

# **OPERATING AGREEMENT**

**Between the**  
**Gulf of Mexico Fishery Management Council,**  
**NOAA National Marine Fisheries Service Southeast Regional Office,**  
**NOAA National Marine Fisheries Service Southeast Fisheries Science**  
**Center, and**  
**NOAA General Counsel, Southeast Region**



**National Marine Fisheries Service**

March 11, 2016

*This Agreement outlines the roles and responsibilities of the Gulf of Mexico Fishery Management Council (Council), NOAA National Marine Fisheries Service (NMFS) Southeast Regional Office (SERO), NMFS Southeast Fisheries Science Center (SEFSC), and NOAA General Counsel, Southeast Region (GCSE), related to preparing documentation for fishery conservation and management actions in the exclusive economic zone of the Gulf of Mexico.*

# **OPERATING AGREEMENT**

## **STATEMENT OF PURPOSE**

The purpose of this Agreement is to confirm the mutual interests of the Council, SERO, SEFSC, and GCSE in the need for and principles associated with the wise conservation and management of the Nation's fisheries, and to establish the roles, responsibilities, and commitments of the parties to that end.

## **BACKGROUND**

NMFS distributed draft operational guidelines for developing and implementing fishery management actions (Operational Guidelines) to Office Directors, Regional Administrators, and Regional Fishery Management Councils (Councils) in August 2005. The purpose of the Operational Guidelines is to provide a model process for better integrating the agency's multiple statutory mandates to address the following specific needs:

- Clearly define missions, authorities, roles, and responsibilities;
- Assure adequacy of decision documents;
- Reconcile statutory timelines;
- Eliminate unnecessary delays and unpredictable outcomes;
- Increase accountability; and
- Utilize standardized practices.

The Operational Guidelines provide a general description of the model process, which relies heavily on the concepts of cooperation, shared responsibility, and frontloading of review among the Councils, NMFS Regional Offices, NMFS Science Centers, NMFS Headquarters, NOAA General Counsel, and the NOAA National Environmental Policy Act Coordinator. However, they require NMFS' Regional Offices and the Councils delineate in Regional Operating Agreements region-specific agency and Council roles, responsibilities, and obligations related to developing fishery management decision documents using a frontloading approach. The relationship between NMFS' Headquarters and Regional Offices is to be addressed separately through a Communication Protocol.

The Regional Operating Agreements specify how frontloading procedures will be used to ensure the processes and documentation associated with fishery management proposals are legally adequate, timely, and provide a rational basis for decisionmaking. For that reason, the Operational Guidelines encourage Regional Offices to address in their Operating Agreements the roles and obligations of all responsible/contributing parties, including the Science Centers and General Counsel, to the extent possible.

This Operating Agreement describes processes, products, roles, and responsibilities designed to maximize frontloading during each of the four main rulemaking phases

described in the Operational Guidelines: I) Planning and scoping; II) Document preparation; III) Council final action; and IV) Secretarial review and implementation. The intended effect of the described protocol is to promote early planning, cooperation, and open communication in developing fishery management documentation, with the objective of streamlining the review and approval process and, ultimately, improving fishery management decisionmaking. The Regional Operating Agreement is not intended to limit or prevent staff from agreeing upon alternative processes on a case-specific basis in response to specific management needs or concerns. Additionally, it is considered a “living document,” which will change over time in response to lessons learned, and to changing management needs and conditions.

