***DRAFT***

# Review of U.S. Fishery Management Councils' Regulatory Processes: Final Report and Recommendations

**Prepared for the Gulf Council by:**
Deirdre Boelke, Fisheries Insight Network, LLC
Willy Goldsmith, PhD, Pelagic Strategies LLC
*Funded under federal award #NA24NMF441C0003*

*October 2025*

# Table of Contents

## Abbreviations Used in This Document

| | |
|---|---|
| ABC | Acceptable Biological Catch |
| ACT | Annual Catch Target |
| AM | Accountability Measure |
| APA | Administrative Procedures Act (5 U.S.C. §§ 551–559, 701–706) |
| AP | Advisory Panel |
| ASMFC | Atlantic States Marine Fisheries Commission |
| $B_{MSY}$ | Biomass that enables a stock to deliver maximum sustainable yield |
| CCC | Council Coordination Committee |
| CE | Categorical Exclusion |
| CIE | Center for Independent Experts |
| CFMC | Caribbean Fishery Management Council |
| Council | Regional Fishery Management Council |
| CZMA | Coastal Zone Management Act (16 U.S.C. §§ 1451–1466) |
| EA | Environmental Assessment |
| EEZ | Exclusive Economic Zone |
| EIS | Environmental Impact Statement |
| ESA | Endangered Species Act (16 U.S.C. §§ 1531–1544.) |
| ESP | Ecosystem and Socioeconomic Profile |
| FEP | Fishery Ecosystem Plan |
| FID | Fishery Information Document |
| FIS | Fishery Impact Statement |
| FMP | Fishery Management Plan |
| $F_{MSY}$ | The fishing mortality rate that maximizes catch biomass in the long term |
| FPR | Fishery Performance Report |
| FONSI | Finding of No Significant Impact |
| GARFO | NOAA Fisheries Greater Atlantic Regional Fisheries Office |
| HCR | Harvest Control Rule |
| IA | Interim Analysis |
| IPT | Interdisciplinary Planning Team |
| IRA | Inflation Reduction Act of 2022 (Pub. L. 117-169) |
| MAFMC | Mid-Atlantic Fishery Management Council |
| MC | Monitoring Committee |
| MMPA | Marine Mammal Protection Act (16 U.S.C. §§ 1361–1423h) |

| | |
|---|---|
| MRIP | Marine Recreational Information Program |
| MSA | Magnuson-Stevens Fishery Conservation and Management Act (6 U.S.C. §§ 1801–1884) |
| MSY | Maximum Sustainable Yield |
| NEFMC | New England Fishery Management Council |
| NEPA | National Environmental Policy Act (42 U.S.C. §§ 4321–4370h) |
| NMFS | National Marine Fisheries Service/NOAA Fisheries |
| NOAA | National Oceanic and Atmospheric Administration |
| NPFMC | North Pacific Fishery Management Council |
| NRCC | Northeast Regional Coordinating Council |
| NS | National Standard |
| OFL | Overfishing Limit |
| PDT | Plan Development Team |
| PEEC | Preview of Ecological and Environmental Conditions |
| PEIS | Programmatic Environmental Impact Statement |
| PFMC | Pacific Fishery Management Council |
| PRA | Paperwork Reduction Act |
| RFA | Regulatory Flexibility Act analysis |
| RIR | Regulatory Impact Review |
| SAFE Report | Stock Assessment and Fishery Evaluation Report |
| SAFMC | South Atlantic Fishery Management Council |
| SDC | Status Determination Criteria |
| SEDAR | Southeast Data, Assessment and Review |
| SEFSC | NOAA Fisheries Southeast Fisheries Science Center |
| SEEM | Social, Economic, Ecological, and Management uncertainty |
| SEIS | Supplemental Environmental Impact Statement |
| SERO | NOAA Fisheries Southeast Regional Office |
| SIR | Supplemental Information Report |
| SSC | Scientific and Statistical Committee |
| STAR | Stock Assessment and Review |
| TAC | Total Allowable Catch |
| TC | Technical Committee |
| WPFMC | Western Pacific Fishery Management Council |

## Executive Summary

Fisheries across the United States face growing challenges, many of which are exacerbated by a changing environment. The federal regulatory process established under the Magnuson-Stevens Fishery Conservation and Management Act ensures that fisheries management actions are comprehensive, scientifically rigorous, and transparent. However, this process often lacks the nimbleness required to incorporate new information and respond in a timely manner to changing fishery conditions. Across the nation, different regions are responding to this challenge with a suite of approaches to increase responsiveness.

The Gulf Council initiated this project to evaluate approaches employed by other Regional Fishery Management Councils to identify best practices that could improve efficiency and throughput in Gulf fisheries management while adhering to necessary procedural requirements and legal mandates. This project included a comprehensive, multi-phase review of existing regulatory processes, analytical tools, and coordination approaches used around the nation to reduce lag times, improve the efficiency of document development, and increase throughput in the face of a dynamic environment and limited staff resources.

The project was conducted over three overlapping phases between June and November 2025 (Section 1.4). The first phase included a review of Gulf Council documents and conversations with staff to characterize the problem statement, documenting past efforts to increase efficiency, and identifying priority species and management actions that could benefit from new approaches. The second phase was a systematic review of regulatory processes across Councils, with information collected through a combination of literature review, a questionnaire distributed to relevant managers and scientists at the federal, regional, and interstate levels, and a series of semi-structured interviews with two dozen Council staff, SSC members, and NOAA Fisheries personnel. Phase 3 of the project synthesized findings from the systematic review and developed specific recommendations for practical mechanisms that the Gulf Council can consider (Section 4.0).

This effort revealed a broad suite of approaches that Councils use to increase throughput in the face of strict legal constraints, data flow limitations, and ongoing staff and funding shortages. Specific regulatory pathways such as frameworks and certain National Environmental Policy Act vehicles such as Categorical Exclusions and Supplemental Information Reports were frequently used in some regions to quickly implement routine, non-controversial measures. Some Councils successfully employed a range of specific management tools to gain efficiency and streamline the process, including development of Omnibus Amendments and designation of Ecosystem Component Species. By the same token, certain management measures could both eliminate redundancies and increase responsiveness, such as multi-year specifications and adaptive harvest control rules, respectively.

In addition to these specific tools and measures, this review also revealed a wide range of approaches that Councils use to improve coordination with NOAA Fisheries, accelerate the uptake of new scientific information, and readily incorporate on-the-water observations into decision-making.

This report presents 15 specific recommendations for consideration by the Gulf Council, organized into three broad categories: procedural mechanisms, innovative regulatory approaches, and collaboration, coordination and communication best practices. Section 5.0 summarizes the recommendations and offers suggestions for how the Gulf Council can prioritize and further evaluate efficiency initiatives. This report also highlights several ongoing initiatives expected to yield relevant findings that can help inform the Gulf Council's next steps as it continues exploring opportunities to streamline its regulatory processes.

# 1.0 Introduction

## 1.1 Purpose and scope

Fisheries across the United States face growing challenges, many of which are exacerbated by a changing environment. While the federal regulatory process to implement management actions is comprehensive and adheres to the requirements of numerous legal statutes, it often lacks the agility needed to incorporate updated information and respond appropriately in a timely manner. New information can take many forms, including new stock assessments, data collected outside of the assessment process (e.g., fishery-dependent or -independent indices, environmental metrics), stakeholder on-the-water observations, or environmental shocks such as hurricanes or harmful algal blooms. Regardless of the form such new information takes, rapidly implementing new measures based on such new information remains a persistent challenge.

Broadly, the purpose of this project was to conduct a comprehensive multi-phase investigation of regulatory and procedural strategies employed in different regions to improve the responsiveness and nimbleness of fisheries management activities. Each of these strategies was evaluated for its potential applicability improving the efficiency and throughput of Gulf fisheries management activities while maintaining needed transparency.

## 1.2 Background

The issue of rapidly responding to a changing environment and subsequent impacts to fishery conditions has been a persistent challenge across Regional Fishery Management Councils (Councils). In some cases, such changes are gradual, such as shifting stock distributions or altered ecosystem structure. In others, impacts can be sudden and severe; for example, a natural disaster's destruction of critical habitat or recruitment failure for a key species.

In responding to such impacts, Councils must work to balance the competing priorities of efficiency and transparency while adhering to specific procedural requirements (document development, scientific review, public engagement, etc.) and numerous legal mandates (see Section 3.2.1). Additional uncertainties result from the time it can take for final rulemaking to be implemented by the National Marine Fisheries Service/NOAA Fisheries (NMFS) after Council approval of an action.

NMFS and other Councils have actively explored strategies for increasing the nimbleness of management and efficiency of the regulatory process to address these ongoing and uncertain impacts. In 2018, the NOAA Fisheries Office of Sustainable Fisheries drafted a white paper discussing how Councils can use frameworks (as opposed to full Fishery Management Plan [FMP] amendments) to improve the responsiveness and flexibility of management decisions. In addition, from 2023-2024, the Mid-Atlantic

Fishery Management Council (MAFMC) underwent a comprehensive program review to identify inefficiencies and strategies for rapidly adapting management approaches to changing ocean conditions and resulting impacts on fisheries[1]. In addition, several Councils are in the midst of new projects to review processes with the goal of increasing efficiency and throughput (see Section 4.4).

## 1.3 Project objectives

The principal objective of this project was to identify processes and procedures employed by other Councils that have been implemented with the goal of increasing throughput and increasing management flexibility and responsiveness. The Gulf Council expressed particular interest in learning about streamlined and unconventional approaches used by other Councils, along with the data products and time/resources needed to support these more efficient strategies. This review evaluated the tradeoffs between efficiency and transparency associated with each of these strategies, along with lessons learned that could inform future efforts to implement similar approaches.

This review was not limited strictly to regulatory processes, but also to consideration of potential National Environmental Policy Act (NEPA) vehicles, decision-making tools, and coordination, collaboration, and communication tools that other Councils have found to be particularly valuable for improving efficiency and throughput.

With a full catalog of approaches employed by other Councils/regions in hand, the final objective of this project was to develop a prioritized list of regulatory (or other) approaches that the Gulf Council may consider adapting to meet the needs of the Gulf's unique conditions and challenges. The findings of this project are intended to lay the groundwork for a subsequent Gulf Council initiative to implement the processes and strategies that are most feasible and appropriate for the region and its fisheries.

## 1.4 Methodological approach

This project was completed in three overlapping phases from July-November 2025 (Figure 1). The consultants met with Gulf Council's Executive Director and Ecosystem Analyst roughly every other week throughout the project period to facilitate project planning and coordination.

*Phase 1: Scoping of Key Gulf Challenges and Priorities (Jun-Jul 2025)*

The project's initial phase consisted of document review and conversations with Gulf Council staff to identify the most pressing issues that the Gulf Council sought to address. Specific elements of this phase included characterizing the problem statement, reviewing past and ongoing Gulf Council efforts to improve responsiveness and throughput, and identifying key FMPs and regulatory processes/actions that have presented challenges in the past and which could benefit from novel approaches. This initial phase culminated in an outline of key Gulf Council challenges and priorities related to the more efficient incorporation and consideration of new information into the management process (see Section 2.0).

[1] The Parnin Group. 2024. Mid-Atlantic Fishery Management Council Program Review Report. https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/66abf30c0a65ab24ee4f50f1/1722544919512/Tab07_Parnin%2BGroup_mafmc-program-review_2024-08.pdf.

*Phase 2: Systematic Review of Council Regulatory Processes (Jul-Sep 2025)*

Phase 2 of this project included a comprehensive review of regulatory (and other) processes that other Councils are utilizing (or considering) to improve responsiveness. This phase also included a review of Gulf Council processes to ensure that any ensuing findings or recommendations were not duplicative of existing or planned efforts.

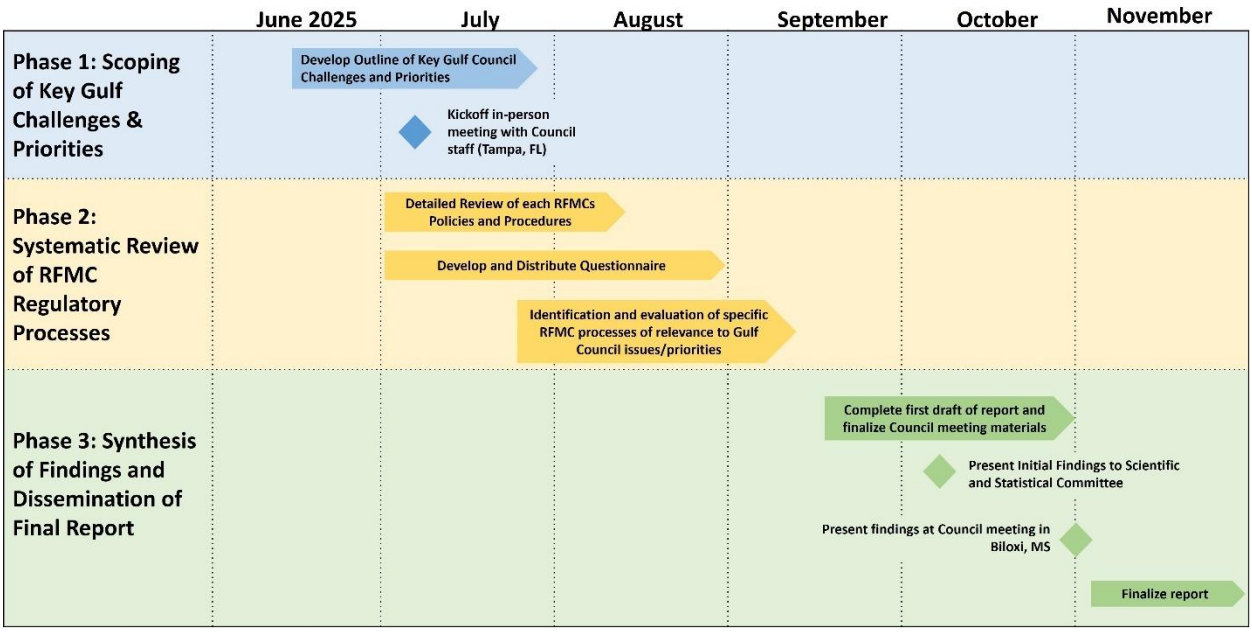



**FIGURE 1 – OVERVIEW OF PROJECT PHASES, TASKS, AND DELIVERABLES.**

Phase 2 included a detailed review of each Council's relevant policies and procedures, including:

a) Statement of Organization, Practices and Procedures (SOPPs);
b) Council Operating Procedures; and
c) Regional Operating Agreements (ROAs) between each Council and the relevant NOAA Fisheries Regional Office(s)/Science Center(s).

In addition, during this phase, the project team developed and distributed a short, voluntary online questionnaire to members of the fisheries science/management community to assess views on the challenges to and potential approaches for more efficiently incorporating new scientific information into the management process (the full questionnaire can be found in Appendix I). The questionnaire, developed in conjunction with Gulf Council staff and distributed using Google Forms, included a combination of multiple-choice and open-ended questions and, while anonymous, gave respondents the option to provide their name and contact information for future follow-up.

The questionnaire was distributed via email on August 6, 2025, to approximately 160 individuals, selected with Gulf Council staff input, who represented the following entities:

- Staff at all eight Councils and members of each council's Scientific and Statistical Committee (SSC)
- Staff at NMFS regional offices, science centers, and headquarters
- Staff at the Atlantic, Gulf, and Pacific States Marine Fisheries Commissions

The questionnaire remained active for approximately five weeks to account for summer vacation schedules before closing on September 12. A total of 50 individuals completed the questionnaire (response rate ~31%), with 64% (32) respondents indicating a Council affiliation and 26% (13) indicating a NMFS affiliation (the other five respondents included SSC members and interstate fishery commission personnel). Respondents represented all regions (Figure 2). Thirty-three respondents (66%) provided their name and email address for potential future follow-up.

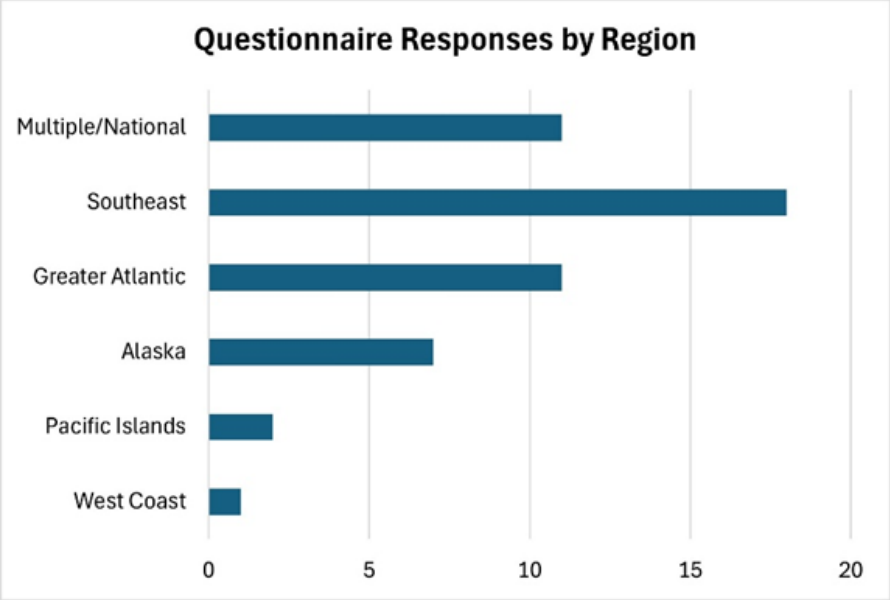



**FIGURE 2 – QUESTIONNAIRE RESPONSES TO THE QUESTION, "IN WHICH REGION ARE YOU MOST FAMILIAR WITH FISHERIES MANAGEMENT IN THE U.S.?" RESPONDENTS WERE ALLOWED TO SELECT MULTIPLE REGIONS.**

The third component of Phase 2 consisted of a series of semi-structured interviews with Council staff members, SSC members, and NMFS staff to gather feedback on challenges, needs, tradeoffs, lessons learned, and best practices for more efficiently incorporating new scientific information into the management process. Interviewees selected in conjunction with Gulf Council staff, were a subset of individuals who had been sent the online questionnaire and represented a range of perspectives spanning from data collection/processing to regulatory implementation/rulemaking.

A total of 26 individuals were invited to participate, with 24 of them agreeing to do so and scheduling an interview using the online Calendly platform. Participants included staff at all eight Councils, NMFS staff at regional offices, science centers, and headquarters, and SSC members who had been involved in efforts of relevance to the Gulf Council's priorities. Preparation for each interview included reviewing the background, role, and expertise of each interviewee, their responses to the online questionnaire if they had completed it and shared their name, and key topics to discuss/questions to ask.

Interviews lasted approximately 45 minutes and were conducted virtually via Zoom, with one consultant serving as lead interviewer and the other as note-taker/timekeeper. The consultants prepared a run-of-show document for interviews to ensure efficient and productive use of time, which included an introduction to the project and its goals, clarification that no findings would be personally attributable, and an overview of project timing and next steps. With the interviewees' permission, interviews were also recorded and summarized using Zoom's AI Companion. Interviews generally followed a set of predefined questions (see Appendix II) coupled with more expertise-, region-, or approach-specific lines of inquiry as appropriate.

The 24 individuals were interviewed over the course of 22 interviews between August 25 and September 16, 2025 (two interviews included two council staff members) (Table 1). Interviews revealed a range of potential approaches and procedures that could be of relevance to the Gulf Council, along with best practices for increasing overall efficiency through various collaboration and communication strategies.

**TABLE 1 - NUMBER OF INTERVIEWEES BY NMFS REGION (TWO INTERVIEWS INCLUDED TWO COUNCIL STAFF MEMBERS).**

| | Greater Atlantic | Southeast | West Coast | Pacific Islands | Alaska | National |
|---|---|---|---|---|---|---|
| **Number of Interviews** | 7 | 9 | 2 | 2 | 2 | 2 |

# 2.0 Gulf Council Priorities and Challenges

## 2.1 Summary of challenges

The following problem statement, developed in conjunction with Gulf Council staff during Phase 1 of the project, describes the key obstacles to the Gulf Council's ability to more rapidly respond to changes in fishery conditions with appropriate measures:

> *Uncertain and changing environmental conditions make it imperative that the Gulf Council respond quickly and effectively to new scientific information. However, barriers to efficiency, transparency, and throughput for the Gulf Council exist at multiple steps of the science-to-management spectrum, including data provisioning/processing and legal/administrative timelines (e.g., Gulf Council meeting schedule for decision-making, NOAA Fisheries implementation post-Council transmittal). These challenges may be exacerbated by future budget/personnel limitations and evolving legal mandates, highlighting the need for efficient strategies that are resilient to these uncertainties.*

This review identified three primary challenges and priorities for the Gulf Council regarding regulatory streamlining and increasing scientific uptake (Note: these are not listed in order of priority). The Gulf Council's efforts to address these challenges/priorities to date are summarized in Section 2.3.
The first of these was reducing lag times between on-the-water changes (identified through scientific data collection and stakeholder observations) and management action. There is a pressing need for the Gulf Council to be able to nimbly respond to unforeseen events that can have significant stock impacts,

including but not limited to: red tide/harmful algal blooms; hurricanes; recruitment failure; a stock rebuilding more quickly than anticipated; and stronger-than-expected year classes entering the fishery. Exacerbating the challenge is the length of time that the rulemaking process can take after a document is transmitted from the Gulf Council to NMFS, which can in some cases exceed the duration of the Council process itself (Figure 3).[2] Lag times are expected to be an ongoing and increasing challenge given resource limitations for both the Gulf Council and NMFS.

Generally, data provisioning/processing has been a major hurdle to throughput and a contributor to the fact that assessments can be 2-3 years out of date by the time they are completed. The provision of some data sources, such as commercial finfish landings, recreational removals, length data, and observer data, have been streamlined through automation/standardization; however, the process of provisioning other key sources such as age data and shrimp bycatch data continues to be time-consuming.[3]

In an effort to address the issue of lags, in 2018, the Southeast Data Assessment and Review (SEDAR) process envisioned a Research Track/Operational Assessment approach,[4] which would bifurcate the assessment process into Research Assessments (incorporating new ideas into assessment models and vetted through independent review) and Operational Assessments, which would provide management (i.e., catch limit) advice and put key stocks onto a regular stock assessment cycle. This approach was anticipated to improve assessment quality, provide additional opportunities for stakeholder involvement, and increase overall throughput by 10-20%, thereby increasing the ability of managers to respond more quickly to any changes in stock status. However, the new approach largely had the opposite effect, reducing both the throughput and timeliness of the assessment process while increasing the burden on data providers. As a result, the Research Track/Operational Assessment approach was eliminated in 2024.[5]

Second, the Gulf Council has expressed interest in exploring opportunities to automate routine/non-controversial management actions to increase efficiency. Lastly, the use of more efficient NEPA vehicles and other innovative approaches could increase throughput and responsiveness in a resource-limited environment. The vast majority of the Gulf Council's regulatory actions have tended to make use of an Environmental Assessment (EA), which have substantial analytical and review requirements that require ample staff resources and can extend timelines (Figure 3). Other Councils, meanwhile, have successfully employed more nimble vehicles such as Supplemental Information Reports (SIRs) or Categorical Exclusions (CEs) with significant time savings (see Section 4.1.2).

