



## North Pacific Fishery Management Council

Simon Kinneen, Chair | David Witherell, Executive Director  
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July 27, 2022

Ms. Janet Coit  
Assistant Administrator, NOAA Fisheries  
1315 East-West Highway  
Silver Spring, MD 20910  
Via email: [janet.coit@noaa.gov](mailto:janet.coit@noaa.gov)

Dear Ms. Coit:

On behalf of the North Pacific Fishery Management Council (Council), I thank you for the opportunity to comment on the National Oceanic and Atmospheric Administration (NOAA) Fisheries' Draft Equity and Environmental Justice (EEJ) Strategy. It is the Council's understanding that the Draft EEJ Strategy was developed by the NOAA Fisheries Working Group in response to Executive Orders 13985 and 14008 promoting EEJ within the Federal government and its external-facing efforts. The Draft EEJ Strategy provides guidance for incorporating and prioritizing EEJ in ongoing and future activities with three primary goals in mind: 1) prioritizing the identification, equitable treatment, and meaningful involvement of underserved communities; 2) providing equitable delivery of services; and 3) prioritizing EEJ in the agency's mission and work. Upon review of the Draft EEJ Strategy, and in response to the agency's call for public comment, the Council supports the Draft EEJ Strategy and feels the goals, objectives, and recommendations for action are on target. As such, the Council offers the following regionally specific input.

Alaska is home to 229 Tribes, many of which are engaged in or dependent on Federally managed fisheries. There are numerous rural communities across Alaska that are disconnected from the road system and the people that reside within them depend on subsistence harvest rooted in tradition for food security, cultural continuity, resilience, and wellbeing. However, the North Pacific and Arctic are undergoing substantial ecological and climatological shifts (i.e., marine heat waves, harmful algal blooms, seabird die-offs, unusual mortality events in marine mammal populations, and more) which directly impact Alaska Tribes and communities. These environmental changes pose challenges that are increasingly difficult to predict, and the Council recognizes there are important EEJ implications for communities that may already be, or become more, vulnerable to climate change.

The Council supports all six core areas and the corresponding objectives in the Draft EEJ Strategy (see Table 1, ES). However, in relation to climate change, the Council supports the core area of research and monitoring for equity to achieve the objective of identifying underserved communities, addressing their needs, and assessing the impacts of management decisions (pg. 14). Each action related to this core area and objective outlined in Table 4 could make a valuable contribution to furthering NOAA Fisheries' mission and broader EEJ efforts (pg. 15). In particular, the Council supports actions 2, 3, 4 and 8 that prioritize social, cultural, economic, and demographic research to identify and characterize underserved communities, include Local Knowledge and Traditional Knowledge into fisheries, climate, and ecosystem-based science, as well as research on the consumption patterns of communities who principally rely on fish and/or wildlife.

These actions are relevant well beyond the North Pacific and could support all Regional Fishery Management Councils in being more responsive to National Standards 2 and 8 of the Magnuson-Stevens Fishery Management and Conservation Act.

Additionally, the Council supports the objective of building relationships with underserved communities to better understand their needs and improve information sharing with all Tribes and stakeholders (see Table 5, pg. 19-20). This objective is closely linked to that of enabling the meaningful involvement of underserved communities in the decision-making process (pg. 23). Improving the accessibility of public meetings, documents, and the decision-making process can increase the diversity of public comments and support NOAA Fisheries and the Regional Fishery Management Councils in identifying potentially underserved communities. To the extent practicable, NOAA Fisheries could consider travel support via direct funding or scholarships for underserved communities or their representatives to participate in meetings. This action is directly related to several core areas and objectives described in the Draft EEJ Strategy and it could increase access to decision-making for underserved communities and lessen some of the logistical challenges to participating in these processes.

Finally, the Council recognizes that NOAA Fisheries and the Regional Fishery Management Councils serve diverse Tribes, communities, and stakeholders. Inclusive governance could be better achieved by including diverse representation on various advisory bodies. One way the Council has used this approach is through its Community Engagement Committee which was authorized in 2018 to recommend strategies for the Council to effectively carry out two-way communication and engagement with Alaska Native and rural communities. Advisory bodies like committees can support diverse participation in the public process and build partnerships for identifying potentially underserved communities as well as options for reducing the barriers they face to engaging in decision-making processes (see Tables 5 pg. 19-20 and 7 pg. 24-25).

The Council appreciates that the Draft EEJ Strategy includes step-down implementation plans that are region and program specific, and we look forward to working with our regional partners as they create and implement their plans. Again, we appreciate the opportunity to provide comment.

Sincerely,

A handwritten signature in blue ink that reads "Simon Kinneen".

Simon Kinneen  
Council Chair



## New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116  
Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

August 12, 2022

Ms. Janet Coit  
Assistant Administrator  
National Marine Fisheries Service  
1315 East-West Highway  
Room 14636  
Silver Spring, MD 20610

Dear Ms. Coit:

The New England Fishery Management Council reviewed the Draft NOAA Fisheries Equity and Environmental Strategy (Strategy). Overall, we believe the structure of the strategy is well-thought out and organized. The three NOAA Fisheries goals are clear and supported by the five objectives. We look forward to working with the agency on this critical issue. Thank you for the opportunity to comment. We offer the following for your consideration as the strategy is finalized.