## ACRONYMS & ABBREVIATIONS

ALS	Accumulated Landings System
APA	Administrative Procedure Act
ARA	Assistant Regional Administrator
BiOp	Biological Opinion
CE	Categorical Exclusion
Council	Gulf of Mexico Fishery Management Council
CZMA	Coastal Zone Management Act
DEIS	Draft Environmental Impact Statement
EA	Environmental Assessment
EFH	Essential Fish Habitat
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FEIS	Final Environmental Impact Statement
F/HC	NMFS Office of Habitat Conservation
FIN	Fisheries Information Network
FLS	Fisheries Logbook System
FMP	Fishery Management Plan
F/PR	NMFS Office of Protected Resources
F/SF	NMFS Office of Sustainable Fisheries
FY	Fiscal Year
GCF	NOAA General Counsel for Fisheries
GCSE	NOAA General Counsel, Southeast Region
HC	SERO Habitat Conservation Division
HQ	NMFS Headquarters
IPT	Interdisciplinary Plan Team (defined in the Operational Guidelines as the Fishery Management Action Team, or FMAT)
IQA	Information Quality Act
MRFSS	Marine Recreational Fisheries Statistics Survey
MSA	Magnuson-Stevens Fishery Conservation and Management Act
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
OFR	Office of the Federal Register
OMB	Office of Management and Budget

PPI	NOAA Office of Program Planning and Integration
PR	SERO Protected Resources Division
RA	Regional Administrator
RFA	Regulatory Flexibility Act
RID	Regulatory Information Data
RIN	Regulation Identifier Number
ROD	Record of Decision
SEAMAP	Southeast Area Monitoring and Assessment Program
SEDAR	Southeast Data, Assessment, and Review
SEFSC	NMFS Southeast Fisheries Science Center
SERO	NMFS Southeast Regional Office
SF	SERO Sustainable Fisheries Division
TIP	Trip Interview Program
USCG	United States Coast Guard

**STATEMENT OF RESPONSIBILITIES  
PHASE I: PLANNING & SCOPING**

**1. ANNUAL WORKLOAD**

**(a) Process**

The Council, SERO, and SEFSC will identify and prioritize fishery management needs and actions for each fiscal year using a collaborative planning process. This process will take the form of an annual operating meeting to occur the summer preceding each fiscal year. Meeting logistics will be determined annually based on budgetary constraints. FY stock assessment schedule and priorities will be defined by the Southeast Data, Assessment, and Review (SEDAR) Steering Committee.

**(b) Products/Deliverables**

<b>DOCUMENT</b>	<b>DESCRIPTION</b>	<b>LEAD DRAFTER</b>	<b>CONTRIBUTORS/ REVIEWERS</b>
<b>FY Annual Operating Plan</b>	Summarize & prioritize the FY workload agreed upon at the annual operating meeting; provide sufficient flexibility to accommodate unanticipated needs/issues that are likely to arise throughout the year.	SERO	Council Members/ Staff SEFSC
<b>Council Priorities Document</b>	Track key components of the Annual Operating Plan (e.g., status of current actions, schedule of pending actions) throughout the FY.	Council Staff	Council Members SERO SEFSC

**(c) Roles/Responsibilities**

Council

Staff and Members

- Participate in annual operating meetings
- Review and comment on FY Annual Operating Plan
- Participate in defining stock assessment schedules/priorities through the SEDAR Steering Committee

Staff

- Assume lead in drafting and revising Council Priorities Document after each Council meeting

SERO

- Organize, staff, and participate in annual operating meetings
- Assume lead in drafting and finalizing FY Annual Operating Plan
- Review and comment on Council Priorities Document after each Council meeting
- Participate in defining stock assessment schedules/priorities through the SEDAR Steering Committee

SEFSC

- Participate in annual operating meetings
- Participate in defining stock assessment schedules/priorities through the SEDAR Steering Committee
- Review and comment on FY Annual Operating Plan
- Review and comment on Council Priorities Document after each Council meeting

**2. INDIVIDUAL FISHERY MANAGEMENT PROPOSALS/ACTIONS**

**(a) Process**

The Council, SERO, SEFSC, and GCSE will collaborate through IPTs in planning and defining the scope of individual fishery management actions.