[2] Gulf Council. 2023. Overview of Potential Options for Regulatory Streamlining—White Paper. Prepared for the April 2023 Gulf Council Meeting. Tab E, No. 5. https://gulfcouncil.org/meetings/april-2023-council-meeting/.

[3] Gulf Council, 2024. Standing Reef Fish, Socioeconomic, and Ecosystem SSC Meeting Summary, May 7-8, 2024. https://gulf-council-media.s3.amazonaws.com/uploads/2025/02/Gulf-Standing-RF-Socio-Eco-SSC-Summary-May-2024-05162024.pdf.

[4] SEDAR. 2022. Evolution of the Research Track – Operational Assessment Approach Development May 2018 to August 2022. https://sedarweb.org/documents/attach7a_evolution-of-the-research-track-summary-pdf/

[5] SEDAR. 2024. Steering Committee Meeting Summary – March 2024. https://sedarweb.org/documents/steering-committee-meeting-summary-march-2024/.

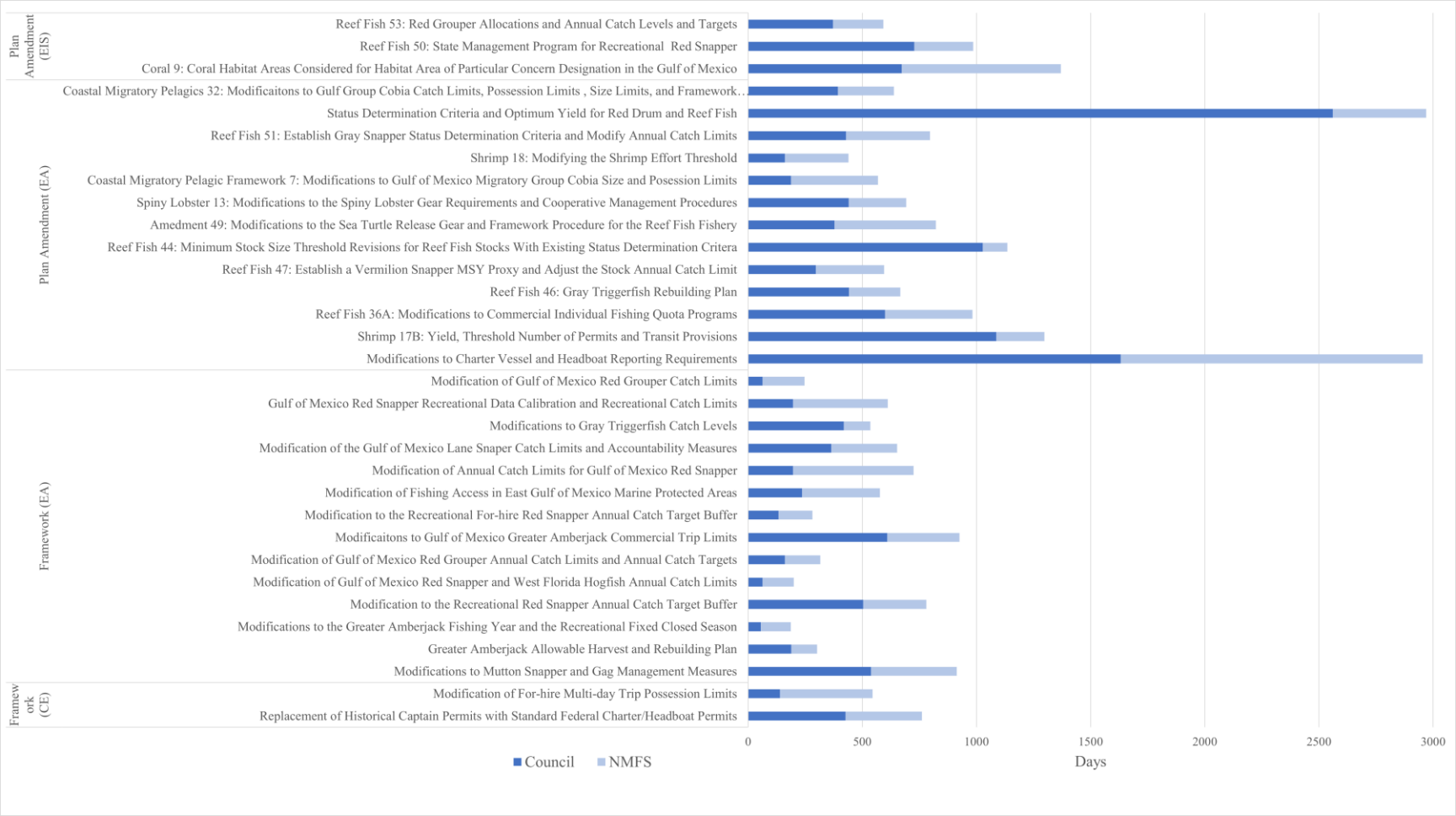



**FIGURE 3 - HISTORY OF GULF COUNCIL REGULATORY ACTIONS BY MSA AND NEPA CATEGORY, 2017-2021. NOTE: GULF COUNCIL TIMING WAS DEFINED AS THE FIRST DAY OF INITIATION VIA A MOTION BY THE COUNCIL TO THE DAY THAT THE DOCUMENT WAS TRANSMITTED TO NMFS. NMFS TIMING IS DEFINED AS THE DAY THAT THE ACTION WAS TRANSMITTED TO THE DAY THAT RULE(S) BECAME EFFECTIVE. (SOURCE: GULF COUNCIL).**

In considering approaches to confront these challenges, the Gulf Council has maintained that it is still essential to find the correct balance between efficiency, transparency, and throughput while operating within the bounds of its own operating procedures and relevant laws (Figure 4). Therefore, when various streamlining options are considered through this process, it is important to consider these relevant tradeoffs.

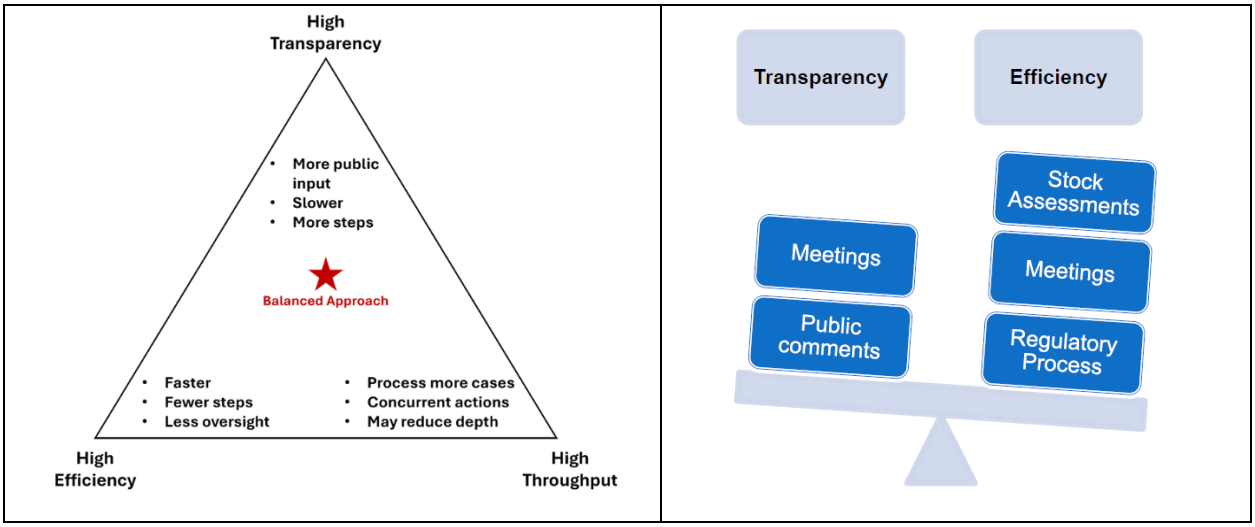



**FIGURE 4 – EXAMPLE ILLUSTRATIONS OF BALANCING TRADEOFFS OF REGULATORY PROCESSES INCLUDING EFFICIENCY, TRANSPARENCY AND THROUGHPUT (FIGURE ON THE RIGHT IS COURTESY OF THE GULF COUNCIL).**

## 2.2 Summary of priority actions and species

The key measures that the Gulf Council expressed the most interest in more efficiently applying through this effort are largely related to the development and implementation of fishery specifications, including: a) catch limits (i.e., Annual Catch Limits [ACLs]), b) seasons, c) bag limits, and d) size limits.

In 2024, in response to a NOAA Fisheries Southeast Fisheries Science Center (SEFSC) request, the Gulf Council identified five "priority stocks" [6] for which to begin operationalizing efficiency gains in 2026, with new catch advice needed at least every three years:

- Red snapper
- Gag grouper
- Red grouper
- Greater amberjack
- Gray snapper

These species were selected not just because of their importance to commercial and recreational fisheries, but because they have been noted as needing more rapid updates to best manage. For example, red and

[6] Gulf Council. 2024. Letter to the Southeast Fisheries Science Center: Key Stocks and SSC Request. https://gulf-council-media.s3.amazonaws.com/uploads/2025/05/10b.-Letter-to-SEFSC-Key-Stocks-and-SSC-Request_Apr2024.pdf.

gag grouper were identified as needing frequent updates due to recruitment pulses which can lead to a "boom and bust" fishery if not detected promptly.[7]

## 2.3 Current approaches and approaches under consideration

The Gulf Council has explored and/or implemented multiple approaches intended to increase the responsiveness of management and reduce time lags between both a) provision of new data and management action and b) management action and regulatory implementation.

*Fisherman Feedback Tool*

The Gulf Council's Fishermen Feedback Tool[8] (previously "Something's Fishy") is an online, open-ended questionnaire used to collect on-the-water information from fishermen (e.g. species availability, size, behavior, etc.) for each of 13 key Council-managed species. A combination of manual and automated sentiment analysis is used to synthesize feedback into summary reports that are shared with the SEFSC and Gulf Council (and the SSC) for consideration during multiple steps of the assessment and management process (Figure 5).[9] It has proven to be a helpful tool for providing information in between the terminal year of an assessment and when management decisions based on that assessment are ultimately made.


**FIGURE 5 – EXAMPLE OF AUTOMATED SENTIMENT ANALYSIS FROM THE 2025 HOGFISH SUMMARY REPORT USING THE FISHERMAN FEEDBACK TOOL (SOURCE: GULF COUNCIL)**

[7] Gulf Council. 2024. Minutes of the April 2024 Council Meeting, Gulf Shores, Alabama. https://gulf-council-media.s3.amazonaws.com/uploads/2025/02/GMFMC-Full-Council-April-2024_CMS.pdf.

[8] Gulf Council. Fisherman Feedback. https://gulfcouncil.org/fishery-management/fisheries-science/fisherman-feedback/.

[9] Yellowtail snapper example: Gulf Council. 2021. Something's Fishy: Yellowtail Snapper. Presentation to the Reef Fish Advisory Panel, Wednesday, 24 February 2021 https://gulf-council-media.s3.amazonaws.com/uploads/2025/02/04b-Yellowtail-Somethings-Fishy-1.pdf.

*Interim Analyses (IAs)*

IAs have been used by the Gulf Council for the past several years as a mechanism for adjusting Acceptable Biological Catches (ABCs) in between assessments such that catch limits track trends in abundance. They can be conducted annually and separately from the SEDAR process and are based on a combination of analysis of relevant indices (preferably fishery-independent) and management strategy evaluation/simulation testing to vet the performance of the index relative to stock status.[10]

The IA process is far quicker than the full assessment process, and once index data are available to analyze IAs can typically be completed in about three months. To date, IAs have been applied and used to inform catch advice for multiple Gulf Council-managed species, including red snapper, red grouper, gag grouper, lane snapper, and gray triggerfish.[11]

IAs can be used either to provide catch advice/yield projections or as a "health check"; for the latter, the index/indices are considered in the context of recent landings (in relation to the ABC). This information provides a snapshot of stock abundance and can then be used to as a tool to engage stakeholders and hear what fishermen are seeing on the water. This tool can also be used as a health check without the SSC recommending catch advice be adjusted up or down from the ABC.[12]

While IAs have proven to be a helpful tool for more rapidly understanding recent changes in abundance trends and for consideration in updated catch advice, several obstacles/dependencies impede the regular and efficient use of IAs for implementing timely management responses. First, because IAs assume no changes in key stock/fishery parameters since the last assessment (e.g., recruitment, selectivity, catchability, age/length relationships, distribution, etc.), they are inherently dependent on a previous stock assessment having been conducted relatively recently (for example, within ~5 years).[13]

Second, IAs rely on the availability of an appropriate fishery-independent index and the timely processing of that data. For example, the selectivity of a given index for a certain species (e.g., the bottom longline survey for red grouper) may indicate a different trend than what is being observed by fishermen using other methods who select for smaller fish.[14] In addition, processing times for certain indices can take a long time and contribute to lags between data collection and catch advice. For example, a given year's

[10] Gulf Council. 2019. Minutes of the Gulf SEDAR Committee meeting, October 23, 2019.

[11] Gulf Council. 2023. Interim Analysis Schedule. Tab 09b. Standing Reef Fish, Socioeconomic Ecosystem, and Shrimp SSC Meeting, March 7-9, 2023. https://gulfcouncil.org/meetings/march-2023-standing-reef-fish-socioeconomic-ecosystem-and-shrimp-ssc-meeting/.

[12] Example of an IA health check, for red grouper: Gulf Council. 2024. SEDAR 61: Gulf Red Grouper 2024 Interim Analysis – SSC Review. Presented at the Standing Reef Fish, Socioeconomic, and Ecosystem SSC meeting, February 27-28, 2024.. https://gulf-council-media.s3.amazonaws.com/uploads/2025/05/13-SEDAR-61-2024-IA-SSC-Feb2024.pdf.

[13] Gulf Council. 2023. Evaluation of Interim Analysis Process. Scientific & Statistical Committee Meeting, May 2–4, 2023. https://www.gulfcouncil.org/meetings/may-2023-standing-reef-fish-socioeconomic-and-ecosystem-ssc-meeting/.

[14] Ibid.

combined video survey data, which has been used for multiple IAs, may not be processed until September of the following year.[15]

Lastly, even with the IA process, implementation of new measures following Gulf Council action and NMFS rule making process can take a long time. In the case of gray triggerfish in 2021 it 9 months in total from the time the Council requested action on the SSC catch recommendations to the rule becoming effective (Figure 6). The typical amount of time it takes the Council to develop a framework action is 6-8 months and another 6 months for the review, comment, and implementation period for NMFS rule making. Given data process times, these dependencies mean that data used in an IA may be two or more years old before management is implemented.[16] As a result, based on the current regulatory processes, even if an IA for a particular species can be produced annually the management process is not set up to automate the updated catch advice; therefore, making the operationalization of annual IAs with updated catch advice unfeasible at this time.

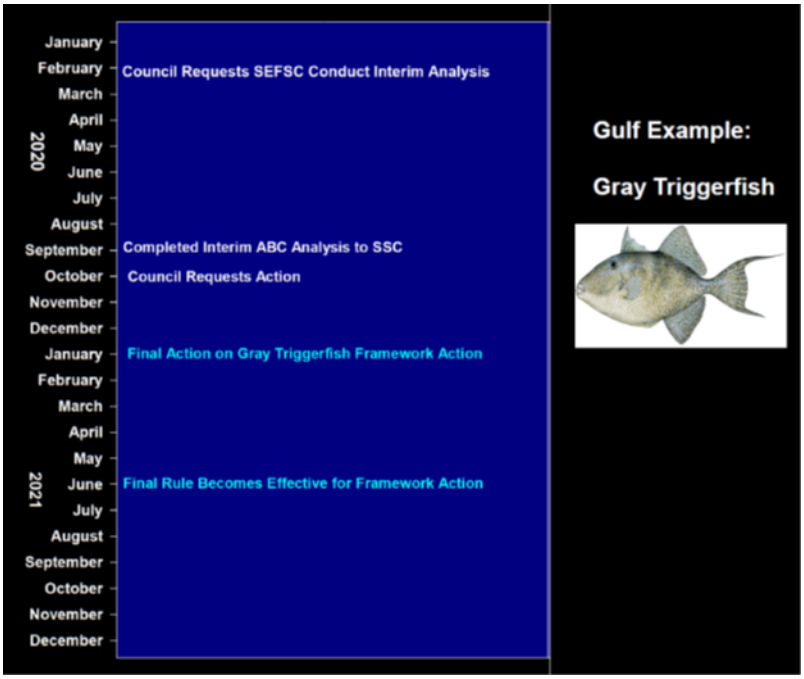



**FIGURE 6 - IMPLEMENTATION TIMELINE FOR A GRAY TRIGGERFISH FRAMEWORK ACTION BASED ON AN INTERIM ANALYSIS (SOURCE: GULF COUNCIL AUGUST 2022 MEETING, SUSTAINABLE FISHERIES COMMITTEE SESSION).**

*Framework Approaches*

[15] Ibid.

[16] Gulf Council. 2022. Sustainable Fisheries Committee Report. Tab E. https://gulfcouncil.org/meetings/august-2022-council-meeting/.

While the Gulf Council has largely employed standard "open" framework approaches that typically use an EA, range of alternatives, and an extensive scoping process, it has explored potential approaches for streamlining the regulatory process in order to reduce time lags (Figure 7). To date, it has made limited use of the Abbreviated Framework process, which is supported by a CE rather than an EA and thus can bypass the NEPA process (see "Open Framework" pathway in Figure 7).[17,18] However, to date the Abbreviated Framework process has not led to substantial time savings either for Gulf Council decision-making or for NMFS implementation.[19]

[17] Example abbreviated framework for lane snapper: Gulf Council. 2024. Catch Limit Modifications for Gulf of Mexico Lane Snapper: Abbreviated Framework Action to the Fishery Management Plan for Reef Fish Resources in the Gulf of Mexico, including Regulatory Impact Review and Regulatory Flexibility Act Analysis. Tampa, Florida. https://gulf-council-media.s3.amazonaws.com/uploads/2025/03/Catch-Limit-Modifications-for-Gulf-of-Mexico-Lane-Snapper_03042024_final_amended.pdf.

[18] Note: NEPA guidance continues to evolve at the federal level and may impact the applicability of NEPA vehicles moving forward. See Section 3.2.1.

[19] Gulf Council. 2023. Overview of Potential Options for Regulatory Streamlining—White Paper. Prepared for the April 2023 Gulf Council Meeting. https://gulfcouncil.org/meetings/april-2023-council-meeting/.

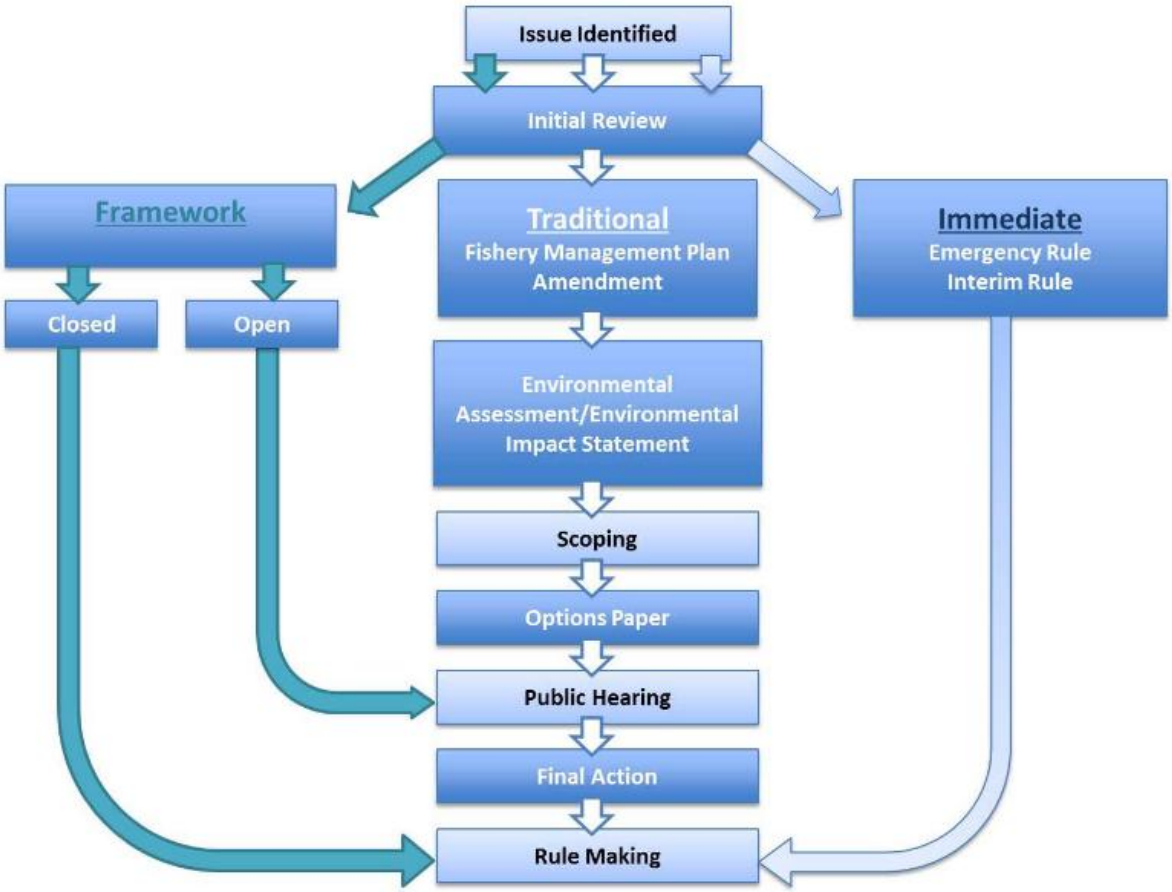



**FIGURE 7 – GENERAL OVERVIEW OF THE GULF COUNCIL'S REGULATORY PROCESS (SOURCE: GULF COUNCIL AUGUST 2022 MEETING SUSTAINABLE FISHERIES COMMITTEE SESSION).**

In recent years, the Gulf Council has discussed the use of automating routine management activities resulting from IAs via a "Closed" Framework Process. Under the conceptual approach that was discussed, the implementation of SSC-approved changes to catch limits within a certain threshold (perhaps 25-30% above/below the current ACL), once approved by the Council, could be implemented directly by the NOAA Fisheries Regional Administrator via notice in the Federal Register.[20] Similar efforts have been implemented by other Councils (see Section 4.0). This approach would result in somewhat reduced opportunities for public comment compared to the "Open" Framework process (see Figure 7) but could significantly reduce lag times for regulatory implementation. In order to implement this approach, the Gulf Council would need to develop a Reef Fish FMP amendment that specifies a process for developing catch advice (and perhaps other regulatory actions) for a limited number of species that have undergone

[20] Gulf Council. 2022. Mechanisms and Options for Automating Catch Advice from Interim Analyses. Sustainable Fisheries Committee, 23 August 2022. https://gulfcouncil.org/meetings/august-2022-council-meeting/.

an IA and whose catch advice has been approved by the SSC.[21] The specific triggers and analyses are completed upfront, and then the decision process can be more automatic later.