Implementation of the Strategy in our region will need to focus on addressing the first barrier to Equity and Environmental Justice as listed, “unawareness of underserved communities.” In our region, there is little information currently available to identify underserved communities. Demographic information on fishermen is sparse and not routinely collected. An exception is Silva et al. (2021), which provides limited information on the age, education, country of birth, and primary language of fishing vessel crew. However, it is not detailed by fishery or port, does not address other participants in the industry (i.e. processing plant workers, for-hire vessel customers, etc.), and does not provide a time series. We have limited information on Council members and our Advisory Panel members as well as state and federal scientists that assist us. It’s unclear how the Strategy’s authors reached the sweeping conclusion that “Underserved communities are not well represented on the Regional Fisheries Management Councils,” since demographic data are not collected on Council members or advisory panels.

At least two other barriers identified - structural barriers and gaps in representation exist in part because of statutory requirements. It’s not clear how we can remove these barriers absent statutory changes. As an example, the Magnuson-Stevens Act requires appointed Council members to be “knowledgeable regarding the conservation and management, or the commercial and recreational harvest, of the fishery resources of the geographical area concerned. “ Appointments are also supposed to a fair and balanced apportionment of active participants in

the commercial and recreational fisheries. These requirements may make it difficult to expand representation to include underserved communities if they have been excluded in the past and have not had an opportunity to participate in the fisheries and develop the requisite experience and knowledge.

With respect to the six short-term objectives, we are concerned that the planned tasks will increase demands on agency and Council staff at a time when we are already challenged to collect the data and complete the actions necessary to manage our fisheries. Clearly this issue was recognized in the administration's budget proposal for FY 2023, which includes funding for these activities. It remains to be seen if Congress will fund these programs. However, at the May 2022 Council Coordination Committee meeting, in response to a specific question the agency said that there aren't plans to increase Council funding for these activities in FY 2023. This will make it difficult for the Councils to meaningfully contribute to this effort<sup>1</sup>. It also raises a concern that the agency does not consider the Councils as partners in addressing these issues, even though we are responsible for the extensive public process used to develop fisheries management actions.

We offer specific comments on the objectives of the Action Plan, but one general comment is that the plan could be improved by making sure efforts are coordinated with other NOAA approaches and grant programs that are outside the purview of NOAA Fisheries. This could include Sea Grant programs, as well as other NOAA funding initiatives (for example, marine debris funding opportunities).

#### *Empowering Environment*

- The Councils are a key element of the fishery management process and will be critical to efforts to address EEJ. It is not clear if the Strategy will include the Councils in regional EEJ Working Groups, staff and leadership training, translation services, etc.
- Many of the resources needed for the actions under this, and other, objectives refer to "Current staff time." It is not clear what this means. Does it mean that no new additional resources will be identified for these tasks? If so, that should be made clear, as this will reduce the staff time available for other activities. What work will be sacrificed to address EEJ initiatives?
- Rather than train Councils on NOAA's goals and objectives (Table 2, number 8), shouldn't the focus be on training designed to reduce bias and be more inclusive?
- The agency should include an action to support the Council Coordination Committee's EEJ working group.

#### *Incorporate Equity and Environmental Justice in Policy and Plans*

- Guidance on external-facing work should address the unique status and role of the Regional Fishery Management Councils (RMFCs).

<sup>1</sup> We acknowledge that pandemic restrictions on travel reduced our spending over the last two years. This may not be the case for all Councils, and we expect recent surpluses will be liquidated over the next 18-24 months.

- It's not clear that data exists, at present, to identify the specific "disproportionately high and adverse" impacts of fishery management decisions on underserved communities in our area.

#### *Research and Monitoring for Equity*

- We cannot over-emphasize the need to identify underserved communities. Absent in this critical step, we will not be able to identify the appropriate strategies needed.
- In our region, we already have shortfalls in the resources provided to perform stock assessments. It will not be possible to incorporate additional data sources, including local and traditional ecological knowledge, absent a significant increase in resources.
- It's unclear how these initiatives will intersect with previous community-level research. The NOAA Fisheries Community Social Vulnerability Toolbox describes census-level characteristics and is not necessarily reflective of fishing community vulnerability and does not identify underserved communities. Will these initiatives be continued or will they be sacrificed to support EEJ?
- The action plan should explicitly identify the importance of research that informs management. Environmental justice has been one of our identified research priorities for at least three years but limited progress has been made.

#### *Outreach and Engage Equitably*

- Although regional fishery management council meetings always have been open and accessible by the public, this will be a challenging objective for the Councils because of the strict timelines we follow for our management actions. Tailoring outreach plans for underserved communities is not as simple as making sure meetings are webcast. Translation services can be expensive and take time for highly technical documents. This is something we are familiar with because of our cooperation with Canada on trans-boundary resources.
- We believe two of the actions supporting this objective are essential for long-term EEJ efforts: fisheries management and seafood industry pilot programs, and grant programs for training, outreach and other initiatives to interest youth from underserved communities. Given current concerns over finding workers to crew fishing vessels, there is an opportunity for these efforts to address two concerns at once. The Strategy could explicitly identify coordination of these efforts with NOAA Sea Grant offices and the NOAA Office of Education. It's not clear if the agency envisions policy changes that would facilitate Council activities in this arena, as these functions are not typically considered a Council responsibility.

#### *Equitably Distribute Benefits*

- The actions listed under this objective do not address all of the guiding questions. Indeed, the proposed actions primarily address only the first bullet. There are no actions identified that address fisheries allocations.

- The spatial and temporal nature of fisheries may make it difficult to address EEJ issues when making management decisions. As an example, an inshore closure to protect spawning fish may adversely affect an underserved community and there may not be a fisheries management response to mitigate those impacts. Mitigation may require actions that are beyond the purview of the Council, but within that of NMFS (through the award of grants or other federal support). An additional action could identify a path to linking fisheries management actions to federal mitigation efforts that do not require a disaster declaration.