**(b) Products/Deliverables**

<b>DOCUMENT</b>	<b>DESCRIPTION</b>	<b>LEAD DRAFTER</b>	<b>CONTRIBUTORS/ REVIEWERS</b>
<b>IPT Memo</b>	Describe issues requiring action, request staff support, & communicate expectations related to role of IPT members (IPT Protocol; Attachment 1).	SERO	Council Staff SEFSC
<b>Action Plan</b>	Describe problem/objective, possible actions/alternatives, data/analytical requirements (including preliminary NEPA documentation), tentative implementation schedule, proposed staff assignments,	IPT	Council Staff SERO SEFSC

DOCUMENT	DESCRIPTION	LEAD DRAFTER	CONTRIBUTORS/ REVIEWERS
	outstanding questions/issues, IPT membership.		
<b>Notice of Intent/Scoping Meetings (if applicable)</b>	<i>Federal Register</i> notices that meet applicable NEPA, MSA, & OFR requirements.	SERO	IPT GCSE Council Staff
<b>Other Scoping Meeting Notices (if applicable)</b>	<i>Federal Register</i> notices that meet applicable NEPA, MSA, & OFR requirements.	Council Staff	
<b>Scoping Paper (if applicable)</b>	Preliminary draft document describing problems/objectives, initial actions/alternatives, & key issues/concerns; intended to provide background information for scoping meetings.	IPT	Council Members/ Staff SERO SEFSC
<b>Scoping Summary Report (if applicable)</b>	Report summarizing comments & alternatives submitted during scoping.	Council Staff	IPT SERO SEFSC
<b>Options Paper</b>	Preliminary draft document describing problems/objectives, proposed action/initial alternatives, key issues/concerns, & preliminary analyses; intended to inform/solicit Council input on how to proceed in developing public hearing draft & associated analyses.	IPT	Council Members/ Staff SERO SEFSC

### (c) Roles/Responsibilities

#### Council

#### Staff

- Identify staff from appropriate disciplines who will serve on IPT; designate co-team lead
- Draft and/or review *Federal Register* notices (if applicable)
- Conduct scoping meetings (if applicable)

- Present IPT advice/recommendations to Council
- Prepare Scoping Summary report and communicate scoping comments to Council (if applicable)
- Review IPT products/deliverables

#### Members

- Identify need for management actions, and develop preliminary range(s) of alternatives
- Review IPT products/deliverables

#### SERO

- Identify staff from appropriate disciplines who will serve on IPT; designate co-team lead
- Establish IPT through IPT memo
- Draft and/or review *Federal Register* notices (if applicable)
- Review Scoping Summary report (if applicable)
- Review IPT products/deliverables

#### SEFSC

- Identify staff from appropriate disciplines who will serve on IPT
- Review IPT products/deliverables

#### GCSE

- Identify staff member who will serve on IPT in advisory capacity
- Review *Federal Register* notices (if applicable)
- Review Scoping Summary report (if applicable)
- Review IPT products/deliverables

#### IPT

- Review IPT protocol outlined in Attachment 1
- Advise Council and SERO on: purpose and need statement (problems/objectives); type of NEPA analysis (e.g., CE, EA, EIS); initial range of alternatives; documentation/analyses required by other applicable laws
- Propose implementation schedule/timeline that takes into account all relevant timing requirements (e.g., NEPA, APA, ESA) and general Council schedule
- Propose data, analytical, and writing assignments
- Identify key reviewers of draft and final documentation within Council, SERO, SEFSC, and HQ
- Draft Action Plan
- Draft Scoping and Options Papers (if applicable)
- Review scoping comments (if applicable)

## PHASE II: DOCUMENT PREPARATION

### 1. DATA & ANALYSES

#### (a) Process

The Council, SERO, SEFSC, and GCSE will collaborate through IPTs in identifying, synthesizing, reviewing, and analyzing data needed to develop fishery management proposals/actions.