In addition to exploring specific tools to gather data and increase efficiency of decision making, the Gulf Council is also in the process of potentially narrowing its scope of managed species. In a September 2025 letter to NMFS in response to Executive Order 14276, "Restoring American Seafood Competitiveness," the Gulf Council noted that, to free up resources, it is currently working with NFMS to identify species to potentially remove from FMPs due to their lack of a need for conservation and management. The Gulf Council anticipates initiating such an action via an amendment during the first half of 2026 and submitting to NMFS in Spring 2027.[22]

# 3.0 Review of U.S. Regional Fishery Management Council Regulatory Processes

## 3.1 Overview of the federal fisheries management regulatory process

The Magnuson-Stevens Fishery Conservation and Management Act (MSA, 16 U.S.C. §§ 1801–1891d) is the primary law governing marine fisheries in U.S. federal waters. It established eight Regional Fishery Management Councils to develop FMPs to primarily prevent overfishing, rebuild depleted stocks, and achieve optimum yield (OY) based on science and an open, transparent public process. Councils typically develop actions that are reviewed and ultimately implemented by NMFS. The general steps involved are summarized in Figure 8.

In addition to MSA Council decisions must also comply with other procedural laws such as NEPA and the Administrative Procedures Act (APA), which layer on additional requirements and public comment procedures. There are other statutes to which fishery management plans must comply that are briefly summarized in Section 3.2.1.

[21] Gulf Council. 2023. Minutes — Sustainable Fisheries Committee, April 5, 2023. https://gulf-council-media.s3.amazonaws.com/uploads/2025/02/GMFMC-Sustainable-Fisheries-April-2023.pdf.

[22] Gulf Council. 2025. Letter to Assistant Administrator for Fisheries Eugenio Piñeiro-Soler re: Executive Order 14276, "Restoring American Seafood Competitiveness" https://www.mafmc.org/s/Gulf-Council-EO-14276-Response.pdf.

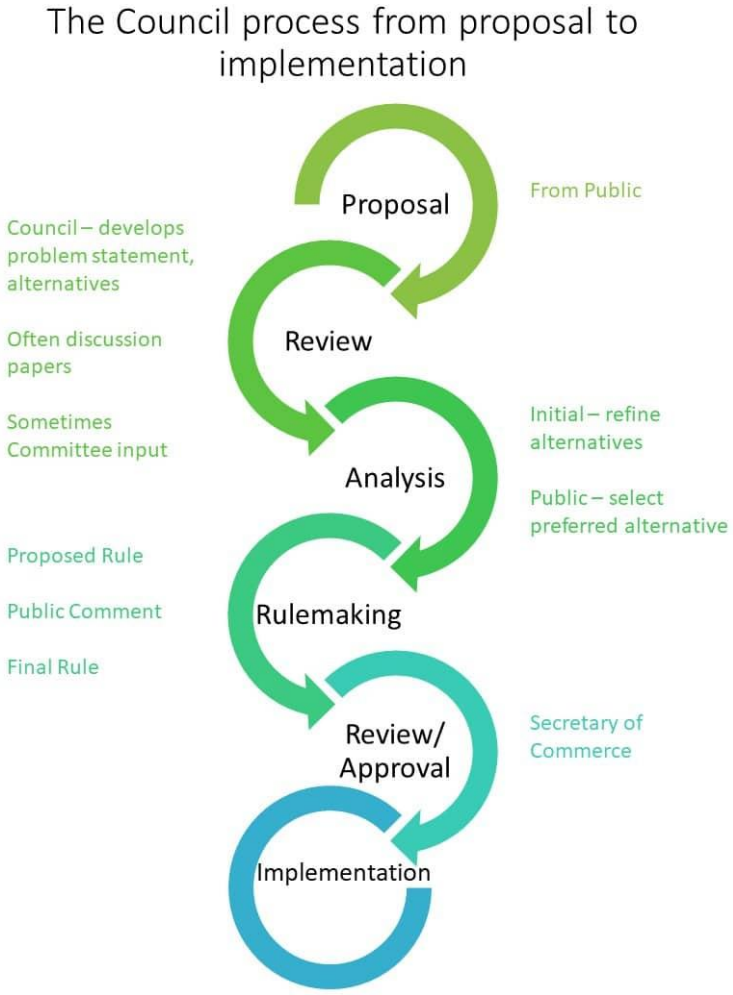



**FIGURE 8 - SCHEMATIC OVERVIEW OF THE FEDERAL FISHERIES MANAGEMENT PROCESS (SOURCE: NORTH PACIFIC FISHERY MANAGEMENT COUNCIL).**

## 3.2 Constraints on timeliness and responsiveness

Document review, questionnaire responses and interviews provided both high-level and detailed insight into what Council staff, NMFS personnel, and other key participants in the regulatory process perceived as the biggest challenges constraining management responsiveness to new information (Figure 9). Major obstacles to timely action generally fell into one of three major categories: 1) Legal constraints; 2) data flow and uncertainty; and 3) limited resources.

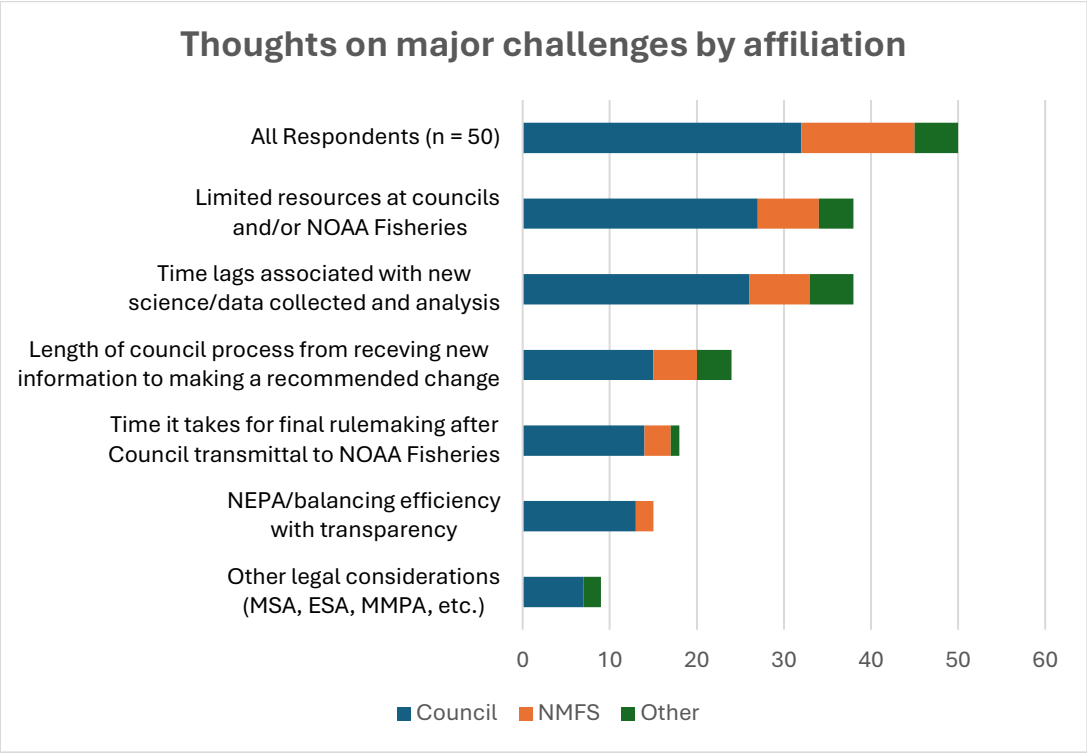



**FIGURE 9 – MAJOR CHALLENGES TO MORE EFFICIENTLY INCORPORATING NEW INFORMATION INTO MANAGEMENT, BY AFFILIATION FROM ONLINE QUESTIONNAIRE (NOTE: RESPONDENTS WERE ASKED TO "SELECT ALL THAT APPLY"; AS A RESULT, RESPONSES ARE GREATER THAN 50 [THE NUMBER OF QUESTIONNAIRE RESPONDENTS]).**

### 3.2.1 Legal constraints

*Magnuson-Stevens Fishery Conservation and Management Act (MSA)*

Established in 1976 and reauthorized in 1996 and 2006, MSA includes numerous scientific, regulatory, and procedural requirements intended to prevent overfishing, rebuild overfished stocks, and achieve optimum yield. In specifying these provisions, MSA tends to prioritize thoroughness and transparency, which can come at the expense of management timeliness and responsiveness.

MSA's National Standard 2 requires that management measures be based on the best scientific information available (BSIA), which can include formal peer review (e.g., by the SSC for Council actions or Center for Independent Experts [CIE] for SEDAR assessments) and rigorous QA/QC and technical

analyses.[23,24] These requirements can mean that actions based on BSIA can at times be significantly delayed compared to when that information was collected. It can also impede responsiveness to recent developments (e.g., natural disasters, recruitment events) that do not yet constitute BSIA, although the Gulf Council is working to address such gaps through the IA process. In other words, BSIA requirements can lead to a preference for complete data, even if no longer timely, as opposed to information that may be more current but has not undergone the necessary rigorous required analysis and review steps.

MSA also includes specific analytical requirements for an FMP amendment or framework—namely, to develop a fishery impact statement (FIS) (Section 303(a)(9)) that assesses the likely conservation, economic, and social effects of the alternatives under consideration. Council staff are responsible for preparing one of the MSA required sections, the FIS, and while they can typically be integrated into NEPA analyses (e.g., EA, SIR, etc.), they do add additional time to the process prior to the Council's being able to take action.

Meeting and public input requirements can also stretch timelines and limit responsiveness of actions. Section 302 of MSA requires the SSC to provide the Council with ongoing advice for management decisions, including recommending an ABC. As a result, the SSC's ability to provide management advice is limited to when it convenes (typically 4-6 times per year), further adding delays to the process. By the same token, because each Council only meets four or five times per year to make management decisions as required by MSA Section 302(h), timelines may be delayed even for urgent issues. Mandatory advisory panel meetings (Section 302(g)) and public comment sessions (Section 302(h)) add transparency to the regulatory process but further extend timelines. Councils are required to consult with Advisory Panels (APs) when developing amendments or frameworks; public hearings prior to Council action, meanwhile, are mandatory for FMPs or amendments, while framework actions must be discussed during Council meetings where there is an opportunity for public comment. After Council action, meanwhile, MSA requires a minimum 60-day public comment after the Secretary publishes availability of an FMP/Amendment.

Section 304(e) of MSA requires that overfished fisheries be rebuilt as quickly as possible in a time period generally not to exceed 10 years, and catch limits must ensure at least a 50% probability of successful rebuilding by that deadline. These strict requirements can leave little ability for Councils to be flexible and adapt approaches as new information emerges or as fishery conditions change. It can also limit the collection of key fishery-dependent data that can provide real-time signals regarding fishery conditions and thus help to assess progress toward rebuilding. Without such data, managers may not have the information needed to adjust measures in accordance with stock status or other metrics.

[23] NMFS. 2023. Framework for Determining that Fishery Conservation and Management Measures are Based on the Best Scientific Information Available — Southeast Region (Final). National Oceanic and Atmospheric Administration. December 2023. https://www.fisheries.noaa.gov/s3/2023-12/BSIA-framework-for-the-Southeast-Region-Final.pdf.

[24] 50 C.F.R. § 600.315 — National Standard 2—Scientific Information. https://www.ecfr.gov/current/title-50/chapter-VI/part-600/subpart-D/section-600.315.

Given MSA's strong conservation standards and procedural requirements, actions are frequently litigated. This legal risk can often lead to lengthy documentation and review to build defensible records. It also may introduce the use of "belt and suspenders" approaches to minimize risk, which can come at a cost of overly complex analyses that delay timelines.

Multiple bills to reauthorize and update MSA have been introduced over the past decade. The Council Coordination Committee (CCC) has developed a Working Paper to describe Councils' consensus positions/recommendations on key issues, many of which are related to issues of timeliness and responsiveness.[25] In considering potential reforms to MSA, the CCC broadly recommends allowing for flexibility in approaches to achieve conservation objectives, rather than imposing overly constraining analytical and/or scientific requirements or management approaches that can impede rapid responses to changing fishery conditions.

*National Environmental Policy Act (NEPA)*

NEPA was enacted in 1970 to ensure all federal agencies consider the environmental consequences when making decisions and the process is transparent and open to the public.[26] For development of fisheries management actions, NEPA guides how alternatives are developed and analyzed within fishery management plans, amendments, frameworks, and rulemaking under MSA. It is a procedural law that integrates science and public engagement with document decision making.

NOAA has developed various guidance and compliance documents to assist Councils and the public understanding of how to comply with and integrate NEPA when developing fishery management plans and actions under MSA. NOAA Administrative Order 216-6A sets NOAA's overall policy and lays out the agency-wide procedures to ensure compliance with NEPA.[27] The Companion Manual from 2017 provides more detailed guidance about when and how NEPA applies for NOAA programs, including FMPs under the MSA.[28] The manual explains how to determine which NEPA vehicle to use under which circumstances, described in more detail in Section 4.1.2. It should be noted that the Companion Manual from 2017 was updated in 2025 and the NEPA procedures have been removed and reinstated as standalone guidance.[29] NOAA is in the process of updating guidance and a summary of the status of these NEPA-related updates is summarized in Section 4.4.3.

The primary aspects of NEPA that create procedural and practical constraints are mostly related to mandates for range of alternatives, extensive analyses, supplemental reviews, and litigation risks. It takes

[25] CCC. 2022. Regional Fishery Management Council Positions on Magnuson-Stevens Act Reauthorization Issues. https://static1.squarespace.com/.../220531_CCC_MSA_Reauth_Working_Paper_final.pdf.

[26] National Environmental Policy Act of 1969 (Public Law 91-190; As Amended Through P.L. 119-21, Enacted July 4, 2025). U.S. Government Publishing Office. https://www.govinfo.gov/app/details/COMPS-10352.

[27] NOAA. 2016. NAO 216-6A: Compliance with the NEPA (42 U.S.C. § 4321 et seq). https://www.noaa.gov/sites/default/files/legacy/document/2020/Mar/NAO_216-6A.pdf.

[28] NOAA. 2017. Companion Manual for NOAA Administrative Order 216-6A. https://www.noaa.gov/sites/default/files/2021-10/NOAA-NAO-216-6A-Companion-Manual-03012018 (1).pdf

[29] NOAA. 2025. Companion Manual for NOAA Administrative Order 216-6A. https://www.noaa.gov/sites/default/files/2025-06/2025NOAANEPAProcedures.pdf.

time and resources to address each of these constraints. If impacts are uncertain, it can take time to determine the appropriate level of environmental review often requiring cross-agency coordination. Similarly, it can take time to identify the appropriate range of alternatives to evaluate. NEPA requires consideration of all reasonable alternatives, including No Action, and this can sometimes take time and multiple iterations between various advisory bodies and offices within NMFS. Once the range of alternatives are identified they need detailed analyses, currently requiring an evaluation of cumulative effects. Finally, NEPA requires public comment periods, which are similar to MSA public comment requirements, but planning these required levels of public input including synthesis and response to comments can take time, especially for more complex and controversial actions. Councils have identified several tools and approaches to help address some of these constraints, detailed in Section 4.0.

*Administrative Procedures Act (APA)*

The APA is a procedural law that establishes how federal agencies develop and implement regulations and decision making.[30] It requires specific notice and comment periods, so the decision process is transparent including a reasoned administrative record, to help ensure rules are neither "arbitrary nor capricious." Most NMFS actions are classified as informal rulemaking, or notice-and-comment rulemaking.[31] Therefore, all FMP actions that change federal regulations must be proposed in the *Federal Register* with clear rationale for the action. While the APA has no minimum public comment period, the MSA requires 60 days for FMPs and amendments and 15–60 days for proposed regulations.

The APA can inhibit timeliness and responsiveness in fishery management because it adds procedural layers and legal risk. NOAA Fisheries actions are classified as informal rulemaking, or notice-and-comment rulemaking.[32] The requirement to publish proposed and final rules, respond to all substantive comments, and develop a strong administrative record can take substantial time, on top of other requirements of MSA and NEPA described above. Unfortunately, the same administrative procedures are required for minor adjustments as well, unless an agency "for good cause finds…that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest."[33] If an action is already authorized under the implementing regulations of an existing FMPs then NOAA Fisheries can invoke the "good cause" exception to help implement regulations more expeditiously. An agency still needs to consider and respond to public comments on the proposed rule, typically done within the preamble of the final rule, but the length of time before a rule takes effect can be waived. When certain conditions are met, NOAA Fisheries does invoke this "good cause" exception, which can improve overall timeliness of the regulatory process.

*Other Laws and Executive Orders*

Section 303(a)(1)(C) of the MSA requires federal fishery management plans to be consistent with other applicable laws. In addition to NEPA and APA, there are additional federal statutes and executive orders

[30] Administrative Procedures Act (APA) (1946) (5 U.S.C. § 551 et seq.).

[31] National Sea Grant Law Center. 2022. Nimbleness of Federal Fisheries Management Decision-Making Processes to Support Climate-Ready Fisheries: A Legal Analysis. NSGLC-22-06-05. https://nsglc.olemiss.edu/projects/sustainable-fisheries-aquaculture/files/nimbleness-of-federal-fisheries-management.pdf.

[32] Ibid.

[33] 5 U.S.C. § 553(c)

that operate alongside the MSA and further shape how fisheries are managed. A very good reference for other applicable laws and EOs can be found in Appendix 2 of NOAAs Operational Guidelines.[34] For example, the Endangered Species Act (ESA), Marine Mammal Protection Act (MMPA), and Coastal Zone Management Act (CZMA), all require NOAA Fisheries and the Councils to ensure that management actions do not jeopardize protected species or conflict with state coastal programs. In addition, the Regulatory Flexibility Act (RFA), Paperwork Reduction Act (PRA), and various Executive Orders (on tribal consultation, environmental justice, and regulatory review) add additional layers of analysis and coordination. Together, these laws ensure that fishery management decisions protect vulnerable species and communities, minimize unnecessary burdens, and maintain consistency with broader federal and state policies.

While these requirements strengthen the accountability, transparency and legal defensibility of Council actions, they also introduce constraints on flexibility and responsiveness by imposing additional analyses as well as procedural and timing requirements. ESA and MMPA consultations can delay rulemaking or restrict management options to avoid harm to listed species; CZMA consistency reviews can limit federal choices if states object; and RFA and PRA reviews require detailed analyses and specific approvals before implementation. These other laws can add time and resources to the overall timeline of an action; however, this project primarily focused on MSA, as well as NEPA and APA since there are potentially more promising solutions to improve efficiency and throughput related to those laws compared to others summarized in this section.

### 3.2.2 Data flow and uncertainty

Related to MSA's rigorous BSIA requirements, issues concerning data collection, processing and analysis can delay the decision-making process and/or contribute to the fact that the most up-to-date information is not considered for a given regulatory action. In many regions, landings or catch information often are not available to support management decisions during that same year, forcing Councils to rely on outdated information. In the Southeast, Council staff do not have direct access to fishery data collected by NMFS and must instead request that information from the NOAA Fisheries Southeast Regional Office (SERO), which can add time to the process.

While these challenges relate to quantitative fishery-dependent, fishery-independent, environmental, or socioeconomic data, Councils and NMFS alike continue to struggle with how to incorporate on-the-water observations from fishermen into decision-making. At AP meetings, during public comment at Council meetings, and through other vehicles (e.g., the Gulf Council's Fisherman Feedback Tool), stakeholders provide perspectives on catch level and size trends, species location and composition, and an array of other important information. However, the application of such qualitative, anecdotal information into decision-making is inconsistent across Councils, and if on-the-water observations are not corroborated by scientifically valid data/analyses, they may not be considered BSIA.

Lastly, uncertainty concerning how species will respond to changing ocean conditions (stock shifts, recruitment changes, food web alterations), can further complicate timely responses to those changes

[34] NMFS. 2023. Operational Guidelines for the Magnuson-Stevens Fishery Conservation and Management Act Fishery Management Process. NOAA Fisheries Procedure 01-101-03. October 25, 2017; revised May 2023. Available at: https://www.fisheries.noaa.gov/s3/2023-06/operational-guidelines-pdf-65pp.pdf

when they do occur. In the North Pacific, for example, unprecedented warming in the 2010s led to a collapse of the Gulf of Alaska's Pacific cod stock in 2015. However, due to data collection and processing timelines, the collapse was not detected and taken action on until 2017.[35] Multiple efforts are underway to improve responsiveness of management to such changes, such as the East Coast Climate Change Scenario Planning Initiative, which has established tools and processes for timely responses; however, such efforts have not yet been operationalized in the form of actual management measures.[36]

### 3.2.3 Limited resources

Limited funding and staff capacity at both Councils and NMFS are an ongoing obstacle to responsive management along multiple steps of the regulatory development and implementation process. Their dependence on one another for development and implementation of management actions further compounds the issue. Recent and ongoing NMFS staff reductions have had particularly severe impacts, leading to delays in completion of key analyses necessary for document preparation to inform Council decision-making.[37,38] For example, a reduction of SERO economic and social scientist staff by half has led to a bottleneck in data provisioning, meeting attendance, and the overall development and review of RIRs and RFAs. Similarly, staffing and budget constraints at science centers have led to stock assessment delays in multiple regions.[39] These impacts are expected to worsen with ongoing staffing reductions and loss of institutional knowledge due to turnover. At Councils, meanwhile, limited staff capacity leads to individuals being "stretched thin," constraining how quickly new measures can be developed.

## 3.3 Summary of operating procedures

Under the MSA, each of the eight Councils is required to adopt a Statement of Organization, Practices, and Procedures (SOPP).[40] Every Council is mandated to develop, maintain, and periodically update a SOPP that describes how it operates including details about membership, voting rules, advisory bodies, financial and administrative policies, public participation, etc. SOPPs are reviewed and approved by the Secretary of Commerce through NMFS and should be revised from time to time. SOPPs are a transparent way to explain how a Council implements requirements such as decision-making, open public meetings, and use of best available science.

---

[35] North Pacific Fishery Management Council. 2023. Case Studies: Climate-Related Fishery Management Challenges and Responses. Presentation to the North Pacific Fishery Management Council Climate Scenario Planning Workshop. https://meetings.npfmc.org/CommentReview/DownloadFile?p=0edd9184-ec23-4fde-afba-e95b3aaf41a0.pdf&fileName=PPT_Case%20Studies.pdf.

[36] Mid-Atlantic Fishery Management Council. 2024. Climate Change Scenario Planning. https://www.mafmc.org/climate-change-scenario-planning.

[37] Cusick, Daniel. 2025. "Staff cuts hit hard at NOAA Fisheries' science centers." E&E News, September 30, 2025. https://www.eenews.net/articles/staff-cuts-hit-hard-at-noaa-fisheries-science-centers.