### *Inclusive Governance*

- One missing action under this objective is to educate underserved communities on opportunities in the fishing industry. Before individuals will attend a meeting, they must have a reason to expect a benefit from doing so. While this is addressed by actions in the Outreach and Engage Equitably objective, no one from an underserved community will attend a Council meeting unless they have an interest in the result.
- Conspicuously absent from this objective are actions that specifically include the Council process.
- While this section links back to the Outreach and Education actions, it could be improved with an action that seeks input from a wide range of stakeholder on how to make governance more inclusive. This could include not only communities, but academic experts, organizations, and the Councils.

The Council looks forward to working with NMFS to address EEJ issues. Thank you for the opportunity to comment on the national strategy. Please contact me if you have questions,

Sincerely,



Eric Reid  
Chair

Literature cited: Silva, Angela & Gentile, Lauren & Cutler, Matthew & Colburn, Lisa. (2021). A Comparison of Waves I (2012/2013) and II (2018/2019) of the Survey on the Socio-Economic Aspects of Commercial Fishing Crew in the Northeast U.S. NOAA Technical Memorandum NMFS-NE-274



**Western  
Pacific  
Regional  
Fishery  
Management  
Council**

August 29, 2022

Ms. Janet Coit  
Assistant Administrator for Fisheries  
National Marine Fisheries Service  
1315 East-West Highway  
Silver Spring, MD 20910

Aloha, Talofa, Buenas, and Tirow Janet:

The Western Pacific Regional Fishery Management Council (Council) appreciates the opportunity to review and provide comments on the draft National Marine Fisheries Service (NMFS) Equity and Environmental Justice (EEJ) Strategy. The Western Pacific Region is comprised of a state, two territories and a commonwealth that stretch over three time zones and the international dateline. More than 75% of the population identifies as indigenous Pacific Islander, Native Hawaiian or Asian American. The Territories of Guam and American Samoa and the Commonwealth of the Northern Mariana Islands (CNMI) have lower income values and higher poverty rates than national averages. These island areas are also among the most isolated in the world, requiring goods to be shipped over thousands of miles of ocean, resulting in very high costs. The people, therefore, rely on these goods, those produced locally on land and the ocean to sustain their communities. Because of our geography and ethnic and cultural diversity, EEJ issues have been documented in our management mission since 1976. However, it has been difficult to address and resolve problems arising from these circumstances. The Council, therefore, looks forward to working with you to ensure Pacific Islanders are provided equal opportunities and fair representation.

In June 2021, the Council wrote (attached) Ambassador Susan Rice, Assistant to the President for Domestic Policy, highlighting the challenges faced by our region that could be addressed by Executive Order (EO) 13985 entitled, "Advancing Racial Equity and Support for Underserved Communities through the Federal Government" and EO 14031 "Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders." Examples include limited capacity and economic opportunities, differences in communication, access to funding opportunities, regional representation, one-size-fits-all policies, underutilized mechanisms, and institutional structures. The Council is encouraged that NMFS acknowledges many of these issues, especially explicit recognition that territorial fishing communities can be categorized as underserved communities. In addition, the Council has identified barriers in federal fisheries management that should be addressed through the Strategy and offers solutions and potential pathways for better representation.

The Council convened an EEJ Workshop on April 29, 2022, to discuss what organizational changes might be made to advancing EEJ in fisheries. Workshop highlighted a need to incorporate EEJ principles within technical guidance on the application of the National Standards (NS) in the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and to ensure that the NS are weighed equally in decision-making. Technical guidance on NS 1 and 2 (*Optimum Yield* and *Scientific Information*, respectively) should incorporate traditional ecological knowledge in lieu of mainstream scientific information. Guidance related to NS 4, 6 and 7 (*Allocations, Variations and Contingencies*, and *Cost and Benefits*) should include provisions recognizing disproportionate burdens and economic uncertainties faced by underserved communities. As an example, the application of NS 1 and 2 to our region's data-poor fisheries has created undue burdens to these communities by significantly reducing catch limits for American Samoa (5,000 lbs) and Guam (31,000 lbs), diminishing their economic stability in the absence of clear data-driven management (NS 8: *Communities*).

The MSA provides a regional bottom-up approach in managing the nation's fishery resources through the Council process. It is critical to ensure meaningful solicitation and fair appointments of members across regions to national committees and advisory bodies. Inclusive governance and representation are crucial to ensure fair regional representation and inclusion in planning processes and policy reform. When there is a void of voices from underserved communities at the higher levels of a top down decision making process, the EEJ gap widens.

Although virtual meetings have provided an opportunity for increased participation for many communities, in-person communication is the socio-cultural norm in the Pacific Islands. Virtual meetings are challenging in the islands - lack of availability and access to high-speed internet, computers, and smartphones, lack of technical skills to participate through virtual platforms for some segments of the communities. Elders in our communities are accustomed to providing their wisdom through oral comments. The federal government should solicit comments from our communities in a manner that is culturally appropriate and in a traditional setting.

The NMFS EEJ Strategy is ambitious and will require many hours of NMFS staff time and coordination with regional fishery management councils. Through proper funding, the Council can support our regional and national engagement in implementing these plans. We support initiatives to build the capacity of members through training programs, such as entry-level career ladders coupled with mentoring programs for underserved communities, student internships and exposure to NMFS employment opportunities. To this end, we request NMFS continue funding our joint programs such as the Council's Summer High School Marine Science Course on Fishery and Resource Management, and the U.S. Pacific Territories Fishery Capacity-Building Scholarship. These programs serve the Western Pacific fishing community by providing high school students with an introduction into fishery and resource management, and financially supporting college students to build capacity in the governments of the territories. We advocate including local island people in the federal workforce, particularly in executive leadership positions, integrate island perspectives and local cultures into the agency providing disadvantaged communities a presence in daily operations and the decision-making process.