#### (b) Products/Deliverables

DOCUMENT	DESCRIPTION	LEAD DRAFTER/ANALYST	CONTRIBUTORS/ REVIEWERS
<b>Data Plan (optional)</b>	Plan outlining data/analytical needs, deliverables, & review schedule.	IPT	Council Staff SERO
<b>Data Memo(s)</b>	Memo describing data & analyses, or analytical support, needed from SEFSC, & schedule information.	SERO	IPT Council Staff
<b>Statistical Analyses (if applicable)</b>	Statistical analyses IPT needs to draft documentation informing preliminary Council action.	TBD by need according to capabilities of SERO, SEFSC, & Council staff	TBD by need according to capabilities of SERO, SEFSC, & Council staff

#### (c) Roles/Responsibilities

##### Council

##### Staff

- Review SERO data memos (if any)
- Provide IPT with statistical analyses (as needed)

##### SERO

- Collect and maintain permit data for use in tracking fishery participation and evaluating the effects of fishery management proposals/actions
- Assume responsibility for quality of permit and other (e.g., law enforcement) data provided by SERO to the IPT

- Draft memo(s) requesting additional data and statistical analyses from SEFSC (as needed)
- Ensure data used by IPT meet IQA requirements
- Provide IPT with statistical analyses (as needed)

SEFSC

- Assume responsibility for quality of data (ALS, FLS, TIP, SEAMAP, FIN, MRFSS, etc.) provided by SEFSC to the IPT relative to IQA principles
- Update (as needed) data provided to the IPT during the document preparation process
- Provide analytical assistance (e.g., models/programs/staff support) to SERO and Council staff analyzing routine management proposals/actions (e.g., bag limit, size limit adjustments)
- Review analyses conducted by SERO and Council staff for routine management proposals/actions (e.g., bag limit, size limit adjustments)
- Provide IPT with statistical analyses for non-routine proposals/actions (as needed)

IPT

- Identify data and analytical needs (Data Plan, optional)
- Conduct statistical analyses (as needed, appropriate)

**2. DRAFT DOCUMENTATION SUPPORTING PRELIMINARY COUNCIL ACTION**

**(a) Process**

The Council, SERO, SEFSC, and GCSE will collaborate through IPTs in drafting and reviewing documentation needed to support fishery management proposals. All parties will ensure draft documentation is sufficient for preliminary action prior to Council selection of preferred alternative(s), and approval of public hearing draft/DEIS (if applicable).

**(b) Products/Deliverables**

DOCUMENT	DESCRIPTION	LEAD DRAFTER	CONTRIBUTORS/ REVIEWERS
<b>Draft FMP/ Amendment &amp; Analyses</b>	Public hearing draft with range of reasonable alternatives and required analyses (e.g., NEPA, MSA, RFA/E.O. 12866, etc.).	IPT	Council Members/ Staff SERO SEFSC GCSE

DOCUMENT	DESCRIPTION	LEAD DRAFTER	CONTRIBUTORS/ REVIEWERS
<b>Preliminary ESA Consultation Documentation (optional)</b>	Memo from SF ARA to RA through PR ARA stating recommendation regarding need to initiate/reinitiate Section 7 consultation.	SERO	SERO SEFSC
	Draft Biological Assessment, which describes preliminary conclusions about the probable effects of alternatives on ESA-listed species, based on existing data/analyses.	IPT	SERO SEFSC
	Section 7 Consultation Assessment memo from the PR ARA to the SF ARA, which summarizes preliminary conclusions expected to form the basis of a subsequent BiOp based on existing data/analyses; intended to facilitate meaningful discussion about the probable effects of alternatives on ESA-listed species & critical habitat, as well as mitigation measures.	SERO	SERO SEFSC GCSE
<b>Preliminary EFH Consultation Documentation (optional)</b>	Memo from SF ARA to HC ARA requesting EFH consultation.	SERO	
	EFH Consultation Assessment memo from the HC ARA to the SF ARA, which summarizes preliminary conclusions about the effects of the proposed action/alternatives on EFH based on available data/analyses, & probable conservation recommendations (if appropriate).	SERO	SERO SEFSC GCSE