[38] Northeast Regional Coordinating Council. 2025. Spring 2025 NRCC Meeting Summary. https://d23h0vhsm26o6d.cloudfront.net/Spring-2025-NRCC-Meeting-Summary.pdf.

[39] Council Coordination Committee. 2025. Letter to The Honorable Seth Magaziner regarding the State of U.S. Federal Fisheries. 29 May 2025. https://safmc.net/documents/250529-ccc-to-rep-magaziner-re-state-of-fisheries-pdf/.

[40] The requirements for Council SOPPs are detailed in NOAA's implementing regulations at 50 C.F.R. § 600.115.

SOPPs can play a critical role in improving regulatory efficiency and responsiveness if they effectively define the administrative steps involved in various action development and approval, as well as clarify roles and responsibilities between councils and NMFS. Most Councils also develop regional operating agreements (ROA) between Councils and NMFS. These documents are an opportunity to codify internal timelines and procedures for how to respond to new information, as well as various requirements and expectations for different types of regulatory documents (i.e., EIS, EA, CE, SIR). If SOPPs and ROAs are not updated on a somewhat regular basis, there is an increased risk of uncertainty and duplication, which can erode overall efficiency.

Table 2 includes links to the most recent SOPPs and ROAs per Council, from online sources. It is possible that there are more updated versions used in each region, as well as additional resources from NMFS. For example, the NOAA Fisheries Greater Atlantic Regional Fisheries Office (GARFO) published an overview of the Council regulatory process in 2023.[41] Many Councils have also developed more public-friendly documents that summarize how the regulatory process works in that region. These are helpful tools to improve transparency and awareness about the multiple laws and layers of regulatory requirements involved in managing federal marine resources. For example, the MAFMC has specific documents that explain the steps involved in developing an Amendment versus a Framework.[42] Direct links to those more public-friendly documents are included in Table 2 as well.

**TABLE 2 – SOPP AND ROA PER REGIONAL FISHERY MANAGEMENT COUNCIL.**

| Council | SOPP Link | SOPP Last Revised | ROA Link | ROA Last Revised | External documents about process |
|---|---|---|---|---|---|
| **New England (NEFMC)** | NEFMC SOPP | 2023 | NEFMC ROA | 2014 | https://www.nefmc.org/get-involved |
| **Mid-Atlantic (MAFMC)** | MAFMC SOPP | 2023 | MAFMC ROA | 2013 | https://www.mafmc.org/council-policies |
| **South Atlantic (SAFMC)** | SAFMC SOPP | 2011 | SAFMC ROA | 2016 | |
| **Gulf (GFMC)** | GFMC SOPP | 2025 | GFMC ROA | 2016 | https://gulfcouncil.org/about/navigating-the-process/ |
| **Pacific (PFMC)** | PFMC SOPP | 2010 | PFMC ROA | 2021 | https://www.pcouncil.org/navigating-the-council/council-operations/#council-operating-procedures-toc-2133b017-0c9d-492d-aefa-9b89bd47809b |
| **North Pacific (NPFMC)** | NPFMC SOPP | 2025 | NPFMC ROA | 2016 | https://www.npfmc.org/how-we-work/ |

[41] NMFS. 2023. *Get Involved in Federal Fisheries Management: A User Guide*. https://d23h0vhsm26o6d.cloudfront.net/2023-Federal-Fisheries-Management-Booklet-for-Print-May-30-2023_2023-11-30-192024_ovtg.pdf.

[42] Mid-Atlantic Fishery Management Council. Council Policy and Process Documents. https://www.mafmc.org/council-policies

| | | | | | |
|---|---|---|---|---|---|
| **Western Pacific (WPFMC)** | WPFMC SOPP | 2024 | WPFMC ROA | 2023 | |
| **Caribbean (CFMC)** | In process of being posted online | | CFMC ROA | 2014 | https://www.caribbeanfmc.com/ |

# 4.0 Findings Related to Streamlining Regulatory Processes

This section synthesizes results from detailed background research and document review, voluntary questionnaire responses, and input from interviews with technical experts. The findings are summarized in two broad categories:

1) streamlining approaches embedded in MSA regulatory pathways, NEPA vehicles, and specific fishery management tools and measures that improve overall efficiency; and

2) best practice strategies for collaboration, coordination, and communication among Council members, staff, regulators, and public stakeholders.

## 4.1 MSA regulatory pathways and NEPA regulatory vehicles

### 4.1.1 MSA Regulatory Pathways

There is a wide range of regulatory pathways available under MSA to develop and implement regulations. Table 3 summarizes the variety of regulatory mechanisms used by Councils and NMFS to adopt fishery regulations. Once an FMP is in place, changes to the conservation and management measures can be made in a variety of ways depending on the scope, whether changes have been anticipated, and how urgent the change is.[43] Developing FMPs and Plan Amendments usually require an EIS because environmental impacts are more uncertain and they typically propose new or more substantial changes. Frameworks and Specifications that adjust measures already considered in an FMP can fall under more streamlined NEPA vehicles (EAs or CEs). The details of NEPA vehicles are described in Section 4.1.2.

In addition to actions typically developed by Councils (Amendments, Frameworks and Specifications), NMFS has authority under MSA to implement regulations under specific conditions. An Emergency Action is a temporary regulation issued by the Secretary of Commerce (or requested unanimously by a Council) when an urgent, unforeseen situation threatens a fishery or resource; it can take effect immediately but lasts no more than 180 days, with one possible 186-day extension if the Council is developing a long-term fix. An Interim Action is also a short-term measure used to reduce overfishing or address management needs while a permanent action is being developed; it follows similar procedures and time limits as an emergency rule but must be tied to a longer-term regulatory solution already in progress. Finally, Secretarial Action is a regulatory action or plan developed directly by NMFS on behalf of the Secretary of Commerce when a Council fails to act or meet statutory deadlines. While both Emergency and Interim actions can be very efficient and implemented in a matter of weeks in some cases,

[43] National Sea Grant Law Center. 2022. Nimbleness of Federal Fisheries Management Decision-Making Processes to Support Climate-Ready Fisheries: A Legal Analysis. NSGLC-22-06-05. https://nsglc.olemiss.edu/projects/sustainable-fisheries-aquaculture/files/nimbleness-of-federal-fisheries-management.pdf..

they are reserved for very specific circumstances, temporary in nature, more limited opportunities for public input, and not a sustainable approach for long-term planning.

**TABLE 3 – SUMMARY OF MSA PATHWAYS AND NEPA VEHICLES TYPICALLY USED TO IMPLEMENT FEDERAL FISHERY MANAGEMENT ACTIONS**

| MSA Regulatory Pathway | Purpose / Typical Use | Duration of Rule | Who Typically Initiates | Typical NEPA Vehicle | Typical Length of Time |
|---|---|---|---|---|---|
| **Fishery Management Plan** | Plan which contains the conservation and management measures for a fishery | Permanent | Council | EIS | 2-5 years |
| **FMP Amendment** | Major changes (new programs, allocations, rebuilding plans, habitat protections, etc.) | Permanent, until updated | Council | EIS (usually), sometimes EA if impacts limited | 1–3 years |
| **Framework Adjustment** | Adjustments to pre-authorized categories (catch limits, gear rules, season dates) | Permanent | Council | EA or CE, sometimes tiered to an existing EIS | 6 months to 1 year |
| **Annual Specifications / Quota Packages** | Set annual catch limits, ACLs, quotas, seasons | 1 year (recurring) | Council | EA or CE, usually tiered to FMP EIS | Months |
| **Emergency Action** | Urgent, unforeseen crisis (conservation or management) | 180 days + 186-day extension (max 366) | NMFS (with or without Council input) | CE or EA (expedited) | Weeks–months |
| **Interim Measures** | Temporary measures to reduce overfishing until permanent action in place | 180 days + 186-day extension (max 366) | NMFS (with or without Council) | CE or EA (expedited) | Weeks–months |
| **Secretarial Action** | If Council fails to act, Secretary implements directly | Permanent (unless replaced) | Secretary of Commerce (NMFS) | Depends: EIS/EA/CE as needed | Variable |
| **Technical Corrections** | Administrative correction, not new policy | Permanent | NMFS, occasionally Councils identify need for correction | None, no environmental effect | Months |
| **Advanced Notice of Proposed Rulemaking (ANPR)** | Signals early intent, pre-rulemaking request for information | Notice, not a rule | NMFS, sometimes jointly with Council | None, no environmental effect | Months |
| **Scoping Document / Notice of Intent (NOI)** | Signals early intent, required under NEPA EIS process | Notice, not a rule | Council, NMFS in some cases | None, procedural step | Months |

### *Efficiency and Responsiveness*

The two MSA pathways that are typically the most flexible are frameworks and specification packages. Frameworks are more adaptive than Amendments and are intended to enable more rapid, responsive decision making. "Frameworking" is defined as "a mechanism for implementing recurrent, routine, or foreseeable actions in an expedited manner."[44] A FMP identifies a range of actions that have been defined and analyzed to the extent possible when a framework measure is adopted, and if that measure needs to be adjusted in the future, the process can be more timely since the impacts have already been considered.

NMFS prepared a working paper on the use of framework actions in all eight regions; it identifies various examples of frameworks and factors to consider when evaluating whether to develop new framework mechanisms.[45] The need for management to respond more rapidly increased after the MSA was reauthorized in 2007 when it created new annual requirements for ACLs and Accountability Measures (AMs). The paper identifies the wide range of framework processes used nationally, and when a Council considers expanding the use of frameworking, it should consider a range of factors including how predictable the conditions are, how quickly a response is needed, and how much discretion the Council wants to retain. Faster responses necessitate commitments to future responses and relinquishing some level of control and flexibility.

The MAFMC uses frameworking extensively and has created figures to summarize the main differences between the regulatory steps of a framework vs. an amendment (Figure 10). The MAFMC has categorized their FMPs into three conceptual categories from more to less flexible in terms of frameworkable actions: Mackerel/Squid/Butterfish, Summer Flounder/Scup/Black Sea Bass, Bluefish, and Spiny Dogfish have the most flexibility (anything currently in the plan can be modified via a framework), tilefish has an intermediate amount of flexibility (a sizable list of frameworkable options), and surfclam/ocean quahog has the least flexibility (a shorter list of frameworkable options). When a Council develops a new type of management within an FMP, that is an opportunity to specifically include that in the list of frameworkable items so adjustments can be modified in the future more efficiently if they fall within the range of options analyzed in the original action that implemented the new management approach.

It is also possible to generalize frameworkable items across plans proactively through an Omnibus Amendment to potentially improve efficiency by having more consistency across plans. Frameworks are designed to improve responsiveness, but in practice, unless NEPA allows a CE similar reviews steps are required for a Framework and an Amendment, so efficiency gains are less. Therefore, even if measures are permitted to be developed using a Framework, some Councils like the Gulf tend to rely on Amendments that have more active public engagement opportunities.

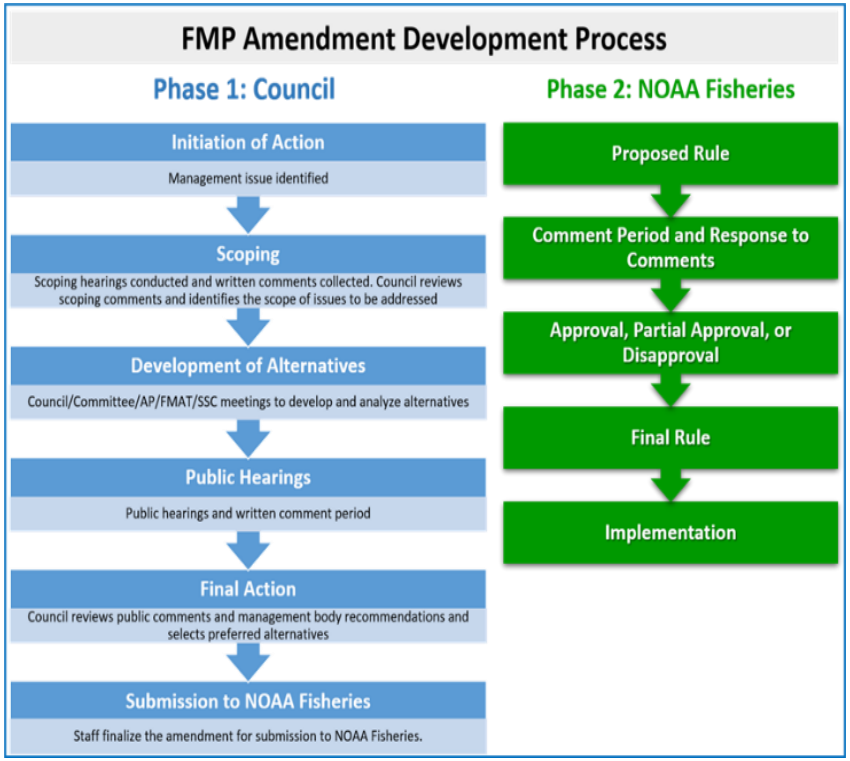
Some FMPs authorize NMFS to adjust ACLs, quotas, or seasons outside of the framework process, through specifications. Specifications are recurring actions that use a streamlined regulatory mechanism under the MSA to set and periodically adjust catch limits and related management measures without reopening or amending a fishery management plan (FMP). The MSA does not explicitly use the term

[44] NMFS. 2017. Operational Guidelines for the Magnuson-Stevens Fishery Conservation and Management Act Fishery Management Process (Procedure 01-101-03), Appendix 1. https://media.fisheries.noaa.gov/dam-migration/01-101-03.pdf.

[45] NMFS Office of Sustainable Fisheries. 2018. Using Frameworks to Facilitate Responsive Management. Draft shared with CCC. Unpublished.

specifications in the statute, but requires Councils and NMFS to establish and adjust annual catch limits and related management measures, which some Councils have operationalized through the specification process.[46] Once an FMP includes authority for a specifications process, usually through an EIS Amendment, certain measures can be implemented through abbreviated rulemaking. This design front-loads analytical work in the initial amendment so that later updates can rely on existing NEPA analyses, often through a SIR or CE. The SIR process is described in more detail in Section 4.2.1.

[46] §302(h)(6) of MSA requires Councils set annual catch limits and §303 and §304 provide the procedural authority by requiring FMPs contain mechanisms for setting and implementing annual catch limits and related measures.



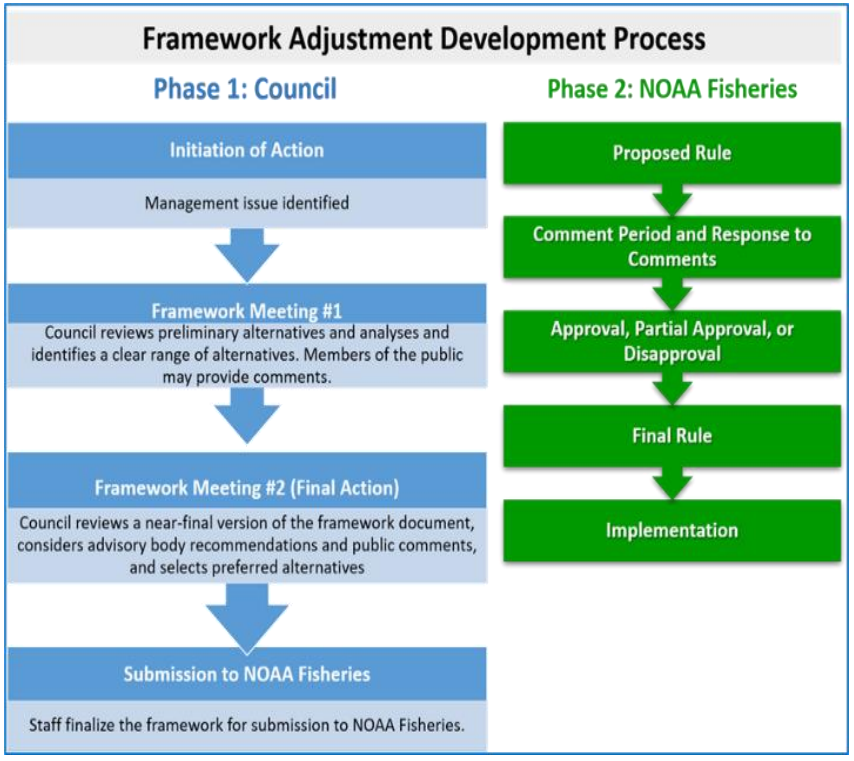




FIGURE 10 - OVERVIEW OF THE FMP AMENDMENT PROCESS (LEFT) AND FRAMEWORK PROCESS (RIGHT), ILLUSTRATING THE RESPECTIVE ROLES OF COUNCILS (BLUE) AND NOAA FISHERIES (GREEN) (SOURCE: MAFMC).

**TABLE 4 – LIST OF FRAMEWORKABLE ITEMS FOR THREE DIFFERENT MAFMC FMPS TO ILLUSTRATE RANGE OF FLEXIBILITY TO ADJUST PLAN BY FRAMEWORK**

| MAFMC FMP | Summer Flounder / Scup / Black Sea Bass FMP | Golden and Blueline Tilefish FMP | Atlantic Surfclam and Ocean Quahog FMP |
|---|---|---|---|
| CFR Section | 50 CFR §648.110 (Summer Flounder); §648.130 (Scup); §648.149 (Black Sea Bass) | 50 CFR §648.299 | 50 CFR §648.79 |
| Measures listed as adjustable by framework | Adjustments within existing ABC control rule levels; adjustments to the existing MAFMC risk policy; introduction of new AMs, including sub-ACTs; minimum fish size; maximum fish size; gear restrictions; gear requirements or prohibitions; permitting restrictions; recreational possession limit; recreational seasons; closed areas; commercial seasons; commercial trip limits; commercial quota system including commercial quota allocation procedure and possible quota set asides to mitigate bycatch; recreational harvest limit; specification quota setting process; commercial/recreational allocations; transfer provisions between the commercial and recreational sectors; FMP Monitoring Committee composition and process; description and identification of essential fish habitat (and fishing gear management measures that impact EFH); description and identification of habitat areas of particular concern; regional gear restrictions; regional season restrictions (including option to split seasons); restrictions on vessel size (LOA and GRT) or shaft horsepower; operator permits; changes to the SBRM, including the CV-based performance standard, the means by which discard data are collected/obtained, fishery stratification, the process for prioritizing observer sea-day allocations, reports, and/or industry-funded observers or observer set aside programs; any other commercial or recreational management measures; any other management measures currently included in the FMP; and set aside quota for scientific research. | (i) Minimum fish size;<br>(ii) Minimum hook size;<br>(iii) Closed seasons;<br>(iv) Closed areas;<br>(v) Gear restrictions or prohibitions;<br>(vi) Permitting restrictions;<br>(vii) Gear limits;<br>(viii) Trip limits;<br>(ix) Adjustments within existing ABC control rule levels;<br>(x) Adjustments to the existing MAFMC risk policy;<br>(xi) Introduction of new AMs, including sub ACTs;<br>(xii) Annual specification quota setting process;<br>(xiii) Tilefish FMP Monitoring Committee composition and process;<br>(xiv) Description and identification of EFH;<br>(xv) Fishing gear management measures that impact EFH;<br>(xvi) Habitat areas of particular concern;<br>(xvii) Set-aside quotas for scientific research;<br>(xviii) Changes, as appropriate, to the SBRM;<br>(xix) Recreational management measures, including the bag limit, minimum fish size limit, seasons, and gear restrictions or prohibitions;<br>(xx) Golden tilefish IFQ program review components, including capacity reduction, safety at sea issues, transferability rules, ownership concentration caps, permit and reporting requirements, and fee and cost-recovery issues;<br>(xxi) Blueline tilefish recreational permitting and reporting requirements previously considered by the MAFMC; and<br>(xxii) Blueline tilefish allocations to the commercial and recreational sectors of the fishery within the range of allocation alternatives considered by the MAFMC in Amendment 6. | Adjustments within existing ABC control rule levels; adjustments to the existing MAFMC risk policy; introduction of new AMs, including sub-ACTs; description and identification of EFH (and fishing gear management measures that impact EFH); habitat areas of particular concern; set-aside quota for scientific research; VMS; and suspension or adjustment of the surfclam minimum size limit. |

Across regions, the use of specifications has diversified. The North Pacific and Pacific Fishery Management Councils (NPFMC and PFMC, respectively) typically employ formal biennial specifications cycles, often tiered from large programmatic EISs, and finalize quotas months in advance of the fishing year. The MAFMC uses annual or multi-year "specifications packages" often relying heavily on SIRs

(see Section 4.2.1). The New England Fishery Management Council (NEFMC) mostly blends specifications within its framework process, while the Gulf Council and South Atlantic Fishery Management Council (SAFMC) more often pair specifications with framework adjustments called "open" frameworks or limited amendments that use a full rulemaking package (proposed and final rule). The Western Pacific and Caribbean Councils do not typically use specifications and instead update ACLs through short rulemakings or CEs. In recent years, there has been an increasing trend in multi-year specifications using SIRs instead of new EAs. Most specifications are implemented using the standard APA rulemaking two-step process including a proposed and final rule, but some skip directly to final rule under the APA's "good cause" exemption clause described above if specifications are routine, noncontroversial, had previous public comment and notice, and timing is urgent.

Despite efficiencies that can come with specifications there are tradeoffs with potentially reduced transparency and public input since specifications typically involve a single Council meeting for decision and abbreviated federal review. Because these actions tier from prior analyses and federal review, legal challenges seem to be rare if prior analyses are still valid, and the range of alternatives and impacts have not materially changed. Overall, specifications are a promising strategy for efficient, adaptive fisheries management available for Councils to use to modernize and streamline the MSA decision-making process.

### 4.1.2 NEPA Regulatory Vehicles

As described in Section 3.2.1, NEPA is a procedural law that ensures federal actions consider environmental impacts and public input. There are several vehicles used by all federal agencies to develop regulations, which vary based on the complexity and anticipated environmental impacts. Figure 11 summarizes the overall NEPA process for all three NEPA vehicles. First, EISs are the most comprehensive and are required for actions that include measures with impacts that are potentially significant, or uncertain. This process requires formal scoping, public comment, and multiple drafts and typically takes multiple years to develop and implement. Next, EAs are typically shorter documents with more limited analyses used when impacts are not significant. These documents ultimately include a "Finding of No Significant Impact," or FONSI. These actions usually require less resources but can still be relatively controversial and time-consuming. The timeframe is more variable ranging from less than a year to multiple years if this action is complex and/or controversial.

Finally, a CE is the most streamlined option, used when an action falls within a pre-defined category of activities shown not to have significant effects, usually administrative actions, related to monitoring, or technical adjustments. CEs can often be documented in a few weeks, saving substantial time and cost, though they can't be used if "extraordinary circumstances" (e.g., new sensitive species, habitat impacts) are present. In practice, EISs provide the most legal durability and transparency, EAs balance thoroughness with efficiency, and CEs offer the fastest route for low-impact, administrative, or routine fishery management actions.