As NMFS moves to finalize this national strategy and develop regional implementation plans, the Council will continue its work in communities and assist NMFS in its efforts to integrate EEJ into its core organizational structure and programs. As discussed at the May 2022 Council Coordinating Committee meeting, NMFS included \$7M in the President's budget request for FY2023 to support Environmental Justice and Equity that includes \$3M to advance and improve Territorial Science and Management, \$2M for education and outreach for diverse participation in regulatory and science process and \$1M for seafood industry workforce training. The CCC members were pleased to see these priority funding areas align with their needs and to know that the administration will be coordinating and supporting the regional Councils, as partners, in our efforts.

Mahalo for the opportunity to provide comments on the draft NMFS EEJ Strategy. We look forward to NMFS' continued engagement with the Council and the communities of the Western Pacific. If you have any questions, please feel free to contact me at the Council office at (808) 522-8220.

Sincerely,



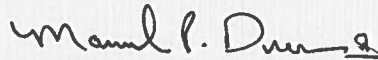
Taotasi Archie Soliai  
Council Chair



John Gourley  
CNMI Vice Chair



Roger Dang  
Hawaii Vice Chair



Manuel Duenas  
Guam Vice Chair



William Sword  
American Samoa Vice Chair



Kitty M. Simonds  
Executive Director

CC: Richard Spinrad, Under Secretary of Commerce for Oceans and Atmosphere, NOAA Administrator  
Honorable Governors of American Samoa, Guam, Hawaii and the Commonwealth of the Northern Mariana Islands  
Honorable Congressional Members of American Samoa, Guam, Hawaii and the Commonwealth of the Northern Mariana Islands  
Regional Fishery Management Councils  
Western Pacific Regional Fishery Management Council Members

Enclosed: WPRFMC June 26, 2021 letter to Ambassador Rice regarding EO 13985&14031



**Western  
Pacific  
Regional  
Fishery  
Management  
Council**

June 24, 2021

Ambassador Susan Rice  
Assistant to the President for Domestic Policy  
The White House  
1600 Pennsylvania Ave NW  
Washington D.C. 20006

Dear Ambassador Rice:

The Western Pacific Regional Fishery Management Council is one of eight regional fishery management councils authorized in 1976 by the Magnuson-Stevens Fishery Conservation and Management Act (MSA) to sustainably manage U.S. fisheries. The Council reviewed Executive Order (EO) 13985 entitled, “Advancing Racial Equity and Support for Underserved Communities through the Federal Government” and EO 14031 “Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders,” and have identified barriers in federal fisheries management that should be addressed through these EOs.

The Western Pacific Region consists of one state, two territories and one commonwealth that stretch over three time zones and the international dateline. More than 75% of the population identifies as indigenous Pacific Islander, Native Hawaiian or Asian American. The Territories of Guam and American Samoa and the Commonwealth of the Northern Mariana Islands (CNMI) have lower income values and higher poverty rates than national averages. These island areas are also among the most isolated in the world, requiring goods to be shipped over thousands of miles of ocean, resulting in higher costs. The people, therefore, are heavily reliant on what can be produced locally and have historically turned to the ocean to provide food and protein to sustain their communities. Individually, each of these communities meet the “underserved communities” definition set forth within EOs 13985 and 14031 and, as a whole, represents a regional opportunity for progress by this Administration.

The Council has supported capacity-building projects, training workshops, fishery development, territorial scholarships and community programs aimed to address some of the economic, social and educational disparities in the region. An important part of the Council’s work has also been to increase public awareness and education about the cultures and traditions of the island people and their centuries-long relationships with the marine environment. However, these efforts often lack the support and genuine prioritization by the federal government to properly implement and overcome the challenges faced in the region. The following provides a description of these challenges that should be addressed by EOs 13985 and 14031.

### ***Limited Capacity***

Economic opportunities for the insular areas of the Western Pacific are limited due to its geography and available resources. The main resource that is available, the people, need to have the technical and administrative capacity to be able to take advantage of opportunities to improve their community. Without that capacity, the community remains disadvantaged in national federal grant competitions, such as Saltonstall-Kennedy, cooperative research and the Bycatch Reduction Engineering Program, where those with the capacity, such as large universities, receive funding. Providing regional solicitations for these programs, paired with technical training workshops, would afford Pacific island communities an opportunity to receive much needed funding to improve their fisheries.

### ***Differences in Communication***

In addition to the distance between the islands and the U.S. Capitol, the Western Pacific Region is also host to four indigenous peoples, each with its own language and cultural protocols. These indigenous cultures influence the social and governmental structures that differ from those found in the continental United States. Whereas a notice in the Federal Register might be enough to alert fishermen to a public meeting on the mainland, that same notice would need to be announced on the radio in the CNMI, posted in village community centers in Guam or advertised as a public service announcement in American Samoa. While that same meeting could be held virtually on the mainland and have hundreds of participants, in the islands, simple access to high speed internet or technical knowledge of how to do so limits participation in the islands.

Cultural protocols require people in these islands to communicate with their leaders face-to-face and provide for oral comments and suggestions. This practice may not be unique, but becomes increasingly challenging when there is a need to provide information and receive public comments in four different languages. Providing materials in different languages and holding in-person public hearings in local languages can help to overcome the challenges in communication.

### ***Available Funding Opportunities***

Recent changes in federal contracting methods have consolidated the number of potential contractors into a handful of pre-qualified businesses. Small, local, indigenous and women-owned companies that once contracted directly with federal agencies are now required to go through these large companies as brokers to access federal funding. Reforming contracting structures and methodologies to afford these smaller and diverse companies equal success would better direct resources and expertise.