**(c) Roles/Responsibilities**

Council

Staff

- Coordinate and review work of IPT
- Ensure draft documentation reflects Council discussion/administrative record
- Ensure review by Council staff in key responsibilities
- Advise Council of IPT issues prior to selection of preferred alternative

Members

- Review IPT products/deliverables
- Review and discuss any outstanding issues raised by IPT
- Identify preferred alternative(s), if any, based on draft documentation/analyses

SERO

- Draft initial ESA and EFH consultation memos (optional)
- Coordinate and review work of IPT
- Ensure review by SERO and GCSE staff in key responsibilities, and by Headquarter staff (F/SF, F/PR, F/HC, PPI) as needed/appropriate
- Frontload ESA and EFH consultation information to the extent practicable
- Ensure draft documentation/analyses are consistent with legal mandates, using the references/guidance provided in Attachment 2

SEFSC

- Ensure review by SEFSC staff of all appropriate disciplines and in key responsibilities
- Ensure draft documentation/analyses and any preliminary ESA/EFH consultation documentation is based on the best available scientific information
- Advise Council of any scientific/technical issues prior to selection of preferred alternative

GCSE

- Ensure review by GCSE staff in key responsibilities, and by Headquarters staff (GCF), as appropriate
- Ensure draft documentation/analyses are legally sufficient and provide a rational basis for decisionmaking
- Advise Council of any legal issues prior to selecting preferred alternative(s)

IPT

- Draft, review, and revise needed documentation/analyses, following the IPT protocol outlined in Attachment 1

**3. PROCESS REQUIREMENTS**

**(a) Process**

The Council and SERO will collaborate in ensuring compliance with the process requirements of the MSA, NEPA, APA, and other applicable laws.

**(b) Products/Deliverables**

<b>DOCUMENT</b>	<b>DESCRIPTION</b>	<b>LEAD DRAFTER</b>	<b>CONTRIBUTORS/ REVIEWERS</b>
<b>Notice of Public Hearings (if applicable)</b>	<i>Federal Register</i> notice that meets applicable MSA & OFR requirements.	Council Staff	
<b>Council Bulletins/ Newsletters (optional)</b>	Bulletins or newsletters advising public of the availability of draft documentation & public hearing logistics (if applicable).	Council Staff	
<b>DEIS filing/ transmittal package (if applicable)</b>	Letters/memos requesting EPA notice the availability of the DEIS & solicit comments on the draft documentation.	SERO	GCSE
<b>RID Form (if applicable)</b>	Form required to obtain a RIN for a proposed rule.	SERO	GCSE
<b>E.O. 12866 Listing Document (if applicable)</b>	Document requesting OMB concurrence on significance determination; must be transmitted no more than six months before Council submits proposals/actions for Secretarial review.	SERO	GCSE
<b>Public Hearing Summary Report (if applicable)</b>	Report summarizing comments received during public hearings.	Council Staff	IPT SERO SEFSC GCSE

**(c) Roles/Responsibilities**

Council

Staff

- Advise public of the availability of draft documentation and public hearing logistics through *Federal Register* notices and Council bulletins/newsletters
- Conduct public hearings and summarize/distribute public comments to the IPT and Council (if applicable)

Members

- Conduct public hearings (if applicable)

SERO

- Prepare and transmit DEIS filing/transmittal package (if applicable)
- Review Public Hearing Summary Report (if applicable)
- Collect and distribute to the IPT and Council comments received on the DEIS (if applicable)
- Prepare and transmit RID form and Listing Document (if applicable)

SEFSC

- Review Public Hearing Summary Report (if applicable)

GCSE

- Review listing document, RID form, and DEIS Transmittal Package (if applicable)
- Review Public Hearing Summary Report (if applicable)

**4. FINAL DOCUMENTATION SUPPORTING FINAL COUNCIL ACTION**

**(a) Process**

The Council, SERO, SEFSC, and GCSE will collaborate through IPTs in revising and finalizing documentation associated with fishery management proposals. All parties will ensure final documentation is complete and sufficient prior to final Council action.

