for complying with the National Environmental Policy Act (NEPA) in the context of Magnuson-Stevens Act (MSA) fishery management actions. This PD clarifies roles and responsibilities of

NMFS and the Regional Fishery Management Councils (Council or FMCs), explains timing and procedural linkages, provides guidance on documentation needs, and fosters partnerships and cooperation between NMFS and FMCs on NEPA compliance. This PD satisfies the requirements of section 304(i) of the MSA and features the following key components:

- **Roles and Responsibilities:** The PD sets forth the statutory roles and responsibilities for NMFS and the Councils as dictated by NEPA and the MSA. While providing clarity on ultimate responsibilities, it encourages collaboration and early integration of processes. For Atlantic Highly Migratory Species (HMS), NMFS retains responsibility over all aspects of compliance.
- **Timing:** The PD encourages completing as much of the NEPA process as possible at the Council level, while recognizing the logistical demands of the fishery management process. It establishes a procedural nexus linking NEPA's requirements with MSA's. The nexus highlights the requirement for the Regional Administrator to determine a package "complete" to initiate MSA review; sets forth the timing requirements of the MSA and NEPA, and includes risk-based considerations for determining the NEPA schedule.
- **Documentation:** This section clarifies that the statement of purpose and need in the NEPA analysis should be linked to the fishery management need the Council is addressing. It also addresses the alternatives to be considered and what "reasonable" alternatives should be, and it provides guidance, derived from CEQ's 40 Most-Asked Questions, on defining the "no action" alternative in a fishery management context. It also specifies that, based on information in the NEPA analysis, it may be appropriate for a ROD to go beyond the question of approving or disapproving the recommendation at hand, and may include an identification of additional conservation and management needs, as appropriate.
- **Improvements/Efficiencies:** This section includes instructions for optional use of NEPA's tiering, and incorporation by reference, provisions in a fisheries context. It also identifies best practices for early collaboration using technology and early communication.
- **Relationship to other Documents:** This section describes the PD's relationship to other existing documents and policies including the NMFS and Council 1997 Operational Guidelines, the NOAA NEPA Administrative Order (NAO 21-6), and CEQ's NEPA regulations.

FMI, please see the details on each of these sections (Pgs. 4-10)

- **30-133 Policy on Electronic Technologies and Fishery-Dependent Data Collection (5/3/2013)**

It is the policy of NOAA Fisheries to encourage the consideration of electronic technologies to complement and/or improve existing fishery-dependent data collection programs to achieve the most cost-effective and sustainable approach that ensures alignment of management goals, data needs, funding sources and regulations. To achieve this:

1. NOAA Fisheries encourages the consideration of all electronic technology options to meet science, management, and compliance data needs.
2. Fishery-dependent data collection programs will be designed and periodically reviewed by NOAA Fisheries regions to ensure effective, efficient monitoring programs that meet industry and government needs, increase coordination between regions, and promote sharing of research, development and operational outcomes.
3. Fishery-dependent data collection programs may be comprised of a combination of methods and techniques including self-reporting, on-board observers, and dockside monitoring, as well as the use of electronic technologies including electronic reporting and video monitoring.
4. Where full retention regulations and associated dockside catch accounting measures are in place, NOAA Fisheries supports and encourages the evaluation/adoption of video cameras to meet monitoring and compliance needs in federally managed fisheries.
5. NOAA Fisheries encourages the use of electronic technologies that utilize open source code or standards that facilitate data integration and offer long-term cost savings rather than becoming dependent on proprietary software.
6. NOAA Fisheries, in consultation with the Councils and subject matter experts, will assemble guidance and best practices for use by Regional Offices, Councils and stakeholders when they consider electronic technology options. Implementation of electronic technologies in a fishery-dependent data collection program is subject to the Magnuson-Stevens Act and Council regulatory process, other relevant state and federal regulations, and the availability of funds.
7. No electronic technology-based fishery-dependent data collection program will be approved by NOAA if its provisions create an unfunded or unsustainable cost of implementation or operation contrary to applicable law or regulation. Funding of fishery-dependent data collection programs is expected to consider the entire range of funding authorities available under federal law, including those that allow collection of funds from industry.

8. Where cost-sharing of monitoring costs between the agency and industry is deemed appropriate and approved under applicable law and regulation, NOAA Fisheries will work with Councils and stakeholders to develop transition plans from present to future funding arrangements.

Other relevant section: Measuring Effectiveness (Pg. 3)

○ 30-133-01 **Marine Recreational Information Program (MRIP) Electronic Reporting Technologies (11/28/16)**

This document specifies guidance and procedures to implement Policy Directive 30-133, which addresses the adoption of electronic technology solutions in fishery-dependent data collection programs. It establishes and describes the position of the MRIP with respect to supporting development of electronic reporting (ER) technologies, integrating ER technologies in new and existing MRIP data collection designs, and using data from third party ER technologies.

This Procedural Directive mentions that MRIP is a collaboration between NOAA Fisheries, Interstate Fisheries Commissions, Regional Fishery Management Councils, states, and recreational anglers, though there are no details on specific responsibilities for the Councils.

▪ **30-133-01-01 Implementing For-Hire Electronic Logbooks: The MRIP Roadmap (11/28/16)**

NOAA Fisheries' Marine Recreational Information Program, or MRIP, is a state-regional-federal collaboration for the collection of recreational fishing information. MRIP is working to make improvements to the way saltwater recreational fishing data are collected, analyzed, and reported.

MRIP is currently working to improve for-hire fishing estimates by replacing random sampling of charter vessels with a complete census of all for-hire trips. Creating effective electronic reporting systems to be used instead of paper logbooks is a key element of this transition. Information on all MRIP projects related to this effort is located at: www.st.nmfs.noaa.gov/pims/#view=public_projects.

NOAA experts have worked together with for-hire operators, state partners, fisheries managers, independent statisticians, and others to develop this road map. It details the requirements, process, and timeline for designing and certifying census-based electronic trip reporting systems that can be implemented by regional data collection partners pursuant to MRIP Regional Implementation Plans.

Other relevant section: Tasks and Timeline (Pg.2)