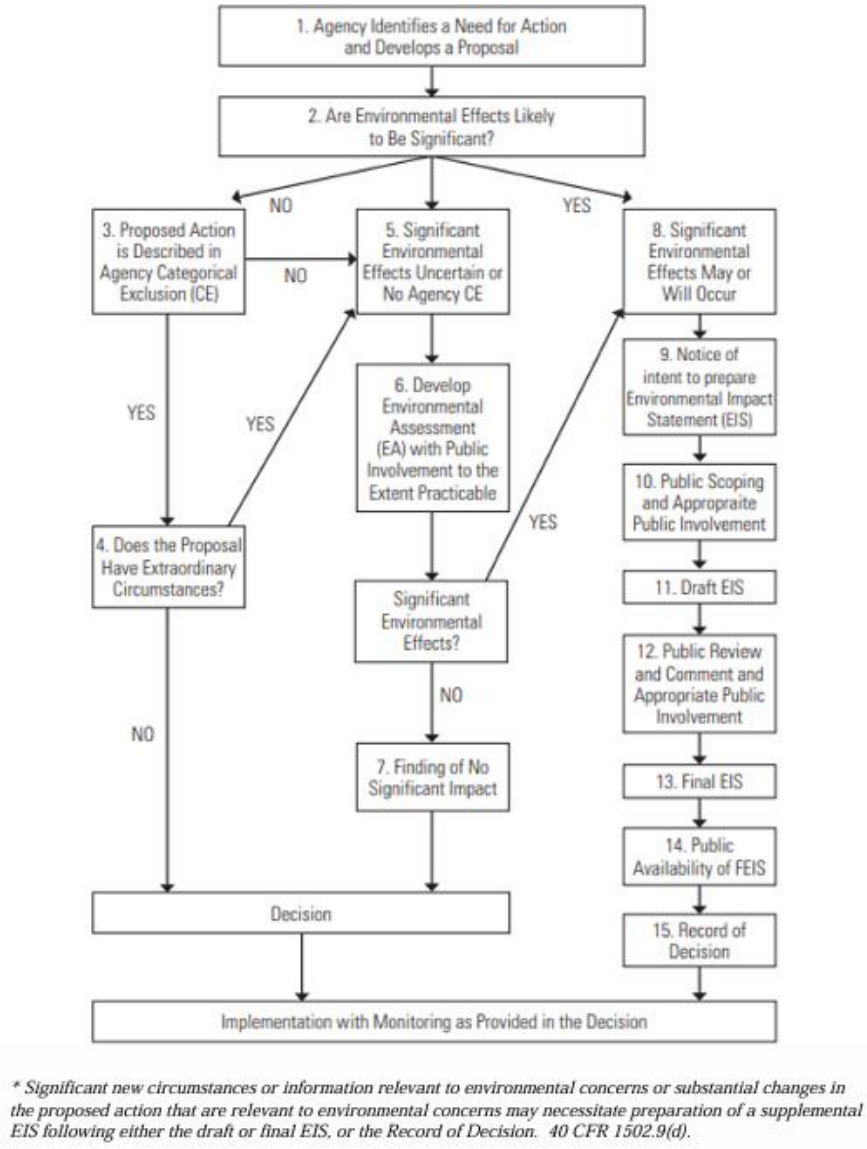



FIGURE 11 – THE NEPA PROCESS FLOWCHART (SOURCE: COUNCIL ON ENVIRONMENTAL QUALITY)

### *Efficiency and Responsiveness*

The NEPA vehicle that is most efficient and responsive is a CE, typically a relatively short memo documenting that an action falls within a pre-defined category of actions that do not have significant effects. If the underlying action requires a regulation, NMFS must still go through proposed and final rulemaking. There are still efficiency gains because analysis requirements are lower as the Council can rely on earlier actions. On the NMFS side, no NEPA document drafting or review is required, more limited coordination and clearance steps are needed with other NOAA offices, and rulemaking can proceed while CE documentation is finalized. NEPA procedures are in the process of being updated following deregulatory policy directives under the new Administration. If the proposed revisions are

enacted it is possible more adjustments could fall under CEs. NOAA has posted an updated table of NOAAs CEs and proposed revisions to its CE list for public review. These proposed revisions may evolve and are highlighted as an on-the-horizon effort to track (see Section 4.4).

All regions have used CEs to some degree, especially for FMPs that use adaptive management strategies that rely heavily on annual specifications and pre-approved measures that allow tiering for repetitive actions. Most CEs still require rulemaking under APA (proposed and final rules), but Councils avoid the time and resources needed to develop an EA/EIS, and NMFS can reduce the review and clearance steps required for EAs and EISs. The regions that use CEs the most are the NPFMC and the PFMC. These regions tend to have programmatic EISs that allow subsequent minor actions to qualify for CEs under that umbrella EIS. There are dedicated NEPA staff in those regions that have developed CE templates and precedence for these more administrative and routine actions to qualify as CEs. A CE memo is very streamlined; it references the policy that allows use of a CE, action description, the CE category, confirmation there are no extraordinary circumstances, and a determination statement. The memos are relatively short, usually under 5 pages, clearly demonstrating the reduced NEPA burden for administrative and routine actions that qualify as CEs.[47]

If the CE list is expanded based on proposed revisions to the NOAA NEPA Companion Manual (2025) to include measures like setting ACLs, quotas, retention limits, possession limits, trip limits, or size limits as CE Category A1 – Trust Resource Management Actions, it is possible CEs may be encouraged for more routine, non-significant fishery actions in the future.[48]

## 4.2 Specific fishery management tools and measures

Based on feedback from the voluntary questionnaire, interviews, and general research, this project has identified a handful of tools Councils are actively using to help streamline the regulatory process. Six specific tools have been identified that focus on increasing the efficiency of regulatory implementation under MSA, NEPA, or APA compared to traditional approaches. Some of these tools have become standard in some regions, and others are more innovative and undergoing review to potentially increase their use. The specific tools identified through this project are: the use of PEISs, Omnibus Amendments to multiple FMPs at once, identification of Ecosystem Component Species (ECS), tiered or nested NEPA documents using SIRs, Exempted Fishing Permits (EFPs), and APA waivers.

In addition to these six regulatory tools, this project has also identified six specific fishery management measures used by Councils and NMFS to increase flexibility and responsiveness. The six specific measures that show promising results for improving overall regulatory efficiency are: multi-year specifications, in-season management, multi-year Status Determination Criteria and adaptive harvest control rules, automatic rollovers and default measures, expanded use of frameworking, and removal of repetitive annual review reports and other requirements.

[47] Example CE memo used in the Alaska Region: NMFS. 2021. *CQE Fish Up Signed* (Docket NOAA-NMFS-2021-0032-0006). 28 May 2021. Available at: https://media.fisheries.noaa.gov/dam-migration/cqe_fish_up_signed_.pdf.

[48] Sidley Austin LLP via Environmental & Energy Brief, (published July 3 2025) Agencies Collectively Move to Overhaul Environmental Review Regulations | Environmental and Energy Brief

### 4.2.1 Streamlining Tools

This project explored potential tools Councils use to streamline fishery management actions and promote efficiency. The list below is not exhaustive but reflects the range of ideas uncovered. The approach is briefly summarized as well as an example or two of how that approach was operationalized by different Councils.

- Programmatic EIS (PEIS)

A PEIS is a type of EIS under NEPA that is developed when the scope of an action is at the program level, and entire fishery or sector level changes are expected. If broad policies or long-term strategies are being adopted and a Council expects multiple actions to follow a more extensive document is prepared to establish the baseline environmental effects. Because of their breadth, PEISs are complex and time consuming, often taking 5+ years to develop.

In theory, taking time upfront to assess the baseline environmental and cumulative effects should save time in the long run if later actions are able to tier off the primary EIS. One example of a PEIS that has been successful in enabling subsequent actions to tier from it is the Pacific Groundfish PEIS from 2004. Over 20 subsequent EAs and EISs have formally tiered off the 2004 PEIS, highlighting a potential method for adaptive management that promotes efficiency and throughput.

- Omnibus Amendments

An Omnibus Amendment is a single regulatory action that modifies several or all FMPs in a region. It usually includes cross-cutting requirements that stem from new policies or standards that are common to several FMPs managed by a Council or region. Most omnibus amendments require an EA, or an EIS if larger-scale changes are involved. These actions are typically faster than a PEIS but can still take multiple years since there are usually several plans and fisheries involved.

The NEFMC has successfully used Omnibus Amendments to update measures across multiple FMPs several times over the years. For example, there have been several omnibus actions related to Essential Fish Habitat (EFH), bycatch reporting, and ACLs/AMs following new statutory requirements. The NEFMC is currently working on a relevant Omnibus Management Flexibility Amendment across multiple FMPs to increase management flexibility and consistency.[49] This action is being developed to better align regulatory processes with current scientific workflows and resource constraints. Recent Executive Orders, changes in federal agency structure and staffing, and pauses in regulatory advancement of management actions are cited as the main drivers for the action. The action is considering five main actions:

1. Specification Frequency - Alternative to let the Council adopt specifications for up to 5 years rather than being limited by existing FMP rules.
2. Specification Setting Process - Define or standardize the process by which specifications are adopted in FMPs that currently lack a defined procedure (e.g. groundfish, monkfish)
3. In-Season Adjustment Authority - Expand ability to make in-season changes to specifications or measures within seasons for more FMPs beyond just Atlantic herring

[49] NEFMC. 2025. Executive Order 14276 and Management Flexibility Action. September 2025. https://www.nefmc.org/library/september-2025-executive-order-14276-and-management-flexibility-action.

4. Annual Review / Reporting Requirement - Proposal to remove or streamline the statutory or regulatory obligation for an annual review/report in certain FMPs (i.e. reduce duplicative reporting)
5. Framework Adjustment Items List Update - Add all the above actions to the list of items that can be handled via framework adjustments rather than requiring full amendments.

This action is administrative in nature; therefore, NEFMC plans to prepare a CE under NEPA. If in-season actions are taken under this new authority down the road, additional NEPA analyses will be required to evaluate the impacts. However, proactively adding these measures as potential tools to all plans is expected to increase overall flexibility and consistency.

- Ecosystem Component (EC) Species

The idea of EC species was introduced through the 2009 revision of NOAA's National Standard 1 (NS1) Guidelines.[50] Before that revision, all species in a Fishery Management Plan (FMP) were considered "stocks in the fishery" and required full specification of management reference points (OFL, ABC, ACL, AMs, etc.). This structure has proven to be cumbersome and time-consuming, especially for species that have more limited data available, and for species that are not targeted but have ecological or ecosystem-based management interest (e.g. forage species).

Therefore, the NS1 Guidelines included a new FMP category, Ecosystem Component (EC) species, which gives Councils flexibility to include such species without triggering the full suite of conservation and management obligations. The guidelines identify four purposes for EC species to: collect and monitor data on non-target species; better understand ecosystem processes or trophic levels; prevent bycatch or waste; and restrict directed harvest until sufficient information is available. This tool enhances ecosystem-based management principles, but balances that with efficiency by reducing workloads associated with determining reference points for these stocks and also reducing analytical demands since these actions are typically low impact and often qualify under a CE for NEPA. Since 2009, all eight Councils have either explored or adopted EC species in their management plans.[51]

The WPFMC is probably the Council that has used the EC designation to the greatest degree. That Council oversees five Fishery Ecosystem Plans (FEPs) covering U.S. Pacific Islands: American Samoa, Hawaii, Mariana Archipelago, Pacific Remote Islands Area, and Pelagic Fisheries. These FEPs, implemented beginning in 2009, replaced or supplemented earlier FMPs, aiming to bring in a more holistic "ecosystem context" to fishery planning. The concept of EC species was formally introduced through the Ecosystem Components Amendment in 2019, which reclassified many Management Unit Species (MUS) to EC species. Improving efficiency and prioritizations were major goals of the amendment to reduce management and stock assessment burdens and associated analysis needs. Many of these species are primarily caught in state or territorial waters.

[50] NMFS. 2009. Magnuson-Stevens Act Provisions; Annual Catch Limits; National Standard Guidelines; Final rule, 74 Fed. Reg. 3178 (Jan. 16 2009).

[51] The Gulf Council and NEFMC are the only regions that have not adopted EC species in any of their FMPs. Both Councils have considered it for several species (i.e. corals, forage species, or species with minimal directed effort) but ultimately decided against the new designation.

In 2016, NMFS revised NS1 guidelines and provided additional guidance related to how to address ECS. Specifically, NMFS clarified that not every fishery requires federal management: "If a stock is not predominately (i.e., mainly, or the most part) caught in federal waters, a council may lack the authority, and thus ability, to adopt measures that would prevent overfishing and rebuild overfished stocks. It would not make sense, in that case, to require a council to automatically include the stock in an FMP."[52] NOAA included ten non-exhaustive factors that Councils should consider when deciding whether stocks require conservation and management.

- Tiering or Nested NEPA actions - Supplemental Information Report (SIRs)

Tiering and the use of SIRs are key tools that allow NMFS and the Councils to manage fisheries more efficiently while still meeting NEPA's analytical and public input requirements. NEPA allows agencies to "tier" subsequent analyses to broader, programmatic environmental documents, incorporating by reference prior impact evaluations and focusing new review only on issues or information that have changed. In fisheries management, this means that once an EIS or EA has analyzed the overall management framework, future actions that simply update quotas or apply established control rules can rely on that existing analysis. Instead of preparing a new EA, NMFS and/or Councils can prepare a SIR to document whether there are any new circumstances, data, or effects that would alter the earlier conclusions. If none exist, the agency can proceed without further NEPA documentation, dramatically shortening review time and resources.

A very good example of a Council using SIRs to tier off earlier NEPA documents is the specification process used by the MAFMC for the Summer Flounder, Scup, and Black Sea Bass FMP. The authority for annual or multi-year specifications has been in this FMP since the early 1990s for summer flounder, and extended to scup and black sea bass several years later. [53] For over 30 years the FMP has used the specifications process to set catch limits. Several EAs have been prepared in this FMP every 5 years or so to refresh the environmental and socioeconomic analyses. Most notably in 2011 an Omnibus ACL/AM Amendment was developed to implement the ACL and AM requirements of the 2006 MSA reauthorization across all FMPS in that region. Therefore, modern SIRs tier off the 2011 Omnibus Amendment and the most recent multi-year EA.

The specification process for this FMP has become very routine with defined steps and tight timelines for when meetings are held and what documents are needed for each step. Table 5 summarizes the steps, general timeline, and key deliverables for each phase of the most recent specification setting process for fishing year 2025. There are multiple groups involved and key documents needed at each step for this process to function in an efficient way to develop and set specifications in about 6-7 months.

The process begins with an updated stock assessment, in this case, Operational Assessments, which are streamlined updates with updated biomass, recruitment, and fishing mortality estimates using the same model approved in the last benchmark assessment.[54] They occur on a 2–3-year cycle for each species and are usually available by June the year before the specification cycle begins. In early summer the

[52] NMFS. 2016. "Magnuson-Stevens Act Provisions; National Standard Guidelines." Final rule, 81 Fed. Reg. 71858 (Oct. 18 2016).

[53] MAFMC Amendment 5 to the Summer Flounder Scup Black Sea Bass FMP, 58 FR 27911, May 12, 1993.

[54] 2025 Summer Flounder Management Track Assessment Report, https://asmfc.org/resources/stock-assessment/summer-flounder-management-track-assessment-report-2025/

Technical Committee (TC) meets and prepares a fishery information document (FID), a technical background documents that summarize recent catch, discards, stock status, assessment results, etc.[55] Council staff generally leads preparation of these documents with input from other federal and state partners. The TC is primarily a scientific body made up of state, federal, and academic scientists from NOAA and state agencies. Next the Monitoring Committee (MC) meets soon after the TC to focus on management and implementation topics. The MC is made up of Council and Atlantic States Marine Fisheries Commission (ASMFC) staff (since these stocks are co-managed by MAFMC and ASMC), as well as NMFS Regional Office staff. These groups meet first to integrate technical data and management realities and provide recommendations for the SSC to consider.

The SSC typically meets later in the summer to review the updated assessment and recommend ABCs. The FID is available before that meeting and posted online. Following the SSC meeting, the Advisory Panel (AP) meets to provide feedback on how the fishery has performed including qualitative context to complement data in the FID. With Council staff support, AP members prepare a Fishery Performance Report (FPR) that is also posted online and made available for subsequent meetings.[56] The full Council reviewed input from the various reports and advisory Committees and took final action at the August 2025 meeting. In 1-2 weeks, Council staff transmits a recommendation memo, or transmittal letter, with the record of the Council's decision and associated analyses and documents. Finally, NMFS uses this information to draft the proposed rule and SIR. These are available for public comment through the Federal Register, and a final rule is published before January 1, the start of the new fishing year.

**TABLE 5 – SUMMARY OF MAFMC SPECIFICATIONS PROCESS AND MULTIPLE STEPS, TIMING, AND KEY DELIVERABLES**

| Step | General Timing | Key Deliverables |
|---|---|---|
| Updated stock assessment | May-June 2024 | Operational Assessment (OA) |
| Technical Committee (TC) | May–June 2024 | Use updated stock assessment, Prepare FID |
| Monitoring Committee (MC) | June–July 2024 | Draft quotas, risk tables |
| SSC | July–August 2024 | ABC/OFL determinations (based on updated assessment and FID) |
| Advisory Panel (AP) | August–September 2024 | Stakeholder feedback, Prepare FPR |
| Full Council Meeting | August or October 2024 | Council recommendation of 2025 specs (based on updated assessment, FID, FPR, and advice from SSC, TC, MC, and AP) |
| NMFS Proposed Rule | October 2024 | Public comment period |
| NMFS Final Rule | December 2024 | Effective Jan 1 2025 |

Overall, this process reduces the burden of extensive NEPA analyses and documents; however, the process is still resource intensive and reliant on biennial stock assessments. It requires the preparation of

[55] MAFMC. 2025. Summer Flounder Fishery Information Document, June 2025. https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/685c2814d8691e39abeec442/1750870037076/Fluke+AP+FPR+Info+Doc_2025_FINAL.pdf.

[56] MAFMC. 2025. Fishery Performance Reports. https://www.mafmc.org/fishery-performance-reports.

multiple documents, numerous meetings, and the timing must work perfectly to stay on schedule. There are concerns that this process may not be sustainable if staff and resources are reduced at the Science Center to support updated assessments, as well as support for TC and MC meetings and relevant document preparation.

- Exempted Fishing Permits (EFPs)

MSA allows NOAA to issue a permit that would otherwise be prohibited to promote innovation and flexibility. Councils use EFPs in a variety of ways to pilot new gear types, management strategies, or to support data collection efforts. The Secretary of Commerce has always had flexibility to implement regulations, "as may be necessary to carry out any fishery management plan"[57] – this general rulemaking authority allows NMFS to exempt certain activities from existing regulations for research and innovation. The accountability and public notice requirements were strengthened over time when MSA was reauthorized.[58] This process provides flexibility for Councils and NMFS to test new ideas without rewriting FMPs or regulations first, enabling a legal pathway to flexibly test something before it is formalized.

All eight Councils use EFPs in some form or another. One important way EFPs are used is to collect data and fill important gaps related to a resource or fishery. For example, in August 2024 an EFP application was submitted to SERO to allow limited harvest of red hind from spawning closures within the Caribbean.[59] The stock assessment for red hind is in need of basic life history research and the Council is interested in evaluating the effectiveness of existing seasonal/area closures. A notice of the EFP application was published on November 13, 2024, with a comment period through December 9, 2024. The CFMC reviewed the details at a Council meeting in December 2024, and a final permit was issued in early January 2025. The permit is valid for a specific amount of time, in this case until February 16, 2025. This is an example of a MSA tool that can be timely and responsive to science and/or management needs. There are dozens of examples like this used in all regions – each NOAA Fisheries region maintains their own exempted fishing permit web portal.

- Interim Final Rules (APA Procedure) and APA waivers

As described above, the APA governs informal rulemaking of federal agencies related to noticing proposed rulemaking, ensuring there is an opportunity for public comment, and a 30-day delay of effectiveness for federal actions. There is an exception if an agency, "for good cause," argues that the notice and comment period and/or delay in effectiveness would be "impractical, unnecessary, of contrary to the public interest."[60] If the various notice, comment periods and delay of effectiveness are waived there can be a total time savings of 2-8 weeks if only the notice for proposed rulemaking step is waived, up to 2-3 months if the notice for proposed rulemaking, comment and 30-day delay are all waived. In some cases, this tool is critical to adjust management in seasonal fisheries, if data arrives late, or when

[57] MSA § 305(d) (16 U.S.C. § 1855(d)), Promulgation of Regulations.

[58] 50 CFR § 600.745 of MSA has regulations for exempted fishing, scientific research activity, exempted educations activity, and exempted public display and aquaculture activity.

[59] Current and past EFPs for the Caribbean region: NMFS. Caribbean Exempted Fishing Permits (EFPs). https://www.fisheries.noaa.gov/southeast/resources-fishing/caribbean-exempted-fishing-permits-efps?utm_medium=email&utm_source=govdelivery#current-efps.

[60] APA 5 U.S.C. § 553(b)(B).

delay would harm resource management. A Council can request an APA waiver to the NMFS Assistant Administrator by preparing a memo explaining why expedited action with good cause is needed.

APA waivers are closely scrutinized, and agencies need to carefully demonstrate clear reasoning when timely action is needed and should apply normal rulemaking procedures whenever feasible. NMFS typically uses the good-cause waiver for in-season adjustments and fishery specification measures like adjusting ACLs, openings/closures, or to correct minor corrections if timing is tight. Because the Council process is very transparent with multiple public meetings there are usually several opportunities for the public to provide comment on proposed measures. If an APA waiver is being used, NMFS will draft a final rule with the regulatory changes, detailed preamble justification and classification section, and in some cases the Regulatory Flexibility Act analysis may not be required.[61]

The NPFMC uses in-season management extensively under the FMP for Gulf of Alaska Groundfish. The plan is very dynamic with seasonal area-based quotas and in-season adjustments are often needed to prevent over- or under-harvest. APA waivers are routinely used to adjust pollock quotas or implement closures of statistical areas.[62] The objectives of this system are primarily to prevent overfishing, prevent bycatch waste and maintain fleet efficiency and delay of effectiveness that would harm both conservation and the fishing industry. The ability to invoke the APA waiver helps operationalize this complex and adaptive management system, making it an essential tool for nimbleness. The annual and longer-term harvest specifications are generally implemented using regular rulemaking procedures, proposed and final rulemaking with 30-day delay of effectiveness. In summary, APA waivers are procedural efficiency tools NMFS uses when management is highly dynamic and time critical.

### 4.2.2 Efficiency Measures

This project identified the specific measures Councils use to streamline fishery management actions and promote efficiency. The list below is not exhaustive but reflects the range of measures currently used or under development. The specific measure is briefly summarized as well as an example or two of how that approach was operationalized by a Council.