**(b) Products/Deliverables**

<b>DOCUMENT</b>	<b>DESCRIPTION</b>	<b>LEAD DRAFTER</b>	<b>CONTRIBUTORS/ REVIEWERS</b>
<b>Preliminary Final FMP/Amendment &amp; Analyses</b>	Preliminary Final FMP/Amendment with required analyses (e.g., NEPA, MSA, RFA/E.O. 12866, etc.).	IPT	Council Members/ Staff SERO SEFSC GCSE
<b>ESA Consultation Documentation (optional)</b>	Final Biological Assessment.	IPT	SERO SEFSC
<b>EFH Consultation Documentation (optional)</b>	Memo from the HC ARA to the SF ARA confirming preliminary assessment & response to Council action on EFH conservation recommendations (if appropriate).	SERO	SERO SEFSC GCSE

**(c) Roles/Responsibilities**

Council

Staff

- Coordinate and review work of IPT
- Ensure review by Council staff in key responsibilities
- Ensure “final” documentation reflects Council discussion/administrative record, and addresses/considers public comments

SERO

- Coordinate and review work of IPT
- Ensure review by SERO and GCSE staff in key responsibilities, and by Headquarter staff (F/SF, F/PR, F/HC, PPI) as needed/appropriate
- Ensure “final” documentation/analyses are consistent with legal mandates/administrative record, using the references/guidance provided in Attachment 2, and address/respond to review comments, including EPA and public comments on the DEIS (if applicable)
- Elevate unresolved policy issues as needed, assuring appropriate coordination between HQ and regional offices and ensuring consistent interpretation and application of national policies
- Confirm any preliminary ESA and EFH consultation findings to the extent practicable

SEFSC

- Ensure review by SEFSC staff of all appropriate disciplines and in key responsibilities
- Ensure “final” documentation/analyses are based on best available scientific information

GCSE

- Ensure review by GCSE staff in key responsibilities, and by Headquarters staff (GCF), as appropriate
- Ensure “final” documentation/analyses are legally sufficient, provide a rational basis for decisionmaking, and comply with all applicable laws

IPT

- Revise and finalize FMP/Amendment and supporting documentation/analyses, following the IPT protocol outlined in Attachment 1

**PHASES III & IV: COUNCIL FINAL ACTION & SECRETARIAL REVIEW**

**(a) Process**

The Council will review all documentation and analyses associated with its fishery management proposals before voting to submit the proposals for Secretarial review and agency action. SERO will initiate Secretarial review of the Council’s proposals and will review supporting documentation and analyses for consistency with applicable law.

**(b) Products/Deliverables**

<b>DOCUMENT</b>	<b>DESCRIPTION</b>	<b>LEAD DRAFTER</b>	<b>CONTRIBUTORS/ REVIEWERS</b>
<b>Final FMP/ Amendment &amp; Analyses</b>	Final FMP/Amendment with required analyses (e.g., NEPA, MSA, RFA/E.O. 12866, etc.).	IPT	Council Members/ Staff SERO SEFSC GCSE
<b>Final ESA Consultation</b>	Biological Opinion (if applicable)	SERO	
<b>Issues Advisories</b>	Memos advising HQ of pending proposals/actions.	SERO	GCSE
<b>CZMA Letters</b>	Letters requesting state coastal zone management agencies review proposed	Council Staff	

DOCUMENT	DESCRIPTION	LEAD DRAFTER	CONTRIBUTORS/ REVIEWERS
	actions for consistency with coastal zone management plans.		
<b>Vessel Safety Request</b>	Letter requesting USCG review proposed actions with respect to vessel safety and enforcement.	Council Staff	SERO GCSE
<b>Proposed &amp; Final Rules (if applicable)</b>	Rules proposing and implementing Council action(s).	SERO	GCSE
<b>Secretarial Review &amp; Decision Packages</b>	Regulatory packages required to complete the Secretarial review & approval processes (e.g., decision/info/transmittal memos, attorney work products, IQA memo, ESA & EFH consultation memos, SEFSC certification memo(s), CZMA letters, ROD, etc.).	SERO	GCSE