### ***Regional Representation***

Western Pacific community representation on federal advisory groups and participation at national workshops continue to be a challenge. Escalating transportation costs and logistics, however, should not be an excuse for excluding participants from the region, especially from serving on mechanisms closest to the decisions that have the ability to disproportionately affect the region. For example, the Marine Fisheries Advisory Committee deals with national fisheries and policy issues and has not appointed persons from this region, despite qualified applicants applying annually.

### ***Appropriateness of policies, regulations, or guidance***

The idea of a “one size fits all” approach to management is not appropriate as exemplified in the management of fisheries in the western Pacific. Federal mandates, along with its associated guidance and policies, such as annual catch limits, may be appropriate for fisheries in Alaska or New England, but do not allow for areas with less capacity to properly identify, implement and enforce these types of regulations. The level of investment into the building blocks and drivers of policy decision-making, i.e., data collection, plays a large role in implementation success. Aside from better investments on the drivers, there is a need for strengthening and retooling key policy design principles for better regional outcomes. Incorporating responsiveness, adaptiveness and the ability to evolve as policy design elements would serve to create better management implementation results. Otherwise, the region is often faced with a mismatch in policy directives as opposed to regional management needs, with exemption requests as the only viable option. Unfortunately, this is the case with the application of MSA’s National Standard 1, which determines stock status. When applied to our data-poor fisheries, it unrealistically burdens these underserved communities by dramatically reducing the catch limit from 106,000 pounds to 5,000 pounds, and 66,000 pounds to 31,000 pounds for American Samoa and Guam, respectively. This reduces their communities’ economic stability in the absence of any clear data-driven management.

### ***Underutilized Mechanisms***

Mechanisms already exist to provide justice and equity to the underserved communities in the Western Pacific Region. Programs such as the Community Demonstration Projects Program (CDPP), congressionally authorized by the MSA to “foster and promote traditional indigenous fishing practices,” remain an unfunded mandate. If funded, the CDPP could directly address the intent of these EOs. In addition, the Western Pacific Sustainable Fisheries Fund is an existing financial pathway for the Territories and Commonwealth to receive federal funding to achieve their priority marine conservation objectives. These types of investments would benefit from consistent funding in order to provide permanence for the EO objectives region-wide.

### ***Institutional Structures***

As opposed to the Council’s bottom-up approach to management, the federal government generally employs a top-down approach. Unilateral presidential actions, such as the use of the Antiquities Act to designate nearly 1.2 million square miles of large-scale no-take marine protected areas, have impacted communities’ relationship and access to their marine resources. Often the burdens of achieving national conservation targets have fallen to our Pacific communities, and through mechanisms that by design remove their input from the process. Fifty-two percent of the U.S. exclusive economic zone in the western Pacific has been designated through presidential proclamation in this fashion. The U.S. Pacific Territories will likely carry the burden of coral conservation in the Pacific if the proposed critical habitat designation is finalized, despite these waters representing less than 1% of the range of the Endangered Species Act-listed coral species. The proposed rulemaking is currently underway and thus far devoid of any substantive coordination with the local government and their communities. The Billfish Conservation Act, as amended in 2018, created unnecessary prohibitions for the marketing and sale of sustainably harvested Pacific billfish species. As such, the Council believes that this billfish stock should once again be available to U.S and international markets. This action would remedy unnecessary economic challenges, not only for our underserved communities, but also for the U.S., being that billfish is a key exportable product within international trade.

When there is a lack of advocates for these underserved communities at the top, and decision making is top-down, the gap in equity widens. A federal workforce, particularly in executive leadership positions, including representatives from these disadvantaged communities, provides a voice and decision-making lens connected to the community of impact. There is also a need for opening pathways for training, technical expertise and demystifying the federal recruitment process in order to achieve this goal.

The Council is not necessarily looking for more from this Administration, but asking for different. They say a rising tide lifts all boats, but many of the boats in our region are canoes and they work a little differently. This difference needs to be recognized to be able to meet the rising tide in its own way. We appreciate the opportunity to provide these initial comments towards a better system of government for communities in our region. The Administration's systematic and whole government approach creates an ability in the here and now to catalyze effective change. We look forward to continuing to work together to address inequities for the underserved communities in the Western Pacific Region. To that end, the Council requests the opportunity to meet with your point of contact(s) to discuss appropriate remedies.

Most Respectfully,



Taotasi Archie Soliai  
Council Chair



John Gourley  
CNMI Vice Chair



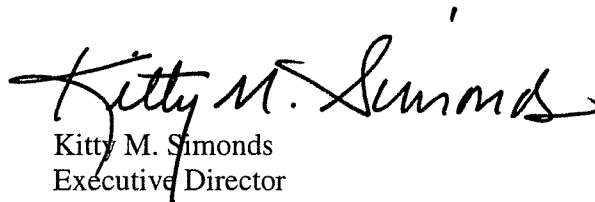
Ed Watamura  
Hawaii Vice Chair



Michael Duenas  
Guam Vice Chair



Howard Dunham  
American Samoa Vice Chair



Kitty M. Simonds  
Executive Director

Cc: Ralph D.L.G. Torres, Governor, Commonwealth of the Northern Mariana Islands  
Gregorio Kilili Camacho Sablan, Delegate from Northern Mariana Islands  
Lemanu Peleti Mauga, Governor, American Samoa  
Amata Coleman Radewagen, Delegate from American Samoa  
Lourdes Aflague Leon Guerrero, Governor, Guam  
Michael SanNicolas, Delegate from Territory of Guam  
David Y. Ige, Governor, State of Hawaii  
Mazie K. Hirono, U.S. Senator, State of Hawaii  
Brian Schatz, U.S. Senator, State of Hawaii  
Ed Case, U.S. Representative, State of Hawaii  
Kaiali'i Kahele, U.S. Representative, State of Hawaii