- Multi-year specifications

MSA requires Councils to establish a mechanism for setting ACLs to prevent overfishing. Some Councils have developed a process for setting ACLs and related measures for multiple years, and during that time period they monitor performance and adjust if needed. The multi-year specification package is usually implemented by an EA, and annual reviews are sometimes implemented by an abbreviated vehicle (CE) if there are no impacts or a SIR if adjustments are minimal and within a range previously analyzed. The MAFMC uses multi-year specifications for many of its FMPs, and the general process is described in detail above under Tiering or Nested NEPA actions - Supplemental Information Reports (SIRs) in Section 4.2. In general, multi-year specifications are used in fisheries that are somewhat stable (less annual variability) and have robust data to monitor and inform fishery performance.

[61] NMFS. 2007. Section V.10 of Guidelines for Economic Reviews of National Marine Fisheries Service Regulatory Actions. http://www.nmfs.noaa.gov/directives/

[62] Example of APA waiver for pollock fishery: NMFS. 2020. In-season Adjustment to the 2021 Bering Sea and Aleutian Islands Pollock, Atka Mackerel, and Pacific Cod Total Allowable Catch Amounts. 85 Fed. Reg. 83473 (Dec 22, 2020).

- In-season measures

In-season measures are immediate regulatory responses triggered during a fishing year allowing managers to respond rapidly to changing conditions without developing a full amendment or framework process. They are often pre-authorized within an FMP and triggered by "if–then" decision rules: for example, *if* total catch reaches a specified percentage of the annual limit, *then* a closure or trip-limit reduction automatically occurs. These conditional triggers are built into regulations delegating NMFS to take action quickly. Effective in-season management depends on timely catch and effort data, clear decision thresholds, and coordination between the Council and NMFS regional office. While it offers flexibility and conservation responsiveness, tradeoffs include the need for robust monitoring systems, potential mid-season disruptions for fishermen, and limited opportunity for additional stakeholder input once triggers are set. Overall efficiency varies based on how much control Councils are willing to cede to NMFS. Some automatic triggers are exact, "NMFS *will*…", and in other cases Councils leave some discretion to NMFS, "the Regional Administrator *may*…".

Several FMPs in the Pacific region use in-season management, particularly the Groundfish FMP. The Council and NMFS use real-time monitoring data and predefined decision rules to adjust measures during the fishing year. Typical triggers include attainment of a harvest guideline, projected overages in bycatch species (such as salmon or sablefish), changes in stock availability, or the need to redistribute unharvested catch between sectors. When these thresholds are met, automatic responses can include trip-limit reductions, area closures, re-openings, depth-based restrictions, or adjustments to incidental catch allowances. The process is often executed rapidly through NMFS in-season action notices, without full Council rulemaking, based on previous analysis. In-season management is generally viewed positively in terms of preventing overfishing and maintaining sector access and utilization of available catch. Some stakeholders seem to like the transparency and predictability of trigger-based actions, though some fishermen express concern about mid-season limit changes affecting planning and profitability. Section 9 of the PFMC's Operating Procedure clearly outlines the timelines and steps involved in various management procedures, documenting how in-season review occurs.[63]

The NEFMC Atlantic Herring FMP is another example of a plan that includes a variety of in-season management measures used to control catch limits and bycatch. The Atlantic herring fishery is a relatively high-volume fishery for east coast standards with an ACL that is sub-divided into four sub-ACLs by area.[64] When 92% of a sub-ACL, or 95% of the total ACL is projected to be caught during the season, the directed fishery is closed by implementing a possession limit of 2,000 pounds, a level intended for incidental catch only while targeting other species.[65] There is also a specific in-season adjustment tied to Canadian harvest levels, and if that allowance is not met by the Canadian fishery and they harvest less than projected, an additional 1,000 mt of herring is added to the US sub-ACL in the management area that borders Canada (Area 1A). Finally, there are also bycatch measures for river herring and shad in this

[63] Pacific Fishery Management Council. 2024. Council Operating Procedures; Section 9—Management and Activity Cycles. As amended Nov 9, 2024. https://www.pcouncil.org/documents/2023/07/current-operating-procedures.pdf/#page=47.

[64] NEFMC Herring FMP, Atlantic Herring - Management Plans - NEFMC

[65] 50 CFR Part 648 Subpart K – Management Measures for the Atlantic Herring Fishery

fishery, that also trigger pre-determined spatial and temporal closures of the directed fishery through a similar in-season reduced possession limit.

All of these in-season measures with pre-determined triggers are included in the regulations, so no additional action is necessary by the Council – they are automatic. They all require in-season monitoring to track herring catch (in US and Canada), as well as bycatch of river herring and shad, using real time vessel and dealer landings data and well as observer data. If a pre-determined trigger is met, NMFS issues bulletins, or temporary notices to inform the fishery that is-season measures are being enacted. Because some of these in-season measures can close the directed fishery before a sub-ACL or the full ACL is harvested, the plan also includes a carryover of unharvested catch. Up to 10% of unused sub-ACL (not the ACL) may be carried to the next year's sub-ACL in the following year, this is automatic and does not require rulemaking. [66]

- Multi-year Stock Determination Criteria and Automatic Harvest Control Rules

The MSA requires every stock to have a Status Determination Criteria (SDC). SDCs are the biological thresholds used to determine the status of a stock (overfished, overfishing, Maximum Fishing Mortality Threshold, Minimum Stock Size Threshold rebuilding) and are included in the regulations of an FMP. Some Councils use multi-year SDCs to help stabilize catch with fewer changes and improve efficiency by reducing the number of adjustments. The PFMC and NEFMC have multi-year SDCs explicitly in the regulations of the Salmon FMP and Northeast Skate Complex, respectively. Other Councils do not have multi-year SDCs in the regulations, but in practice they are recommended by SSCs and adopted through management actions. For example, the SAFMC has used a 3-year average fishing mortality (F) for golden tilefish and gag, but that approach is not hardwired in the regulations. Multi-year SDCs also improve administrative efficiency because they support multi-year specifications and can be timed with assessment schedules more easily.

In 2016 NMFS updated NS1 guidelines to allow overfishing status determinations, in certain circumstances, to be used on a period of no more than 3 consecutive years of past data, and there is technical guidance available for Councils to use when considering these approaches.[67,68] When SDCs are based on multiple years it can reduce "flip-flops" in stock status since the terminal year estimates are often more uncertain, which reduces the management needed to adjust specifications and related measures. Multi-year AM triggers are also allowed and can have similar efficiency gains. The major tradeoff with multi-year approaches is there can be a delay in corrective action if a stock is actually declining then a larger reduction may be needed in the future. The NS1 guidance is clear that multi-year averaging cannot be used for setting ACLs that would allow overfishing, averaging is only allowed for setting SDCs and AMs.

[66] § 648.201(g)(1)) https://www.ecfr.gov/current/title-50/chapter-VI/part-648/subpart-K/section-648.201

[67] NMFS. 2016. 2016 Revisions to National Standard 1 Guidelines. https://www.fisheries.noaa.gov/national/laws-and-policies/2016-revisions-national-standard-1-guidelines.

[68] Methot, R., et al. 2023. Technical Guidance for Estimating Status Determination Reference Points and their Proxies in Accordance with the National Standard 1 Guidelines. Draft NMFS Technical Memorandum. https://d23h0vhsm26o6d.cloudfront.net/8b_NS1_Tech_Memo_BRP_5_5_2023_CCC_clean_2023-07-06-173639_wtzu.pdf.

Harvest control rules (HCRs) are the management procedures that specify how fishing mortality or catch limits will be adjusted in response to the stock's status relative to SDCs. HCRs operationalize the relationship between SDC and allowable catch and define the management response to the SDC limits. Harvest control rules (HCRs) are pre-defined, science-based formulas that link fishing limits directly to stock status, allowing managers to adjust harvest levels as new data become available. By embedding "if–then" logic, *if* biomass declines below a target level, *then* allowable catch is proportionally reduced, a harvest control rule can be more automatic and reduce the need for lengthy rulemaking while ensuring consistent application of conservation standards. This management policy supports responsive and efficient fishery management to prevent overfishing and achieve optimum yield with minimal administrative delay.

There is a wide spectrum of HCRs used around the world in fisheries management, and Councils have adopted more automatic approaches to be more adaptive and responsive to changing environments and new information. For example, the NPFMC uses a tiered control rule system, where annual ABCs for groundfish are calculated automatically based on the most recent spawning biomass and fishing mortality estimates. The PFMC applies P*-based control rules that account for scientific uncertainty, automatically adjusting ABCs downward when stock assessments are less certain. The MAFMC uses a percent-change approach for species such as summer flounder, where annual catch limits are adjusted proportionally to changes in stock biomass or fishing mortality reference points. These more automatic approaches to adjusting ABC allow managers to update catch advice quickly after new assessments without requiring Council action. When designed and implemented effectively, automatic and semi-automatic HCRs can greatly reduce the time lag between science and management decisions. However, these systems can take a relatively long time to develop, they depend on extensive science infrastructure to design, model and monitor, the Council needs to be willing to stick with the policies adopted, and strong communication so stakeholders trust the science.

The tiered HCR system used by the NPFMC explicitly links catch limits (OFL and ABC) to the amount and quality of scientific information available for each stock. Tier 1 stocks have full age-structured assessment models with well-defined $F_{msy}$ and $B_{msy}$ estimates, while Tier 6 stocks rely only on historical catch data. The approach took decades to develop and modify through several amendments.[69] The 6-tier system is codified in the regulations and each year the Council primarily prepares SIRs to confirm specifications incorporative new information.[70] The ABCs update based on set formulas, there is no renegotiation of the policy, and no rulemaking is required.

Semi-automatic control rules are used more widely, where a rule or formula provides guidance and pre-defines how much catch should change given changes in stock status/projections, but the SSC and Council still select measures and NMFS issues a rule. These approaches are formula driven, but the response is not fully automatic and requires rulemaking. For example, P* is used by some Councils (PFMC and WPFMC) that directly incorporates scientific uncertainty by reducing ABC based on a stock

[69] NPFMC evaluated and reaffirmed the tiered HRC framework under the Harvest Specifications EIS: NMFS. 2007. *Alaska Groundfish Harvest Specifications Final Environmental Impact Statement.* https://repository.library.noaa.gov/view/noaa/20073/noaa_20073_DS6.pdf

[70] Regulations related to NPFMC tiered control rule framework: 50 CFR § 679.20.

assessments uncertainty (E.g., P* = 0.35 for more uncertainty and P*=0.45 for stocks with less uncertainty).

The percent-change approach used by the MAFMC is simpler than P*; it was designed for biennial specifications for recreational fisheries where interannual fluctuations in regulations and a perceived disconnect between stock status and management measures lead to broad angler dissatisfaction. In simple terms, the if/then approach provides a mathematical link between projected harvest and allowable harvest under the ACL, if catch needs to decline by X%, then management measures are adjusted to achieve an X% reduction. This approach is semi-automatic because the formula gives a direct target, but the Council (as well as the states through ASMFC in this case) still select the specific measures to achieve the target. This process needs reliable, timely recreational harvest data as well as agreement among NMFS, Council, and states how to translate percent changes into regulatory measures. Overall, the tool has improved responsiveness by simplifying decision-making with predictable outcomes, but it is rigid and sensitive to changes in data which can cause instability of quotas and managers lose some flexibility.

- Automatic rollovers and default measures

Some FMPs include the ability to carry forward specifications from the previous year, "existing measures remain in effect until modified." Councils use different terms for default, ongoing, or rollover specifications, many FMPs have measures that stay in place from year to year without new rulemaking required (measures persist until modified), while others have specific rollover clauses that automatically carry-forward measures at the same or reduced level to be precautionary. The primary objective of these measures is to have specifications in place at the start of a fishing year to ensure continuity and avoid gaps in management. Rollover/default measures can help avoid fishery disruptions and provide stability, but if default measures are more conservative allocations could be more restrictive than necessary. Automatic rollovers can delay the incentive to adjust management to be more responsive to new information, which is more problematic for fisheries with stock statuses that vary widely.

- Expanded list of items that can be considered via framework

As described above in Section 4.1.1 in more detail, a framework action is a MSA pathway that allows Councils and NMFS to adjust certain measures more efficiently than through a full plan amendment. When an FMP is being updated through an amendment, it is important to review the list of items that can be considered via framework and expand/modify that list to promote flexibility and efficiency in the FMP overall. Any new measures being considered in that amendment should be added to the list of frameworkable items in the event the Council wants to have more flexibility in the future to adjust an FMP in a more streamlined way. If robust analyses are completed for a range of alternatives when a new management strategy is developed, then subsequent actions can tier from that action more efficiently. For example, in the future a framework action could be accompanied by a CE or SIR to reduce NEPA requirements, time and resources.

If a framework introduces new alternatives it may need to use an EA as the NEPA vehicle, but a framework EA process can still be more efficient than an amendment EA process. Amendments and Frameworks that are both EAs must comply with all the same MSA, APA, and NEPA legal requirements such as compliance with National Standards, SSC advice, opportunity for public comment and proposed and final rule notice, regulation deeming, etc. But framework EAs tend to be procedurally leaner than amendment EAs from efficiency gains related to duplicative reviews within NMFS, extended Council

meeting cycles, and reduced risk of considering additional changes under a plan amendment compared to a framework that can limit the scope of the action more easily.

Table 4 summarizes the list of frameworkable items for three different FMPs managed by the MAFMC. There is a range of measures listed from longest (Summer Flounder Scup Black Sea Bass FMP) to shortest (Surfclam FMP) that dictates which MSA pathway and NEPA vehicle are needed to make adjustments in each plan. However, the decision about which pathway (Amendment or Framework) and which NEPA document is most appropriate is also influenced by how comfortable a region is about legal risk and controversy. Just having the measures listed as frameworkable does not guarantee a Council will use a Framework pathway over an Amendment. Proactive communication and collaboration with NMFS is important to confirm the most appropriate path and vehicle.

- Removal or adjustment of review and reporting requirements

MSA requires each FMP have pertinent data to prepare an annual report on the status of the fishery, but some FMPs have specific reporting requirements embedded in the FMP that were in regulation before ACL requirements or focus on slightly different things. For example, NEFMC is working on an Omnibus Amendment right now and one of the alternatives is to remove required reports within their regulations. Three FMPs of NEFMC include annual review reports in the regulations (Monkfish, Northeast Skate Complex, and Small-Mesh Multispecies). The Omnibus Management Flexibility Amendment considered an alternative to remove this requirement, concerned it can be duplicative and uses staff resources unnecessarily. The alternative would not prevent the Council from prioritizing the preparation of an annual review or monitoring or performance report for any of the Council's FMPs through its priority setting process.

Councils may be able to find efficiencies if they review regulations for each FMP and identify if there are requirements for reports that are not directly used in management and consider removing those requirements to gain efficiencies and reduce redundancy. Reports like the annual FID and FPRs prepared in the MAFMC are used heavily in the annual specification process, but there may be others that are less critical to Council operations.

## 4.3. Best practice strategies for collaboration, coordination, and communication

While specific regulatory pathways, NEPA vehicles, and management measures are key for facilitating responsive decision-making, this review revealed that strong relationships and information exchange among key participants in the process (Council staff, NMFS personnel, SSC members, and fishery stakeholders) are also critical for improving overall efficiency. The form such approaches take can range from small procedural tweaks to formal, institutionalized protocols, and have been employed by Councils in several different contexts to improve throughput along all stages of the regulatory process.

Some of these approaches may be context-specific, but many are of relevance and potential applicability to Gulf Council's unique challenges and priorities, and they are outlined in the following sections in three general categories:

1. improving Council-NMFS coordination (Section 4.3.1, Table 6) ;
2. increasing scientific efficiency (Section 4.3.2, Table 7); and
3. better integrating stakeholder perspectives (Section 4.3.3, Table 8).

This section summarizes the most promising best practices uncovered through this review. In some cases, a specific example or two is included from various regions to illustrate the process or strategy, but it is not an exhaustive summary of the approaches used by every Council. While both the questionnaire and interviews gathered feedback from Council and NFMS staff across regions, the semi-structured nature of the interviews and the relative overrepresentation of some regions compared to others meant that not all of these "softer" strategies employed by a given Council/region may have been captured through this effort.

### 4.3.1 Improving Coordination between Councils and NMFS

- Council staff access to NMFS databases

The entire NEFMC and MAFMC staff has access to the NMFS Catch Accounting and Monitoring System (CAMS) database, which is updated weekly, allowing them to query commercial fishery data directly. This access affords Council staff the ability to monitor landings, dealer, survey, observer and other information in near-real-time and conduct and iterate analyses as needed, facilitating greater responsiveness. Similar, NPFMC staff have direct access to data through the Alaska Fisheries Information Network (AKFIN). In the Southeast, meanwhile, Council staff have limited access to federal databases and generally must make a formal request to SEFSC or SERO. This additional step/dependency can add time to the process, especially if additional back-and-forth between Council and NMFS staff are needed or if staff are limited (as in the case of SERO economists/social scientists).

- Council/NMFS staff meetings

In multiple regions, Council and NMFS staff meet periodically to discuss coordination and planning, whether regarding a specific management action or on a broader strategic level. For example, the MAFMC staff meets with GARFO (and sometimes NEFSC) staff on an annual basis to update one another on respective efforts and discuss ongoing policy issues. Similarly, every few years NPFMC staff have a multi-day retreat with staff from NMFS, NOAA Office of General Counsel, and the Alaska Department of Fish and Game that focuses on relationship-building and discussing high level issues to improve coordination and collaboration.

- Specifying roles and protocols through Regional Operating Agreements and Action Planning

Some Councils have formally designated and extensively documented Council and NMFS staff roles and responsibilities within their ROA, which they credit with improving workflow and collaboration (see Table 2 in Section 3.3 for links to various ROAs). The PFMC's ROA with NMFS offices, which was last updated in 2021, thoroughly describes the lead entities for various aspects of the document preparation and analysis process and prescribes coordination through development of project planning tools and joint calls after Council meetings, thereby reducing procedural bottlenecks. For example, the ROA specifies that a representative from NOAA's Office of General Counsel will be available throughout the document preparation process to detect and resolve potential legal issues early on. It has helped the PFMC right-size capacity for specific actions while also providing a model that new staff can quickly adopt and operationalize.

Similarly, the NPFMC and NMFS Alaska Office have developed an action planning process, memorialized in the ROA between the two entities**,** to streamline the development of Council impact analyses and NMFS review  The process begins with assembly of an Action Team (typically led by an NPFMC staff member) to ensure that all relevant staff are involved early—this could include personnel

from NMFS, NOAA's Office of General Counsel and Office of Law Enforcement, NPFMC and state agencies. An initial kick-off meeting establishes a dialogue among these individuals early in the process and enables defining of roles, establishment of milestones, and consideration and scoping of potential obstacles or challenges (e.g. legal concerns, needed NEPA analysis) prior to beginning analytical work. The group coordinates its efforts through regular communication and through the development of an Action Plan, a living shared document that includes: action summary; purpose and need; type of analysis document; substantive issues for analysis; implementation issues; staff involved; and milestones and deadlines. In other words, the work between NPFMC and NOAA Fisheries is parallel rather than sequential. The action planning process continues all after NPFMC action, including a post-project debrief by the Action Team to identify struggles or lessons learned and the rulemaking schedule. The NPFMC staff lead also has the opportunity to review the final draft version of the Secretarial Review Draft analysis prior to submission. Overall, this process has quickened the process (including between NPFMC final action and implementation) while also strengthening relationships and coordination between NPFMC and NOAA Fisheries staff.

In addition, to ensure that the Council stays on track, facilitate planning, and maintain transparency, the PFMC communicates in its Groundfish FMP the minimum number of Council meetings and Federal Register rules required for a given action (e.g., FMP amendment, in-season management, etc.).[71]

- Analytical templates

To complement the action planning process, the NPFMC and NMFS use an analytical template and accompanying guidance document that has increased consistency in approaches and improved efficiency. The template, which specifies the formatting, sections, and content for environmental analyses, provides a consistent structure that saves significant staff time, avoids duplicative work, and facilitates collaboration. An added benefit of this approach is that the consistency across documents increases readability for a wide audience.

[71] Pacific Fishery Management Council .2022. Pacific Coast Groundfish Fishery Management Plan for the California, Oregon, and Washington Groundfish Fishery. https://www.pcouncil.org/documents/2022/08/pacific-coast-groundfish-fishery-management-plan.pdf/

TABLE 6 - APPROACHES FOR IMPROVING COORDINATION BETWEEN COUNCILS AND NMFS.

| Approach | Who Uses | Description/Outcomes |
|---|---|---|
| Council staff access to federal databases | MAFMC, NPFMC, NEFMC | • Direct access allows Council staff to monitor key fishery metrics, conduct analyses as needed, and reduce dependency on NFMS staff |
| Council-NOAA Fisheries staff meetings | MAFMC, NPFMC | • Regular (e.g., annual) meetings to broadly discuss coordination and strategy, allows for proactive strategizing. |
| Regional Operating Agreements and Action Planning | NPFMC, PFMC, NEFMC | • Assign specific roles to Council and NMFS staff and develop protocols for meeting and coordination during analysis and document preparation. Streamlines process and allows for proactively addressing issues (e.g., legal concerns) early in the process. |
| Analytical template | NPFMC, NEFMC | • Increases consistency and efficiency in document preparation while increasing readability. |

### 4.3.2 Increasing Scientific Efficiency and Throughput

- Regional Assessment Planning and Review

To improve efficient use of scientific and management resources, multiple regions have established regional planning bodies to coordinate activities across Councils, NMFS, states/interstate commissions, and other entities as appropriate. The Northeast Regional Coordinating Council (NRCC), for example, is a standing coordination body consisting of GARFO, NEFSC, MAFMC, NEFMC, and the ASMFC. Formed in 2001, the group's stated mission is to "prioritize, communicate, and coordinate fisheries scientific and management resources through in-person meetings that include Federal, State, Council, and Commission managers and scientists of the Greater Atlantic region of the United States."[72] Unlike SEDAR, the NRCC does not conduct assessments itself; rather it meets regularly to set science, management, and implementation priorities and coordinate and plan activities, which is particularly critical for this region given overlap in data systems and management jurisdictions (e.g., the MAFMC and ASMFC jointly manage bluefish and the NEFMC and MAFMC jointly manage spiny dogfish). For example, the NRCC's Assessment Working Group has worked to prioritize assessment needs to revise the assessment schedule in light of ongoing resource constraints.[73] Through such efforts, the NRCC can significantly improve throughput and efficiency.

A similar coordinated approach occurs on the West Coast in the form of the Stock Assessment Review (STAR) program, which is used by the PFMC, the NOAA Fisheries Northwest and Southwest Fisheries Science Centers, and relevant stage agencies. Like the NRCC, it does not conduct assessments directly, but rather plans and assembles panels that conduct peer reviews of stock assessments. STAR panels meet

[72] Northeast Regional Coordinating Council (NRCC). Northeast Region Coordinating Council (NRCC) Overview. https://www.nefmc.org/committees/northeast-regional-coordinating-council-nrcc.