**(c) Roles/Responsibilities**

Council

Staff

- Advise Council of outstanding/unresolved IPT issues prior to final action
- Make any final edits to Council documentation/analyses requested by the Council
- Prepare and transmit CZM consistency review request to state CZM agencies
- Prepare and transmit vessel safety and enforcement review request to USCG
- Prepare and transmit Council recommendation to SERO for Secretarial review

Members

- Ensure text of FMP/Amendment reflects Council’s intent and rationale
- Vote to submit (or not) the Council proposals/actions for Secretarial review based on final documentation/analyses and taking into account any outstanding IPT concerns

SERO

- Advise Council of any agency concerns prior to final action
- Draft Biological Opinion (if applicable)

- Draft issues advisories
- Draft proposed and final rules (if applicable)
- Prepare Secretarial review and decision packages, using regional office checklists provided at <http://home.nmfs.noaa.gov/sf/regstream/Checklists/Checklists.htm>
- Declare transmit date

SEFSC

- Advise Council of any science issues prior to final action
- Draft certification memo(s) (as needed, appropriate)

GCSE

- Advise Council and SERO regarding the legal sufficiency of documentation and process prior to Council final action
- Review proposed and final rule (if applicable) for consistency with Council proposals/actions and applicable laws
- Draft attorney work product(s) (e.g., Certification of Attorney Review, Federalism and Takings Assessments, etc.)

## **LIFE OF AGREEMENT**

This Operating Agreement will become effective when signed by all parties, and will remain effective unless and until it is terminated by one or more parties or superseded by another agreement. Any party wishing to terminate the Agreement must notify the remaining parties in writing 90 days prior to the desired termination date. The Agreement may be amended at any time upon the written agreement of all parties.

**STATEMENT OF COMMITMENT**

By signing below, I agree, on behalf of the organization I represent, to fulfill the roles and responsibilities outlined herein, and to support the efforts of the other parties involved in managing federal fisheries in the Gulf of Mexico.

**Gulf of Mexico Fishery Management Council:**

\_\_\_\_\_  
**Executive Director**

\_\_\_\_\_  
**Date**

**Southeast Regional Office:**

\_\_\_\_\_  
**Regional Administrator**

\_\_\_\_\_  
**Date**

**Southeast Fisheries Science Center:**

\_\_\_\_\_  
**Science and Research Director**

\_\_\_\_\_  
**Date**

**NOAA General Counsel, Southeast Region:**

\_\_\_\_\_  
**Southeast Regional Counsel**

\_\_\_\_\_  
**Date**

**ATTACHMENT 1  
INTERDISCIPLINARY PLAN TEAM  
OPERATING PROTOCOL**

**IPT Leadership & Coordination**

The Council and SERO will each identify one staff member who will co-lead the IPT. Co-lead duties include:

- Coordinating the work of IPT members;
- Ensuring IPT operations comply with the IPT Operating Protocol;
- Organizing and leading IPT meetings and videoconferences;
- Drafting IPT work products, where applicable (e.g., Action Plan, Data Plan, etc.);
- Circulating to the IPT for review and comment all documentation that will be provided to the Council at key decision points, including scoping papers, options papers, public hearing drafts/analyses, and final draft documentation/analyses;
- Commenting on documents distributed for IPT review;
- Consolidating, distributing, tracking, and addressing responses to comments generated during scoping, public hearings, and IPT review;
- Communicating to the IPT decisions made by SERO and Council leadership regarding schedule, process, and other substantive issues that may affect documentation;
- Elevating unresolved issues to SERO and Council leadership; and
- Ensuring adequacy and sufficiency of documentation developed by the IPT to support fishery management proposals/actions.