# Gulf of Mexico Fishery Management Council

*Managing Fishery Resources in the U.S. Federal Waters of the Gulf of Mexico*

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August 30, 2022

Ms. Janet Coit  
Assistant Administrator  
NOAA Fisheries  
1315 East West Highway  
Silver Spring, MD 20910

Dear Ms. Coit:

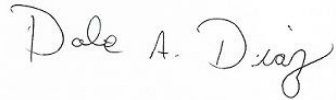
The Gulf of Mexico Fishery Management Council (Council) appreciates the opportunity to provide comment on NOAA Fisheries' Draft Equity and Environmental Justice (EEJ) Strategy.

The Council is generally supportive of the strategy's three overarching goals and six core objectives, but it remains unclear how NOAA Fisheries' EEJ Strategy will be successful at achieving the national and subsequent regional EEJ strategies without proper funding. For example, the objective for Equity in Research and Researching Equity would identify underserved communities, address their needs, and assess impacts of management decisions. But as noted in the EEJ Strategy, NOAA Fisheries' first barrier to EEJ concerns the lack of awareness of the underserved communities that may be impacted by fishery management decisions. As defined in Executive Order 13985, underserved communities in the fisheries context may include fishing vessel crews and fish processor workers. In the Gulf of Mexico, there is very little information about these groups that are employed in the region's fisheries and their description is often absent or very qualitative in amendments to fishery management plans the Council uses to make management decisions. Identifying these populations is an important first step to addressing their needs and impacts from management decisions, but one that will require substantial financial resources. The Council thinks that without this fundamental and vital information at the start, these EEJ efforts would likely result in failure for both the completion of the remaining core objectives and subsequent efforts to overcome barriers. Additionally, the metrics of success for identifying and overcoming barriers to equity and environmental justice would likely remain unquantified and unknown.

Alongside the collection of appropriate baseline data to identify such underserved communities, the Council encourages NOAA Fisheries to define the metrics that would be used to measure progress towards the EEJ Strategy's objectives. The Council supports the objective of building relationships with underserved communities and notes the importance of in-person interactions with fishing communities. One historical example of this is NOAA Fisheries' personnel spending time on the docks in order to develop and maintain relationships with fishermen that are unable to travel to and participate in meetings. The Council encourages NOAA Fisheries to continue and even expand on these working relationships as new staff are onboarded.

The Council appreciates the opportunity to comment on NOAA Fisheries' Draft EEJ Strategy. NOAA Fisheries should continue to engage the Council as it works to develop its regional plan, in which more specificity in planned actions is expected to be provided, as well as further details of the financial and human resources to be made available through this initiative. The Council invites NOAA leadership to provide progress updates at future Council meetings.

Sincerely,

A handwritten signature in black ink that reads "Dale A. Diaz". The signature is written in a cursive style with a large initial "D" and "A".

Dale Diaz  
Council Chair

cc: Gulf Council / Council staff / Heather Blough / Sam Rauch / Clay Porch, Ph.D. /  
John Walter, Ph.D. / RMC Executive Directors



## SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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Melvin Bell, Chair | Carolyn N. Belcher, Ph.D., Vice Chair  
John Carmichael, Executive Director

August 31, 2022

LN# 202222

Ms. Janet Coit  
Assistant Administrator, NOAA Fisheries  
1315 East-West Highway  
Silver Springs, MD 20910

Dear Ms. Coit:

On behalf of the South Atlantic Fishery Management Council (Council), I thank you for the opportunity to comment on the National Oceanic and Atmospheric Administration (NOAA) Fisheries' Draft Equity and Environmental Justice (EEJ) Strategy. Upon review of the Draft EEJ Strategy, the Council supports the three EEJ goals and the six corresponding objectives (Table 1, EEJ Strategy) and believes them appropriate starting points for addressing Executive Orders 13985 (Advancing Racial Equity and Support for Underserved Communities Through the Federal Government) and 14008 (Tackling the Climate Crisis at Home and Abroad). The Council would like to provide the following regionally specific input and recommendations.

The South Atlantic is home to numerous fishing communities that are engaged in or dependent upon federally managed fisheries. Many of those communities are adversely affected by persistent gentrification, poverty, and inequality (NMFS Social Indicators). In addition to these stressors, all South Atlantic communities are experiencing some level of disruption as a result of climate change (sea level rise, storm frequency, storm surge, movement of primary target species). More specific to the fisheries context, these communities include groups that have traditionally been underrepresented in fisheries management including, but not limited to, commercial fishing crews, individuals who participate in for-hire fishing trips, and seafood buyers and distributors. The Council understands that there are important EEJ implications for communities in the South Atlantic and that underrepresentation and climate change continue to exacerbate these issues.

The Council agrees that barriers exist to implementing EEJ in NOAA Fisheries' work as described in the Draft EEJ policy. Of particular relevance to the Council is the first barrier, unawareness of underserved communities (page six). This information is key for multiple facets of the Council's work. Proper identification of underserved communities could help the Council better target outreach efforts, ensure social effects on those communities are accurately considered, and finally could help ensure those communities are represented on advisory panels. The demographic information needed to help identify these communities is unavailable for the South Atlantic region and Council staff has been unable to actively collect this information due to constraints associated with the Paperwork



Reduction Act (PRA). Clarification on how the PRA does or does not apply to Council research may help expedite efforts to collect information essential to EEJ efforts.