[73] Northeast Regional Coordinating Council (NRCC). 22025. AWG Report – NRCC Intersessional.https://d23h0vhsm26o6d.cloudfront.net/Copy-of-AWG-Report_NRCC-Intersessional_20250820.pdf.

to review draft assessments as they are being completed and provide rapid feedback on proposed revisions. In practice, this approach means that the PFMC can receive stock assessment results and consider them within a few months of the STAR review as part of the Council's same-year specifications process.[74]

- Decision-making tools to inform catch limit recommendations

Several Councils have developed standardized, data-driven tools for their SSCs to employ in order to improve efficiency and consistency in the process of developing catch limit recommendations. The MAFMC's SSC utilizes a guidance document to inform the level of uncertainty (i.e., coefficient of variation) assigned to a given overfishing limit (OFL) estimate.[75] The SSC considers six factors across two tiers when deciding on the level of uncertainty to assign, a standardized process that can reduce deliberation time and allow the SSC to act more quickly when new information becomes available. For example, it could provide a defensible basis for adjusting ABCs even in non-assessment years if new information that affects the six factors of uncertainty becomes available. The NPFMC's SSC, meanwhile, utilizes a standardized risk table to document uncertainties in four categories—assessment considerations, population dynamics, ecosystem considerations, and fishery performance—scoring each on a three-level scale (normal, increased, extreme). These scores are then used to inform the SSC's deliberations regarding whether/by what amount to recommend reducing the ABC below the OFL.[76] Lastly, the WPFMC uses its standardized Social, Economic, Ecological and Management Uncertainty (SEEM) approach to quantify uncertainties (derived from both data collection and on-the-water observations) that may justify downward adjustments when setting ACLs/ACTs from ABCs.[77]

- Inter-assessment data updates

Provision of regular data updates can indicate whether fishery conditions have changed substantially since a previous assessment and whether a management response is warranted. In off-assessment years, the NEFMC and MAFMC (including their SSC and MCs) receive standardized (and in some cases fully automated) data updates from the NEFSC that include a variety of fishery-independent and fishery-

[74] Pacific Fishery Management Council. 2024. Terms of Reference for the Groundfish Stock Assessment Review Process for 2025-2026. https://www.pcouncil.org/documents/2024/06/terms-of-reference-for-the-groundfish-stock-assessment-review-process-for-2025-2026-june-2024.pdf.

[75] Mid-Atlantic Fishery Management Council, Scientific and Statistical Committee. 2024. OFL CV Guidance Document. https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/666b17d715c54614d72a05b1/1718294488320/Final+OFL+CV+guidance+document_06_24.pdf.

[76] North Pacific Fishery Management Council. 2024. C1 Groundfish Risk Table Update. https://meetings.npfmc.org/CommentReview/DownloadFile?fileName=C1+Groundfish+Risk+Table+Update.pdf&p=01e1cc99-d8b1-4bf5-b107-c6025f56f8bf.pdf.

[77] Western Pacific Fishery Management Council. 2024. Case Study 4: WPFMC's SEEM indicators, collecting fishermen's observations Presented at the Eighth National Scientific Coordination Workshop (SCS8), August 26-28, 2024. https://static1.squarespace.com/static/56c65ea3f2b77e3a78d3441e/t/66bf5df00ed6630b68a3be2d/1723817457647/T2_+CS4+-+Hospital%26Severance.pdf.

dependent data sources and comparison with past years.[78] The documents are intended for rapid interpretation and can be used (in conjunction with other sources such as FIDs and FPRs) to inform decision-making in the absence of a full assessment (including, in some cases, providing justification for status-quo measures). In the North Pacific, meanwhile, automated generation of annual reports such as the Annual Observer Program Report has reduced staff time, allowed for rapid data sharing, and increased efficiency by facilitating interannual comparison.[79]

- Incorporating ecosystem considerations

The North Pacific has developed several tools to efficiently incorporate ecosystem considerations into its annual specifications process, relying on a combination of quantitative and observational information. The Alaska Fisheries Science Center develops stock-specific Ecosystem and Socioeconomic Profiles (ESPs), which compile relevant ecological, environmental, and socioeconomic indicators and facilitate their rapid consideration into the harvest specifications process. They are typically considered in conjunction with Stock Assessment and Fishery Evaluation (SAFE) reports. One important element of ESPs is that they incorporate on-the-water observations collected through public comment, surveys, and elsewhere providing an avenue for stakeholder input to enter the management discussion. ESPs have been used by the NPFMC in the "Ecosystem Considerations" section of risk tables to provide key context for setting OFL buffers and developing rebuilding plans.[80] For example, ESPs for sablefish are produced annually; in the late 2010s, ESP indicators regarding fish condition, mean age, and spatial overlap with competitors were all poor. As a result, the SSC recommended setting ABCs substantially below OFLs for multiple years (e.g., a 44% buffer for the 2021 specifications cycle), citing the ESP as an "extremely helpful basis for interpreting biological and stock trends and guiding future research."[81]

Related to ESPs are the annual development of Ecosystem Status Reports (ESRs) by the Alaska Fisheries Science Center, which provide a snapshot of ecosystem conditions (bottom temperature, climate indices, sea ice extent, prey abundance, etc.) and can provide early warning signs of ecosystem shifts that could affect multiple fisheries.[82] As with the ESRs, they are shared with the Council/relevant committees and with the public and considered in conjunction with SAFE reports to apply buffers to ABCs are needed.

[78] Example data update for black sea bass, which was used to inform the decision to maintain a status quo ABC: Mid-Atlantic Fishery Management Council. 2023. Black Sea Bass Data Update for 2023. https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/64b845cc04e3363ed6453d03/1689798092485/c_BSB_Data_Update_July2023.pdf.

[79] NOAA Fisheries. (2025). *AFSC-FMA and AKRO-SF (Annual) Report of the North Pacific Groundfish and Halibut Monitoring Program* [GitHub repository]. https://github.com/noaa-afsc/observer-report?tab=readme-ov-file

[80] Shotwell, S. K., et al. 2023. Introducing the Ecosystem and Socioeconomic Profile: A proving ground for next-generation stock assessments. Coastal Management, DOI: 10.1080/08920753.2023.2291858.

[81] North Pacific Fishery Management Council. 2020. Scientific and Statistical Committee Report – December 2020. https://meetings.npfmc.org/CommentReview/DownloadFile?fileName=SSC+Report+Dec+2020+FINAL+.pdf&p=83259122-e0fc-4412-9cac-73f3ea722dad.pdf.

[82] NOAA Fisheries. 2023. Ecosystem Status Reports for the Gulf of Alaska, Bering Sea, and Aleutian Islands. National Marine Fisheries Service, Alaska Fisheries Science Center. https://www.fisheries.noaa.gov/alaska/ecosystems/ecosystem-status-reports-gulf-alaska-bering-sea-and-aleutian-islands.

The North Pacific considers ecosystem impacts not only retrospectively but proactively through its Preview of Ecological and Economic Conditions (PEEC) process. These annual meetings, hosted by the Alaska Fisheries Science Center, occur early in the year and provide a platform for exchanging oceanographic, biological, and economic information from both scientists and fishing communities.[83] The meeting can thus serve as a "sneak peek" for assessment authors, NFMC/committee staff, and stakeholders. Information gathered from these meetings is ultimately incorporated into ESPs, ESRs and assessments later in the year to inform harvest specifications.

- Use of SSC subgroups

In some instances, Councils have made extensive use of SSC subgroups/working groups to work between full SSC meetings to address issues of particular concern and urgency. While the full SSC still needs to vet any analyses/recommendations coming from subgroups, this strategy can keep analyses moving on specific topics and help ensure that key recommendations are presented to the Council in a timely fashion. The WPFMC makes extensive use of SSC working groups; for example, at the September 2025 SSC meeting, the SSC's Bottomfish Management Unit Species (BMUS) working group presented recommendations to streamline the bottomfish stock assessment and ACL setting processes, which were endorsed by the full SSC.[84] Similarly, the NEFMC's Scallop Survey Working Group, a subgroup of the full SSC, improved workflow efficiency by addressing technical survey issues between full SSC meetings.[85]

[83] Example agenda from 2021 PEEC meeting: Alaska Fisheries Science Center. 2021 Preview of Ecological and Economic Conditions (PEEC) Meeting, May 18-20, 2021. Hosted by NMFS. https://www.fisheries.noaa.gov/event/alaska-fisheries-science-center-2021-preview-ecological-and-economic-conditions-peec-meeting.

[84] Western Pacific Fishery Management Council. 2025. 157th Meeting of the Scientific and Statistical Committee, September 9-11, 2025: Final Report.

[85] New England Fishery Management Council. 2022. Scallop Survey Working Group Report. https://d23h0vhsm26o6d.cloudfront.net/1.-SSWG-Report-September-2022.pdf

TABLE 7 – STRATEGIES TO INCREASE SCIENTIFIC EFFICIENCY AND THROUGHPUT

| Approach | Who Uses | Description/Outcomes |
|---|---|---|
| Regional assessment planning/review bodies | MAFMC, MAFMC, PFMC | • Aligns assessment schedule with key priorities/needs and streamlines assessment and review processes to facilitate rapid consideration in management. |
| Decision tools to inform catch limit recommendations | MAFMC, NPFMC, WPFMC | • Standardized approaches that streamline deliberations concerning risk/uncertainty levels. |
| Provision of data updates between assessments | MAFMC, NPFMC | • Annual (in some cases automated) fishery-dependent and independent data updates for SSC and Council consideration enables rapid response if needed |
| Standardized approach of ecosystem considerations | NPFMC | • Annual reports on ecosystem conditions enable rapid response to/proactive incorporation of ecosystem-induced stock/fishery impacts |
| SSC subgroups/ working groups | NEFMC, WPFMC | • Distributes workload to leverage key expertise and focus on issues of key priority/concern to expedite the SSCs deliberation process. |

### 4.3.3 Engaging Stakeholders in Data Collection and Management

- Increasing AP interaction with Councils/Committees

Multiple Councils employ strategies to increase dialogue and information exchange between stakeholders on APs with Council members and relevant committees**,** building a strong cooperative effort between industry and management and enabling more agile responses to observed changes if merited. In the Caribbean, a representative from each of the three island-based APs (i.e., District Advisory Panels, or DAPs) attends and presents at full Council meetings to provide on-the-water perspectives (e.g., on environmental changes, species availability, market conditions, etc.) for the Council to consider in decision-making. In addition, DAP Chairs attend meetings of the SSC, while the SSC Chair attends DAP meetings. Similarly, in the Mid-Atlantic, for each species, the MAFMC assigns two SSC members; a biology/assessment lead and a socioeconomic lead.[86] These individuals then attend the relevant AP meetings, helping to increase scientists' understanding of the fishery and increasing opportunities for collaboration and dialogue.

On the West Coast, meanwhile, the PFMC's advisory bodies (which include Advisory Subpanels, analogous to APs in the Southeast) and management teams (analogous to Integrated Plan Teams in the Southeast) meet concurrently with the full Council. This structure facilitates the real-time exchange of information between managers and stakeholders and can have rapid and tangible management impacts. For example, just prior to the PFMC's September 2023 meeting, the quillback rockfish stock assessment

[86] Mid-Atlantic Fishery Management Council, Scientific and Statistical Committee. 2025. 2025 species/topic lead assignments: Biology/assessment lead and socio-economic lead table. https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/67ed9267bc29200f62a1349f/1743622760085/Final+2025+SSC+Species_Topic+Leads+Table.pdf.

showed that the species was overfished, and a closure of nearshore groundfish fisheries was expected. However, over the course of the meeting the Groundfish Advisory Subpanel and the Groundfish Management Team conceived of a path forward to allow for a fishery using a gear type that had previously been tested using an EFP but had never been implemented.[87] This collaborative problem-solving effort would not have occurred in-real time had the groups not both been present at the PFMC meeting.

The CFMC has Liaison Officers for each of its three island-based FMPs (Puerto Rico, St. Croix, and St. Thomas/St. John), who help to coordinate efforts among the CFMC, NOAA Fisheries, and local management and who engage stakeholders on their respective islands. Liaison Officers provide regular updates on island activities and stakeholder observations/input at CMFC meetings, which can also enable to Council to more quickly detect and respond to on-the-water changes.[88]

- Engaging stakeholders early in regulatory/analysis development

From both an efficiency and transparency viewpoint, the Plan Development Team (PDT) approach used by the NEFMC may offer advantages compared to the Southeast's use of Interdisciplinary Planning Teams (IPTs). Both groups largely consist of Council and NMFS staff and produce fishery management actions and supporting analyses. They differ, however, in the extent and timing of engagement with members of the public. IPTs used in the South Atlantic and Gulf focus on interagency coordination intended to ensure efficient document preparation and that a draft action meets legal requirements before being shared with the council/the public.[89] As a result, meetings are not open to the public, minutes are not published, and engagement with stakeholders only occurs after a draft document is released for scoping. The PDT process, meanwhile, is more transparent and facilitates opportunities for feedback from the public during development of alternatives and document preparation. PDT meetings are noticed on Council calendars and held as online webinars open to the public, with public comment/questions allowed at the discretion of the PDT Chair.[90] While meetings can be longer with feedback and questions from the public, this format can also increase overall efficiency, allowing for early iterative input from the public and preventing the potential for surprises later in the process (e.g., major analytical changes or narrowing of alternatives under consideration) that ultimately slow down implementation.

- Collaborative research and citizen science

Council and NMFS staff from multiple regions noted that collaborative research efforts can help to both engage fishery stakeholders in the management process and to expedite the collection of new information to improve management responsiveness. Over the past several years, an interdisciplinary research effort for MAFMC-managed longfin and shortfin squid (comprised of several discrete projects) has been

[87] Pacific Fishery Management Council. .2023. Meeting Transcripts: September 2023 Council Session, Spokane, Washington. https://www.pcouncil.org/documents/2023/11/september-2023-meeting-transcripts.pdf.

[88] Example update from the Puerto Rico Liaison Officer at the August 2025 CFMC meeting: Caribbean Fishery Management Council. 2025. Puerto Rico Fisheries Liaison Officer Report: 187th CFMC Meeting. https://www.caribbeanfmc.com/images/pdf/187th%20CFMC%20meeting%20Puerto%20Rico%20Fisheries%20Liaison%20Officer%20Report%20FINAL%20(1).pdf.

[89] See Regional Operating Agreement between the Gulf Council and relevant NMFS/NOAA offices in Section 3.3 Table 2.

[90] See link to NEFMC SOPPs in Section 3.3, Table 2.

underway among the NEFSC, academic institutions, and commercial squid fishermen.[91] The group works to better understand the highly dynamic nature of longfin and shortfin squid stocks, with fishermen collecting both biological and oceanographic information to help understand key drivers of species availability and distribution. In one example, SQUIBS, over 30 participating vessels have collected biological samples from over 25,000 longfin squid from 2023-2025.[92] Information collected through this effort can feed directly into the assessment process and can also help alert managers to shifting conditions in near-real-time throughout a season, improving potential for responsiveness. For example, sampling detected cold bottom-water temperatures during the summer of 2024, which delayed longfin squid availability until later in the year,[93] demonstrating that low catches were due to changes in distribution rather than abundance. Such collaborative efforts also increase stakeholders' engagement with and buy-in to the assessment and management process.

Related to cooperative research, citizen science is another promising avenue by which fishing community members can provide quantitative evidence of changing fishery conditions for use by the SSC and Councils. The SAFMC has developed an extensive Citizen Science Initiative whose priorities are updated every two years to help the program address the region's most pressing data gaps. The SAFMC has developed detailed SOPPs for the program that include specific data standards and QA/QC requirements to help ensure their applicability to management and facilitate consideration by the SSC.[94] The program also has a Project Idea Portal in its website, allowing fishermen and other members of the public to suggest potential data needs and project approaches.

- Standardized approaches to gather/summarize stakeholder input

The development of annual FPRs by both the MAFMC and SAFMC APs provide the respective Councils and committees on-the-water perspectives regarding a species or stock, such as species availability/size, fishing effort, market conditions, or environmental variables.[95,96] This information is used to fill gaps between stock assessments or provide early indicators of changing conditions and can feed directly into management decisions. For example, in the Mid-Atlantic in 2012 the spiny dogfish FPR was noted as a

[91] NMFS NEFSC. Cooperative research in the Northeast. https://www.fisheries.noaa.gov/new-england-mid-atlantic/science-data/cooperative-research-northeast#collaborative-squid-research.

[92] Northeast Fisheries Science Center & Mid-Atlantic Fishery Management Council. 2025. SQUIBS Longfin Squid Data Collection Program. Presented at the August 2025 MAFMC meeting. https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/689a1fdcf92cd44dd173b3e6/1754931175300/04_SQUIBS_MAFMC_August2025.pdf.

[93] Mid-Atlantic Fishery Management Council. 2025. Longfin Squid Fishery Performance Report. https://mafmc.squarespace.com/s/c_2025-Longfin-FPR.pdf.

[94] South Atlantic Fishery Management Council. 2023. Citizen Science Program – Standard Operating Policies & Procedures (Revised 1/2023). https://safmc.net/documents/citsci_sopps_final_updated_01-2023_withappendices/.

[95] Mid-Atlantic Fishery Management Council. *Fishery Performance Reports*. https://www.mafmc.org/fishery-performance-reports.

[96] South Atlantic Fishery Management Council. *Fishery Performance Report Overview*. March 2022. https://safmc.net/documents/fc1_a3b_fproverview-pdf/.

contributing factor to the decision to increase the commercial quota by 14%.[97] FPRs can be especially valuable for data-poor species such as chub mackerel (MAFMC) and wahoo (SAFMC) for which limited fishery-independent data exist. Both regions prioritize FPR standardization (prompting questions, format etc.) to facilitate easy comparison and analysis across years and species. In the Mid-Atlantic, FPRs are used in conjunction with annual Fishery Information Documents (FIDs), standardized summaries of recent catch, effort and landing data (including preliminary data) compiled from multiple sources by MAFMC, to provide Council members and committees a snapshot of what is happening on the water for consideration more rapidly than such information would otherwise be available.

The WPFMC has developed a robust protocol for gathering on-the-water observations from fishers regarding trends in conditions, fisher behavior, and other key factors that may not be detected in other datasets for consideration by the SSC and full Council. This information is collected during quarterly AP meetings (one for each Fishery Ecosystem Plan [FEP]) and through annual virtual fisher observation meetings—one for each of the managed areas—that are hosted by fishermen. During these meetings, which have occurred each year since 2020, participant comments are coded to align with the SEEM uncertainty categories used when setting ACLs and ACTs.[98] Feedback from these meetings are summarized in a Fisher Observations section in each FEP's annual Stock Assessment and Fishery Evaluation (SAFE) report.

**TABLE 8 - ENGAGING STAKEHOLDERS IN DATA COLLECTION AND MANAGEMENT**

| Approach | Who Uses | Description/Outcomes |
|---|---|---|
| Increasing AP interaction with Councils/ committees | CFMC, MAFMC, PFMC | • Enables more rapid communication of on-the-water changes for Councils to consider in decision-making. |
| Plan Development Teams | NEFMC, MAFMC | • Public planning meetings increase transparency, enable public feedback to avoid unexpected need for course-correct later in regulatory process. |
| Collaborative research and citizen science | MAFMC, SAFMC | • Address key research needs and alert managers to changing conditions; increase industry buy-in. |
| Standardized approaches to gather stakeholder input | MAFMC, SAFMC, WPMC | • Produced annually in standard format (e.g., Fishery Performance Reports); provide a snapshot of on the water conditions for Council/SSC consideration. |

## 4.4 On-the-horizon efforts to track

In addition to the streamlining and efficiency approaches summarized in the previous section (Sections 4.1 and 4.2), ongoing and upcoming efforts at the Council, NMFS, White House, and legislative levels

[97] Mid-Atlantic Fishery Management Council. 2012. Council votes to increase commercial quota and trip limits for spiny dogfish. https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/517ac7b0e4b0bf1bde371f7b/1367001008709/pr12_24_spiny_dogfish_October_2012_final.pdf.

[98] Example fisher observation summary: Ayers, A., et al. 2023. 2022 Guam and CNMI Fisher Observations Data Summary and Analysis. PIFSC data report; DR-23-13. https://repository.library.noaa.gov/view/noaa/51721.

may offer lessons learned for the Gulf Council to consider and/or lead to policy changes that could significantly impact the regulatory process. They are summarized below.

### 4.4.1 Council Initiatives

The SAFMC is in the midst of several initiatives intended to promote climate-resilient management approaches, increase feedback from fishery stakeholders, and streamline decision-making. It recently initiated a Fishery Management Process and Ecosystem Information Review[99] with Inflation Reduction Act (IRA) funding, which seeks to improve the Council's responsiveness and adaptability to changing conditions. The project consists of: a) a Fisheries Management Process Review and b) an Ecosystem Information Review. It also launched its Lines of Communication Initiative[100] to better engage with fishery stakeholders through informal in-person meetings, beginning with a series of meetings in Georgia in November 2025.

The SAFMC is considering the application of two tools to facilitate decision-making. It developed and approved an Allocation Review Decision Tool in 2022, which provides a decision-tree framework to help the SAMFC decide in a standardized fashion whether to consider changing allocations and how to initially structure allocation alternatives.[101] Application of the tool was initially halted due to data concerns unrelated to the tool, but it will be used in the upcoming joint SAFMC/Gulf Council Snapper-Grouper Amendment 45/Reef Fish Amendment 55 to update yellowtail snapper and mutton snapper allocations. In addition, the SAFMC is in the process of developing a decision tree tool to help determine which regulatory pathway is most appropriate for a given management action.[102] The tool was initially presented at the SAFMC's September 2025 meeting.

The NEFMC also has multiple initiatives underway related to climate-ready fisheries and improved coordination. In 2024, the NEFMC voted to establish a Climate and Ecosystem Steering Committee,[103] with the broad goal of "[Providing] overarching guidance and support for design and implementation of climate-ready management approaches across the Council's fishery management plans." This group will not develop or evaluate specific management alternatives but will work, among other objectives, to advise the Council on particular processes and approaches to address climate change and ecosystem/ environmental factors. The work of this newly established Steering Committee is ongoing.

---

[99] South Atlantic Fishery Management Council. 2025. Resilient Fisheries Project 1: Program Review Overview. https://safmc.net/documents/sept-2025-resilient-fisheries-project-1-program-review-overview/.

[100] South Atlantic Fishery Management Council. October 7, 2025. Council Begins Lines of Communication Initiative with Georgia Meetings in November. https://safmc.net/posts/council-begins-lines-of-communication-initiative-with-georgia-meetings-in-november/.

[101] South Atlantic Fishery Management Council. December 2023. Allocation Decision Tree: A Blueprint for Applying Biological, Social, and Economic Considerations in Allocation Decisions. https://safmc.net/documents/safmc_allocationdecisiontoolblueprint_202312_final/.

[102] South Atlantic Fishery Management Council. 2025. SG A5A: Amendment Type and Rulemaking Tool. Included in the briefing book for the September 2025 SAFMC meeting. https://safmc.net/documents/sg_a5a_amendmenttypeandrulemakingtool_202509-pdf/.

[103] New England Fishery Management Council. *Climate and Ecosystem Steering Committee*. https://www.nefmc.org/committees/climate-and-ecosystem-steering-committee.