**Member Participation**

Council, SERO, SEFSC, and GCSE staff appointed to an IPT will:

- Make a reasonable effort to participate in all IPT meetings and conference calls;
- Fulfill drafting and analytical commitments agreed to by their supervisors;
- Advise IPT co-leads of any potential problems that may affect decisions regarding schedule, process, and other substantive issues; and
- Comment on all documents distributed for IPT review.

**Team Communication**

IPTs will utilize the following procedures to ensure open communication and minimize miscommunication to the extent possible:

- IPT members will copy co-leads on all substantive exchanges with other IPT members;
- IPT co-leads will copy the IPT on all substantive exchanges, and distribute to the IPT all member comments on draft documentation/analyses; and
- IPT co-leads will circulate to the IPT notes summarizing issues in agreement and issues to be resolved following each IPT meeting.

**ATTACHMENT 2**  
**REFERENCES/GUIDANCE**  
 (derived/adapted from the Operational Guidelines)

<b>DOCUMENT/LEGAL REQUIREMENT</b>	<b>TITLE OF REFERENCE DESCRIBING STANDARDS</b>	<b>REFERENCE DATE/ CITATION</b>
<b>Coastal Zone Management Act (CZMA)</b>	Implementing Regulations	15 CFR part 930
<b>Information Quality Act (IQA)</b>	NMFS's Section 515 Pre-dissemination Review Guidelines	05/05/2003
	NOAA's Information Quality Guidelines	10/1/02
<b>Endangered Species Act (ESA)</b>	ESA Consultation Handbook	
	Implementing Regulations	50 CFR 402.01 et seq.
<b>Executive Order (E.O.) 12866</b>	Guidelines for Economic Analysis of Fishery Management Actions	65 FR 65841; 11/02/2000
	GCF Guidance on EO 12866 compliance	Macpherson memo; 02/06/1998
<b>Federal Register Act (FRA)</b>	OFR Document Drafting Handbook	
	Preparation of FR Documents	2004
<b>Magnuson-Stevens Fishery Conservation &amp; Management Act (MSA)</b>	National Standard Guidelines	50 CFR 600 et seq.
	EFH Final Rule	67 FR 2343; 01/17/02
	EFH Consultation Guidance	U.S. Fish & Wildlife Service/National Marine Fisheries Service; 03/1998
	Guidelines for Assessment of the Social Impact of Fishery Management Actions	03/19/2001
	Guidelines & Principles for Social Impact Assessment	
<b>National Environmental Policy Act (NEPA)</b>	Implementing Regulations	40 CFR 1500 et seq.; <a href="http://ceq.eh.doe.gov/nepa/regs/ceq/toc_ceq.htm">http://ceq.eh.doe.gov/nepa/regs/ceq/toc_ceq.htm</a>
	Forty Most Asked Questions Concerning CEQ's NEPA Regulations	03/23/1981
	NAO 216-6	48 FR 14734; 04/05/1983

<b>DOCUMENT/LEGAL REQUIREMENT</b>	<b>TITLE OF REFERENCE DESCRIBING STANDARDS</b>	<b>REFERENCE DATE/ CITATION</b>
	EPA Guidance, "Reviewing Environmental Impact Statements for Fishery Management Plans"	11/2004
	Guidelines for Assessment of the Social Impact of Fishery Management Actions	03/19/2001
	Guidelines & Principles for Social Impact Assessment	
<b>Regulatory Flexibility Act (RFA)</b>	How to Comply with the Regulatory Flexibility Act	Small Business Administration, May 2003; <a href="http://www.sba.gov/advo/laws/rfaguide.pdf">http://www.sba.gov/advo/laws/rfaguide.pdf</a>
	Guidelines for Economic Analysis of Fishery Management Actions	65 FR 65841; 11/2/00
<b>Secretarial Review &amp; Decision Packages</b>	Examples	RSP website; <a href="http://home.nmfs.noaa.gov/sf/regstream/default.htm#news">http://home.nmfs.noaa.gov/sf/regstream/default.htm#news</a>
	Regional Office Checklists	
	Forms	