While the Council supports all six objectives outlined in the Draft EEJ strategy, there is specific interest in the Inclusive Governance objective that looks to enable the meaningful involvement of underserved communities in the decision-making process (page 23) and the Outreach and Engage Equitably objective which looks to build relationships with underserved communities to better understand their needs and improve information sharing with all stakeholders (page 18). As the body responsible for developing and amending fishery management plans for fisheries that require conservation and management in the South Atlantic, the Council is interested in ensuring the process through which regulations are developed and proposed to NOAA Fisheries encompasses a diverse set of voices, including those from underserved communities.

To that end, the Council has made an effort to ensure public comment is solicited through multiple means including mail, fax, online (written and verbal) and in-person. Council documents are also provided online and available in print upon request. In addition to public comment, the Council has worked to include local ecological knowledge in the management process via the development of fishery performance reports (FPRs). The purpose of FPRs is to assemble information from Council Advisory Panel members' experience and observations on the water and in the marketplace to complement scientific and landings data. The FPRs are provided to the Scientific and Statistical Committee (SSC) and the Socio-Economic Panel (SEP) to complement material being used in stock assessments and fishing level recommendations and are provided to the Council for use in developing and evaluating management alternatives. More recently, the Council has begun developing a public information tool that will allow members of the public to provide similar information gathered during FPRs to be used in management decisions, including allocations.

The Council also houses a Citizen Science Program which works to improve information for fisheries management through collaborative science. This program has significant potential to help with the Research and Monitoring for Equity objective, specifically Action 1: Meaningful involvement of underserved communities throughout the research process (page 15). Not only does the Citizen Science Program provide an avenue for conducting research on community characterization, social indicators, and fisheries, but it provides an opportunity for community members to be directly involved in the development and execution of research projects. Citizen Science projects provide opportunities to spread awareness to a broad audience and can be an effective avenue for recruiting Council process participants.

In addition to these activities underway, the Council looks forward to seeing the work that will result from NOAA Fisheries' response to this national policy and the upcoming regional implementation plan. However, the Council is concerned with the level of funding dedicated to EEJ initiatives. The actions described in the Draft EEJ Strategy are extensive and will require significant financial resources. The Council encourages NOAA Fisheries to make the actions described in the Draft EEJ Strategy a priority for funding. Of particular importance will be providing financial support to community leaders and liaisons. Working with trusted individuals who are already engaged with and accessible to underserved communities will be key to ensuring meaningful involvement from community members. These leaders should be compensated for their time and effort. Additionally, financial compensation may help demonstrate NOAA Fisheries' dedication to meeting the EEJ

Strategy's goals and objectives. Similarly, additional funding dedicated to Council efforts on EEJ strategies would enable us to conduct the increased outreach and research required to identify and engage underserved communities, and to provide financial support for underserved community members participating in the process as advisory panel members. This would increase opportunities for members of underserved communities, who might not otherwise be financially able, to participate in the management process. Participation on advisory panels is a common pathway to greater participation, such as serving as a Council member and becoming involved in Regional and National panels and boards. The Council recommends that funding to support increased participation by underserved communities be directed locally and regionally, to the Councils, state fishery agencies, and Sea Grant agencies, as these groups have closer ties to communities than NOAA Fisheries offices.

Finally, and most importantly, the Council, NOAA Fisheries, and the Southeast Regional Office (SERO) should work closely as development of the regional implementation plans begins. The Council should be actively involved in plan development and not simply consulted as a reviewer of the plan once complete. Through the Council process, staff and Council members have regular contact with fishing communities via public comment opportunities, advisory panels, and outreach efforts. As a result, Council members and staff can provide valuable insight and advice as the plan is developed. Additionally, staff has served on the Council Coordinating Committee's Equity and Environmental Justice Work Group. Recommendations from that body have been presented to the CCC and should help inform development and implementation of the national and regional EEJ plans.

Again, on behalf of the Council, I would like to thank you and your staff for the hard work in preparing the Draft EEJ Strategy. If you require any additional information, please do not hesitate to contact Christina Wiegand, or myself.

Sincerely,

A handwritten signature in cursive script that reads "Melvin Bell".

Melvin Bell  
Council Chair

cc: SAFMC Members & Staff  
RMC Executive Directors  
Monica Smit-Brunello, NOAA GC  
John McGovern and Rick DeVictor, NMFS SERO  
Clay Porch and John Walter, SEFSC Miami



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September 16, 2022

Ms. Janet Coit  
Assistant Administrator  
NOAA Fisheries  
1315 East West Highway  
Silver Spring, MD 20910

Dear Ms. Coit:

The Caribbean Fishery Management Council (CFMC) would like to thank you for the opportunity to comment on the NOAA Fisheries' Draft Equity and Environmental Justice Strategy (EEJS).

The CFMC agrees with the goals and objectives as presented in the EEJS since these will provide better services to the US Caribbean coastal communities. In the US Caribbean, almost all our fishing communities fall into the "underserved communities," due to the artisanal/small-scale type of fisheries in our island areas.

We want to emphasize that there is a need to identify funds to collect better information on the composition of the local fishing communities, e.g., how many fishers, dealers, species important to the communities, and market opportunities, among others.

In addition, we need to establish better communication between NOAA, the CFMC, and the local governments to implement the EEJS. Although the CFMC has been actively working on outreach and education for the benefit of the US Caribbean fishery communities, there is still much work to do in coordination and cooperation with NOAA Fisheries to move forward with the strategy.

