

# Phases for development of an FMP or FMP amendment

NEFMC Program Review  
Reference Document #7a

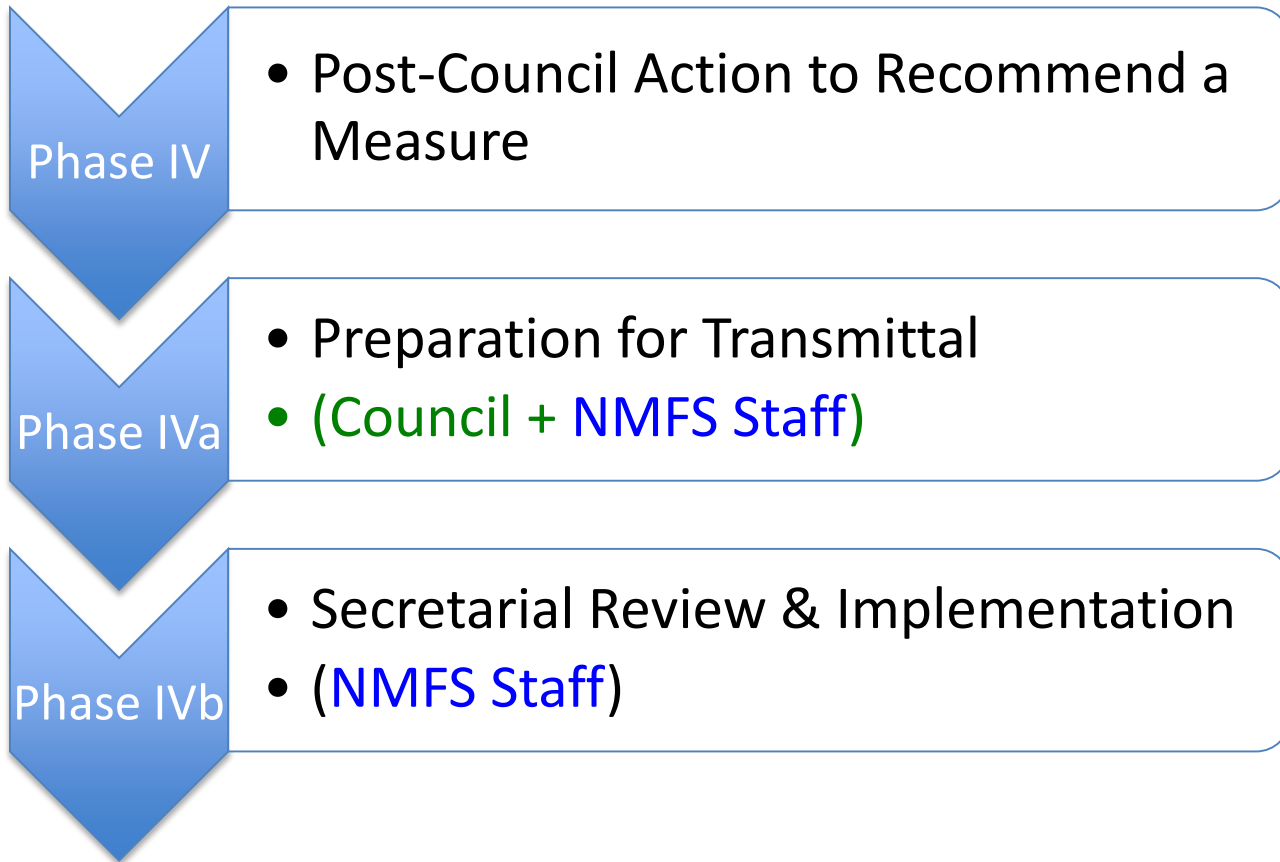
Source of this summary information is Appendix 2 of NMFS Procedural  
Directive #01-101-03, Operational Guidelines for the MSA Process

# Phases for development of an FMP or FMP amendment



Refer to NMFS Operational Guidelines for MSA (#01-101-03) for details on these phases (Appendix 2, Table Z, and Appendix 3b, included in the PDF subfolder).

## FMP Development Phases continued



# Phase I – Planning

- Planning
  - Management actions are identified during the priority setting process each fall
  - Committees have initial meetings
  - Action plans are developed

# Phase I – Scoping

- Scoping
  - Scoping requirements vary depending on the type of action
    - NEPA requires a specific scoping process for an EIS
    - MSA does not prescribe a specific scoping process
  - Public hearings may be held as part of NEPA scoping, though they are not required
  - Information gathering & written comments
  - Public comment during Council meeting

## Phase II – Document Development

- Draft analytical documents, e.g., Draft Environmental Assessment or Environmental Impact Statement
  - Other applicable laws, e.g., ESA, MMPA
- Plan teams collaborate with Council, GARFO, and NOAA GC – analyze & synthesize data

## Phase III – Public Review and Comment

- Draft documents are shared online and presented at Council meetings.
- Public comments are accepted during Council meetings and in writing.
- Councils continue to explore alternatives & develop/refine recommendations.
- Ends when Council votes to make a management recommendation to NMFS

# Phase IV(a) – Preparation for Transmittal

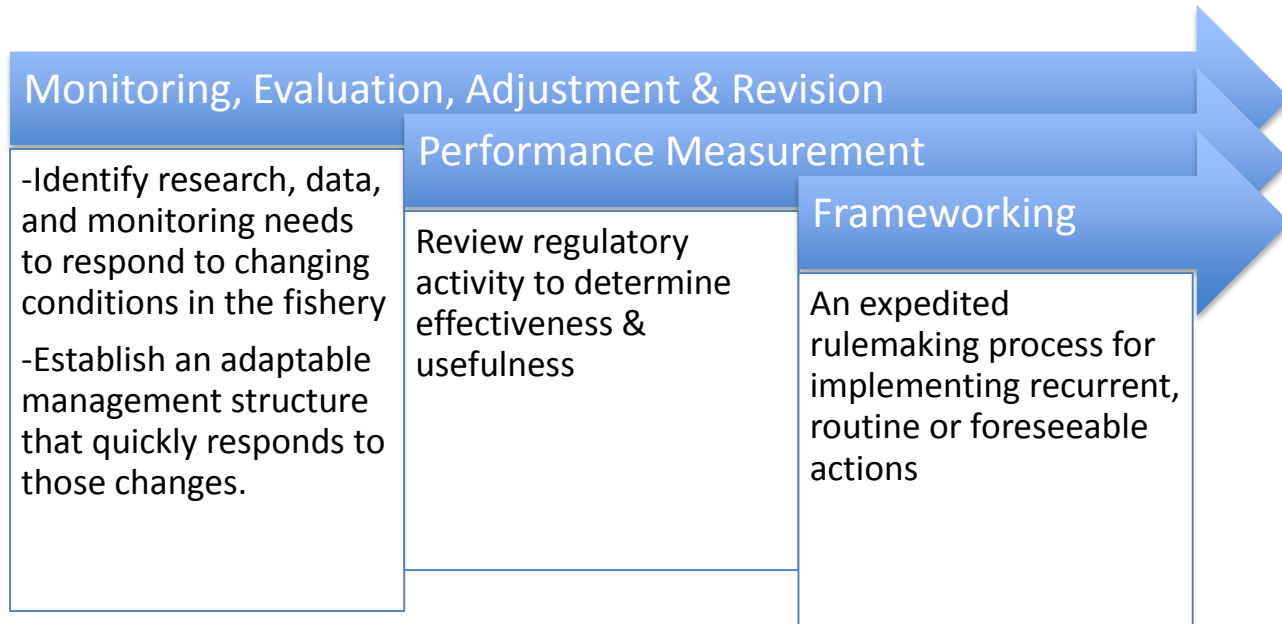
- In addition to the NEPA document, all supporting documentation must be prepared by NMFS and Council staff
- Compliance with regulations & executive orders, including but not limited to:
  - Prepare CZMA consistency letters
  - ESA Section 7 consultation, if applicable
  - E.O. 12866, Regulatory Flexibility Analysis, etc.



## Phase IV(b) – Secretarial Review & Implementation

- NMFS reviews and approves, partially approves or disproves the Councils' recommended FMP or amendment
- NMFS prepares memoranda for decision package
- NMFS drafts regulatory text for Federal Register (FR) notice
- NMFS submits the FR Notice of Availability and/or proposed rule for a 60-day comment period
- After reviewing comments, the RA makes a decision and the AA determines whether to concur.

# Phase V – Ongoing Management



# Frameworking

- Expedited
- Appropriate for actions that are recurrent, routine, or foreseeable
- Examples:
  - In-season closures,
  - Trip or bag limit adjustments
  - Setting annual specifications: *these may be adjusted through FWs, though there is a separate process for setting specifications.*