We are sure that with the cooperation between NOAA Fisheries, the councils, and the local government agencies, the implementation of the EEJS will enhance the participation of underserved communities in all areas of the USA.

The CFMC is at your disposition for any further information and collaboration on these efforts.

Sincerely,

A handwritten signature in blue ink that reads "Marcos Hanke".

Marcos Hanke  
CFMC Chair



## Pacific Fishery Management Council

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7700 NE Ambassador Place, Suite 101 Portland, OR 97220-1384  
Phone 503-820-2280 | Toll free 866-806-7204 | Fax 503-820-2299 | [www.pcouncil.org](http://www.pcouncil.org)  
Marc Gorelnik, Chair | Merrick J. Burden, Executive Director

October 13, 2022

Ms. Janet Coit  
Assistant Administrator, NOAA Fisheries  
1315 East-West Highway  
Silver Spring, MD 20910

Re: Council Comment on the National Oceanic and Atmospheric Administration (NOAA) Fisheries' Draft Equity and Environmental Justice (EEJ) Strategy.

Dear Ms. Coit:

The Council received presentations on the NOAA Fisheries EEJ strategy at its June meeting from Mr. Sam Rauch, Deputy Assistant Administrator for Regulatory Programs, and at its September meeting from Ms. Abigail Harley and Ms. Stacey Miller of the West Coast Region. The Council appreciates the careful attention that has gone into the development of this strategy. We are supportive of the strategy's goals and objectives and would like to work with NOAA Fisheries to help ensure successful development of regional EEJ implementation plans.

The Council operates with an open-door policy and takes pride in basing decisions in a transparent process. However, we acknowledge that openness and transparency alone cannot sufficiently address EEJ matters, and that multiple factors determine whether EEJ objectives can be sufficiently met. For example, the root of many problems that EEJ initiatives seek to address can be traced back to a history of social exclusion and marginalization. These matters are complex, pervasive, and exist within society broadly - beyond matters that are solely in the realm of fisheries. While full resolution of these societal matters is larger than the Council process, the Council nevertheless has an important role to play in helping to advance EEJ.

The Council recognizes that EEJ issues cannot be fixed overnight and that it will be important to have realistic and measurable goals. Success against these goals will rely on a number of factors including available funding and personnel, coordinated partnership with NOAA Fisheries, and the identification of actions that can be accomplished with available resources and in the context of the full suite of Council priorities. These factors are interconnected and impact one another. Engagement through ongoing and wide ranging partnerships will be important to achieving EEJ goals including, for example, partnership with social scientists at the Science Centers and coordination with states and tribes.

With respect to the specifics of the NOAA strategy and the issue of measurable goals, the Council notes that many of the metrics proposed by NOAA to evaluate success are measurable but may not be meaningful in terms of achieving desired EEJ outcomes. That is, measures such as the number and percentage of NOAA staff trained, number of NOAA offices represented at regular

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meetings, or the number of Regional/Program EEJ working groups established reflect activity but do not appear to be meaningful indicators of impact. For example, tribes are considered fishing dependent communities. With this in mind, one appropriate and measurable metric might be whether important fish stocks are supporting tribal fisheries and levels of harvests that meet the cultural and socio-economic needs of the respective tribes. The Council encourages NOAA Fisheries to consider this perspective as it works to finalize its policy.

One of the major themes that arose during the September Council discussion of EEJ was the question of how to engage with those who have not been participating in the Council process, but who are nevertheless affected by Council decisions. Outreach has always been a goal of the Council. Council members, Council advisory body members, and Council staff all work to communicate Council activities and decisions while taking in the perspective and needs of affected groups. Nevertheless, the Council is currently taking a broad look at its processes (including meeting format and communications) with an eye toward enhancing effectiveness and efficiencies, and this effort closely intersects with EEJ objectives.

The Council believes that encouraging bottom-up efforts to educate constituents about the Council process and promote their participation is instrumental in achieving EEJ goals and objectives. One significant barrier to effective participation in the Council process is knowledge about fishery management and the Council process. The Marine Resources Education Program (MREP), a program developed by fishermen for fishermen, has an excellent record of helping to educate and engage new participants in fishery management processes and provides an example of one of the types of efforts that may be helpful in pursuing EEJ related objectives. Beyond fishermen, there are other potential participants, (e.g., community leaders and nongovernmental organization representatives), that might benefit from an education program such as MREP. As part of the EEJ efforts, MREP might be encouraged and supported in expanding its outreach among fishermen as well as to other constituent groups. Those who work with agencies can help MREP expand its reach by referring to MREP those constituents with whom they come into contact.

Overall, EEJ efforts provide an important opportunity to build further trust with constituents. Such trust leads to more participation in the management process, and consequently, a better-informed process, while at the same time improving fishery managers' alliance with fishermen and other constituents to help ensure good fishery conservation and management. The Council has a keen interest in improving Council processes to better address matters of EEJ and hopes that the same types of training provided to NOAA Fisheries employees will be available for the Council, Council staff, and Council advisory bodies. To help better understand where the Council is starting from on matters of EEJ, Council staff will be developing a list of its existing activities that address the types of outreach and process accessibility envisioned under the EEJ strategy. Council staff are also ready to work with NMFS staff at the regions and science centers to identify a role for the Council in the development of the regional implementation plans.

We look forward to partnering with you to enhance our shared objectives concerning EEJ issues.

Page 3

Sincerely,

A handwritten signature in black ink that reads "Marc Gorelnik". The signature is written in a cursive style with a large, sweeping initial "M".

Marc Gorelnik  
Chairman

JLS:ael

Cc: Council Members  
Mr. Sam Rauch  
Ms. Abigail Harley  
Ms. Stacey Miller