The NEFMC has multiple IRA-funded projects intended to improve coordination on complex issues/decisions.[104] Project 6.1 will explore the application of Artificial Intelligence for more efficiently analyzing and sharing data, while Project 6.2 focused on strengthening communication with fishing communities. These projects are expected to be completed during the first half of 2026. NEFMC is also developing a Holistic Strategic Plan for Climate-Resilient Fisheries Management to address near-and short-term processes to improve resilience and develop a process-level plan tied to climate and governance. improvements under development.[105]

The PFMC is in the process of completing an Adaptive Management and Flexibility Project[106] with IRA funds, which intends to "identify innovations to Council decision-making processes and operating procedures that will allow the Council to develop, analyze, and adopt management actions and recommendations on timeframes that are more responsive to rapidly changing conditions." At its September 2025 meeting,[107] the Pacific Fishery Management Council adopted a problem statement for the project and provided guidance to staff on a scope of work, identifying the following priority actions to advance under the project:

- "If-then" statements and in-season management actions for FMPs as appropriate, focusing on allowing actions to occur outside of full PFMC meetings.
- Process improvements for EFPs and strategies for moving EFP-tested approaches into regulation.
- Processes for improving the timeliness of data streams and better integrating local/indigenous knowledge into decisions.

The MAFMC recently commenced an IRA-funded project[108] to operationalize the key outcomes of the recent MAFMC/GARFO Program Review[109] and the East Coast Climate Change Scenario Planning Initiative.[110] The project will include two principal components:

- Improving MAFMC governance structures, especially given shifting species distributions.

[104] New England Fishery Management Council. 2025. IRA Project Briefs – September 2025. https://d23h0vhsm26o6d.cloudfront.net/NEFMC-IRA-Project-Briefs-September-2025.pdf.

[105] New England Fishery Management Council. Council-Related Inflation Reduction Act (IRA) Projects. https://www.nefmc.org/library/council-related-inflation-reduction-act-ira-projects.

[106] Pacific Fishery Management Council. August 28, 2025. Staff report on Council Special Project 1: Adaptive management and flexibility (Agenda Item H.1, Attachment 1). https://www.pcouncil.org/documents/2025/08/h-1-attachment-1-pfmc-staff-report-on-council-special-project-1-adaptive-management-and-flexibility.pdf/.

[107] Pacific Fishery Management Council. September 29, 2025. September 2025 Decision Summary Document. https://www.pcouncil.org/september-2025-decision-summary-document.

[108] Mid-Atlantic Fishery Management Council. IRA Project 3, "Operationalizing Outcomes of MAFMC/GARFO Program Review and Improving Council Governance Structures." https://www.mafmc.org/ira-projects.

[109] The Parnin Group. 2024. Mid-Atlantic Fishery Management Council Program Review Report. https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/66abf30c0a65ab24ee4f50f1/1722544919512/Tab07_Parnin%2BGroup_mafmc-program-review_2024-08.pdf.

[110] Mid-Atlantic Fishery Management Council. 2024. Climate Change Scenario Planning. https://www.mafmc.org/climate-change-scenario-planning.

- Increasing management adaptability under changing ocean conditions and identifying efficiency and communication strategies to improve throughput, internal process, and stakeholder engagement.

While not an Council-led initiative, it is worth noting that SERO, in conjunction with the Gulf Council and the SAFMC, is in the process of conducting an internal review intended to improve the efficiency of the IPT process, data flow, and plan amendment/NEPA process.

### 4.4.2 Legislation and Executive Orders

*Legislation*

Multiple bills to reauthorize or amend MSA have been introduced in both the House of Representatives and Senate over the past several Congresses. Most recently, in June 2025 Congressman Jared Huffman (D-CA-2) introduced H.R. 3718, the *Sustaining America's Fisheries for the Future Act of 2025.* No action has been taken on the bill since its introduction. The bill is similar to previous MSA reauthorization bills introduced by Rep. Huffman in 2024 and 2021 and includes provisions to require climate considerations in management, increase stakeholder participation, and modernize data collection efforts. Neither the Gulf Council nor the CCC have submitted comments related specifically to this most recent version of the bill, but previous comments have touched on the importance of efficiency and the need to remove requirements that create roadblocks and bottlenecks for responsive, adaptive fisheries management. The letter includes similar themes from this report like the need to support adaptive and trigger-based adjustments, SSC flexibility, streamlined NEPA tools, etc.[111]

*White House Executive Order 14276: Restoring American Seafood Competitiveness*[112]

Signed on April 17, 2025, Executive Order 14276 directed the Secretary of Commerce to consider suspending, revising, or rescinding overly burdensome commercial fishing, aquaculture, and fish processing regulations at the fishery-specific level. It also instructed the Secretary to modernize fishery data collection practices and solicit comments from interested members of the public regarding innovative ideas to improve science/management under existing the requirements of existing laws. It required that all Councils submit within 180 days updates to their previous recommendations from EO 13921 ("Promoting American Seafood Competitiveness and Economic Growth") to reduce burdens on domestic fishing and increase production (see Section 2.3for relevant comments from the Gulf Council). A 45-day public comment period regarding suggestions to improve U.S. fisheries management closed on October 14, 2025.

### 4.4.3 Evolving NEPA Guidance

As described earlier, NOAA updated its NEPA Companion Manual in June 2023 as well as a proposed revision to its list of CEs. There is greater emphasis on efficiency and streamlining review timelines, as well as narrowing required analyses. It is important for the Gulf to keep track of how these new requirements are fully rolled out including fewer mandatory public review steps, revised roles for inter-agency coordination, how to avoid duplicative reviews, revised definitions, and the expanded list of CEs

[111] Gulf Council. October 1, 2021. Letter to Representatives Huffman and Case regarding H.R. 4690: Sustaining America's Fisheries for the Future Act of 2021. https://fisherycouncils.squarespace.com/s/Gulf-Council-Letter-to-Huffman_Case_HR-4690-final.pdf.

[112] The White House. April 17, 2025. Executive Order 14276 — Restoring American Seafood Competitiveness. https://www.whitehouse.gov/presidential-actions/2025/04/restoring-american-seafood-competitiveness/.

proposed to include routine, low-impact activities. This last change could greatly reduce the need for full EAs and EISs. The new guidance also encourages more concurrent analysis and review which could shorten overall timelines for fishery management actions. Playing an active role in how these new regulations are operationalized could be very valuable for the Gulf Council to better align templates, tiering of actions, and overall procedures that promote flexibility and efficiency.

# 5.0 Recommendations and Applicability for Gulf Council

This report reviewed the regulatory processes used by U.S. Regional Fishery Management Councils to increase the efficiency and responsiveness of fisheries management and improve overall throughput. Many of the procedural approaches, management tools and measures, and best practices for effective collaboration identified in other regions could be adapted in the Gulf to enhance timeliness and efficiency.

It is recommended that the Gulf Council consider all mechanisms summarized in this report as it explores opportunities for regulatory streamlining. In particular, this section highlights several approaches that appear most applicable to fisheries management in the Gulf region. The Council is scheduled to review this draft report at its November 2025 meeting, and this section will be updated following that discussion.

The recommendations are summarized in three categories:

1. Procedural mechanisms
2. Innovative regulatory approaches
3. Collaboration, coordination, and communication (3Cs) best practices.

Table 9 summarizes the 15 overall project recommendations, (1.1 – 3.8) with more details in the following sections 5.1 - 5.3. The recommendations in this report are not presented in priority order and should be prioritized when the Council decides next steps for this regulatory streamlining process. Section 5.4 includes candidate metrics like transparency and efficiency to help prioritize future discussions. Finally, there are several relevant ongoing efforts in the Gulf and around the nation the Council should track summarized in Section 4.4 that are on -the-horizon and may have useful findings for the Gulf to consider.

**TABLE 9 - OVERVIEW OF PROJECT RECOMMENDATIONS**

| Category | Recommendation |
|---|---|
| ***1. Procedural Mechanisms*** | 1.1 Evaluate whether typical FMP adjustments in the Gulf could qualify for CEs |
| | 1.2 Identify opportunities to use automatic or conditional ("if/then") management measures that allow direct rulemaking |
| | 1.3 Consider potential establishment of an Ad-Hoc Regulatory Review Group (ARRG) |
| ***2. Innovative Regulatory Approaches*** | 2.1 Evaluate whether certain species in the Gulf should be designated as ecosystem component species (ECS) |
| | 2.2 Assess whether an Omnibus Amendment could efficiently update all Gulf FMPs with provisions to enhance responsiveness |
| | 2.3 Develop a white paper to assess opportunities and feasibility for in-season management |
| | 2.4 Explore ways the Council can play a more active role in the Exempted Fishing Permit (EFP) process |
| ***3. Collaboration, Coordination, and Communication Best Practices*** | 3.1 Update Regional Operating Agreement with NMFS to define roles and streamline document preparation process |
| | 3.2 Implement annual coordination/strategy meetings between Gulf Council and NMFS (SERO, SEFSC, and potentially General Counsel) staff |
| | 3.3 Explore strategies to grant Gulf Council staff to federal databases |
| | 3.4 Provision of annual data updates by SEFSC to the Gulf Council in off-assessment years |
| | 3.5 Develop Fishery Performance Reports for priority species |
| | 3.6 Expand use of SSC Subgroups |
| | 3.7 Expanded AP interaction with SSC/Gulf Council |
| | 3.8 Explore "incorporation by reference" to living online references in analytical documents |

## 5.1 Procedural Mechanisms

This report examined how Councils adjust management measures and integrate the requirements of MSA and NEPA. While all Councils rely on the same basic MSA pathways, such as Amendments and Framework Adjustments, each region applies them somewhat differently, sometimes using different terminology.

Notably, some Councils have developed innovative ways to pair these mechanisms with various NEPA vehicles to increase efficiency for minor, non-controversial actions with limited scope and existing analytical coverage. Ensuring that Councils and NMFS partners remain open to using the full range of NEPA vehicles, and occasionally challenging overly risk-averse norms, can yield substantial efficiency gains for routine management actions.

In the Gulf, framework actions are used extensively to make smaller, faster adjustments to FMPs. These are categorized as either *open* or *closed* frameworks.[113]

- Open frameworks, allow the Council to determine the necessary management measures in response to emerging issues. This process typically takes longer and includes at least one opportunity for public comment before final action.
- Closed frameworks, by contrast, are narrowly focused; the plan clearly defines the circumstances under which a particular management action is to be taken. The management measures are specified in advance, so the Council does not revisit a full range of alternatives when implementing specific changes.

Although the Gulf Council has implemented several framework actions in recent years, each with a narrow scope and relatively minor impacts, it has generally continued to prepare EAs rather than using Categorical Exclusions (CEs) or Supplemental Information Reports (SIRs), both of which have more streamlined analytical and procedural requirements.

**Recommendation 1.1: Evaluate whether typical FMP adjustments in the Gulf could qualify for CEs**
The Council should review recent framework actions to determine whether a CE would have been appropriate. Figure 11 provides a decision pathway for this process.

Key questions to consider include:

- Does the proposed activity match the scope and intent of one of NOAA's CE categories?
- Are there any "extraordinary circumstances"?
- Are all anticipated effects minor, temporary, localized, or beneficial?

If the answer to all these questions is *yes*, a CE may be used, significantly reducing the time and resources required for minor or routine adjustments. NOAAs NEPA guidance can be a useful tool for this exercise.

The Gulf's Interdisciplinary Planning Team (IPT) is an ideal setting for proactive discussions about which NEPA vehicle is most appropriate for each action, with NOAA partners directly involved. Do IPTs routinely consider whether a CE might be appropriate? Is that routinely discussed and evaluated, or by default is it assumed that an EA is required?

As noted in this report, NOAA is currently updating its NEPA guidance, including a proposed expansion of the CE list.[114] If adopted, the opportunities to use CEs could increase substantially. Therefore, the Gulf Council should both (1) assess which actions could qualify under current guidance, and (2) closely monitor forthcoming revisions to anticipate how expanded CE categories could further streamline Gulf

[113] Gulf Council. 2018. *Navigating the Council Process* (4th ed.). https://gulfcouncil.org/uploads/2025/02/Navigating-the-Council-Process-06%EF%80%A219.pdf.

[114] NOAA (2025) lists 22 categories of categorical exclusions under Appendix E of the *Companion Manual for NAO 216-6A*, effective June 30, 2025. Current redline comparison with proposed changes: https://www.noaa.gov/sites/default/files/2025-06/NOAAProposedCERedline063025.pdf.

actions. Establishing an internal protocol now for identifying the appropriate NEPA vehicle will position the region to act quickly once NOAA's updates are finalized.

**Recommendation 1.2: Identify opportunities to use automatic or conditional ("if/then") management measures that allow direct rulemaking or use of a SIR**

The Council should review whether any existing FMP provisions allow for automatic adjustments without the need for a new action, and if such provisions exist but have never been invoked, evaluate why. If the goal is greater responsiveness, the Council could consider developing more *if/then* provisions that automatically trigger a management response, typically in-season.

The primary tradeoff is control: automatic measures delegate authority to NMFS to implement pre-approved responses, whereas retaining full Council deliberation ensures flexibility but takes more time. If the Gulf Council wishes to reserve placeholders for future automatic responses, it could consider developing an omnibus action, similar to the one under development by NEFMC, that establishes the structure for in-season management, but the details are considered in a future action.

**Recommendation 1.3: Consider potential establishment of an Ad-Hoc Regulatory Review Group (ARRG)**

The Council should consider forming an ARRG to implement the previous two recommendations to: 1) review past actions to determine whether CEs could have been warranted; and 2) identify existing or potential automatic measures that could be implemented through direct rulemaking, or using a SIR as the NEPA vehicle. An ARGG would likely include Gulf Council and SERO staff, ideally with expertise in Sustainable Fisheries, NEPA, and General Counsel. Including participants from the Council and multiple offices within SERO would promote communication, consistency, buy-in, and shared understanding of documentation and analytical requirements.

When NOAA's revised NEPA guidance is finalized, this group could potentially be used to help interpret the new policies and identify implications for Gulf Council actions. Because CEs and SIRs are not currently used regularly in the Gulf, designating a small cross-office team focused on these topics could help build institutional familiarity and confidence, encouraging wider and more consistent use of these streamlined NEPA tools already in use in other regions.

### 5.2 Regulatory Approaches

This report identified roughly a dozen tools and measures used by Councils to promote efficiency and responsiveness. Of these, four appear particularly relevant to the Gulf region. The approach with the greatest potential for overall time savings is the use of ecosystem component species (ECS) to acknowledge species of ecological or management interest without triggering the full suite of conservation and management requirements—such as Annual Catch Limits (ACLs) and Accountability Measures (AMs).

Other innovative approaches highlighted in this report include:

- the use of Omnibus Amendments to adjust multiple FMPs simultaneously;
- exploratory work on in-season measures to develop automatic or semi-automatic management responses that reduce the need for new rulemaking; and

- enhanced Council involvement in Exempted Fishing Permits (EFPs) to advance data collection and pilot new management strategies.

Each of these tools offers different levels of efficiency gain, but all contribute to improved responsiveness and the integration of new information into the management process.

**Recommendation 2.1: Evaluate whether certain species in the Gulf should be designated as ecosystem component species (ECS)**

The Council should proactively identify species that:

- have little or no targeted fishing effort,
- primarily serve as forage species, or
- are caught or reside mainly in state waters.

Designating such species as ECS, i.e., "not in the fishery", can avoid unnecessary ACL/AM requirements while retaining them in the plan for monitoring, data collection, and ecosystem considerations. This approach also helps prevent premature development of new directed fisheries by allowing the Council to evaluate potential ecosystem impacts in advance.

**Recommendation 2.2: Assess whether an Omnibus Amendment could efficiently update all Gulf FMPs with provisions to enhance responsiveness**

An Omnibus Action could be pursued under either a Categorical Exclusion (CE) or Environmental Impact Statement (EIS), depending on the desired level of detail and scope:

- A streamlined CE-based Omnibus could address primarily administrative updates, such as establishing a general list of efficiency tools that individual FMPs could later adopt with additional analysis (similar to approach NEFMC recently took).
- A comprehensive EIS-based Omnibus could analyze a broader range of alternatives upfront, enabling future actions to tier from a single foundational streamlining document.

Each approach offers tradeoffs between efficiency and specificity, and the appropriate path depends on how much detail the Council wishes to establish now versus later.

**Recommendation 2.3: Develop a white paper to assess opportunities and feasibility for in-season management**

The white paper should identify which Gulf fisheries could benefit most from in-season measures and evaluate:

- what management needs these measures would address, and
- whether current monitoring systems can support timely, reliable implementation.

In-season management can increase responsiveness but also adds complexity. It requires pre-defined and analyzed triggers, near-real-time data streams, and adequate staff and resources for implementation. Semi-automatic models can preserve some Council oversight, while fully automatic systems allow NMFS to issue in-season notices without additional rulemaking. Confirming that existing infrastructure can support in-season management is a critical first step before investing in a full program design.

**Recommendation 2.4: Explore ways the Council can play a more active role in the Exempted Fishing Permit (EFP) process**

EFPs are valuable tools for testing new gear types, evaluating management strategies, and collecting data to improve assessments. Councils are typically briefed on EFP applications at public meetings and provide advisory recommendations for approval, modification, or disapproval.

In some regions, EFPs have been used effectively to fill key data gaps and pilot management measures before formal Council actions are developed, saving time overall by piloting an idea first and having additional science to inform a decision. The Gulf Council could similarly leverage EFPs to address specific research or management needs in a more timely and flexible way. Enhanced collaboration among the Council, SEFSC, SERO, and academic partners can strengthen cooperative research and increase the applicability of EFP results for improved management decisions. A more engaged Council role in the EFP process can therefore enhance both efficiency and the scientific foundation of management actions.

## 5.3 Collaboration, Cooperation and Communication Best Practices

While this review revealed numerous concrete tools that have helped Councils more nimbly bring new information to the Council table, many Council and NMFS Fisheries staff alike noted the importance of so-called "softer" strategies for standardizing strategies, strengthening relationships, and operationalizing new data streams. Below are eight recommendations regarding collaboration, cooperation and communication that may be particularly valuable for increasing Gulf Council efficiency.

**Recommendation 3.1: Update the Gulf Council's ROA with NMFS (including SERO, SEFSC, and the Office of General Counsel) to better serve as an action planning and coordination tool.**

The current Gulf ROA, last updated in 2016, does specify the roles and responsibilities of Gulf Council and NMFS staff for various stages of an action. However, updating the ROA to provide greater specificity in staff leads (i.e., individual staff members) and development of a detailed Action Planning process akin to that developed in the North Pacific would help to reduce bottlenecks and streamline the document preparation and review process both prior to and after Council action.

**Recommendation 3.2: Implement annual coordination/strategy meetings between Gulf Council and NMFS (SERO, SEFSC, and potentially Office of General Counsel) staff**

Related to Recommendation 3.1, several regions organize annual (in-person) or virtual meetings between staff members at Councils and NMFS. These meetings, separate from more routine action-oriented correspondence, can provide staff members with an opportunity to discuss roles, concerns, and working relationships more generally and explore approaches to collaboration and information-sharing that could improve efficiency in the long-term.

**Recommendation 3.3: Explore strategies to grant Gulf Council staff to federal databases**

During this review, access to data emerged as a critical issue across many regions. Council staffs being able to directly pull data from a broad suite of federal databases was seen as a key efficiency. For example, direct data access meant that Council staff could quickly conduct analyses and assess any new information that necessitated rapid management response in near-real time. The burdens of data requests are likely to be amplified given ongoing NMFS staffing reductions, making this direct access to data all the more urgent.

**Recommendation 3.4: Provision of annual data updates by SEFSC to the Gulf Council in off-assessment years**

Given the current limitations in stock assessment capacity and frequency in the Southeast, the Gulf Council and SSC may become increasingly reliant on non-assessment data sources such as catch-at-age information or survey indices for informing management measures. Standardized, annual summaries of such data sources are provided by NOAA Fisheries Science Center staff in other regions in such a format that enables quick comparison with previous years and a determination of potential changes that may warrant consideration during the specifications process. It is likely that much of this data is already provided to the Gulf Council; however, standardizing the timing and format of this information on a species-by-species basis could facilitate more rapid response.

**Recommendation 3.5: Develop Fishery Performance Reports for priority species**

Annual Fishery Performance Reports developed by Advisory Panel members can serve as a stakeholder-generated analog of the annual data updates mentioned in Recommendation 3.4. They provide a standardized snapshot of on the water observations that can readily be interpreted by Council staff, SSC members, and the Gulf Council for consideration as to whether a management response is warranted. As described in Section 2.2, the priority species for this initiative were selected because of their often needing more rapid updates to best manage. As a result, applying the FPR approach to these species would be an effective test case to evaluate whether they would be of value to Gulf management.

**Recommendation 3.6: Expand use of SSC subgroups to dive deep into high-priority issues**

Other SSCs have used subgroups to achieve significant time savings and leverage the specific expertise of individual SSC members. The Gulf Council may want to consider whether actions pertaining to any of the priority species warrant establish of an SSC subgroup, which could accelerate the process by which the full SSC can recommend management measures to the full Gulf Council.

**Recommendation 3.7: Expanded AP interaction with SSC/Gulf Council**

There are potentially small adjustments that the Gulf Council could make—again, perhaps focusing on priority species—to increase cross-pollination between stakeholders on APs and members of both the SSC and the full Gulf Council, ensuring that the latter two groups can consider recent on-the-water information. One approach could be scheduling an AP meeting to occur concurrently with the Gulf Council meeting such that AP members could be present at the portion of the Council meeting relevant to the panel. This approach has improved dialogue in other contexts (e.g., the Pacific) and in some cases even led to management considerations/adjustments in real-time. A secondary option, employed by the MAFMC, would be to designate two SSC members as biology/assessment and socioeconomic leads for a given species, respectively. These individuals would then attend AP meetings for that species to hear stakeholder perspectives and help streamline the deliberation and decision-making process at the full SSC (akin to Recommendation 3.6)

**Recommendation 3.8: Explore of use of "incorporation by reference" to living online references in analytical documents**

While not fully employed by other Councils, to streamline analytical documents, the Gulf Council may want to consider incorporating by reference online versions of the "Description of the Affected Environment" sections for specific FMPs. This section does not tend to change significantly from action

to action and can add significant length and complexity to documents when they go out for public review. The online versions of this section for each FMP could be updated regularly as new information arises. Hosting these descriptions online would improve the readability of the documents and reduce staff preparation and review time, likely increasing both efficiency and transparency. The NEFMC has included Stock Assessment and Fishery Evaluation (SAFE) Report pages for each FMP in the last few years.[115] Key documents about the fishery are posted here that summarize the BSIA for each species in the FMP. Recent NEFMC actions seem to be referencing these pages and documents rather than including the SAFE reports within the Council action. This is a form of incorporation by reference identified, but additional coordination and discussion could further efforts like that to develop more living documents that can be updated outside of Council documents and incorporated by reference.

### 5.4 Suggested Strategy for Prioritization of next steps

No specific performance metrics were identified across Councils for evaluating the effectiveness of different approaches in improving efficiency and responsiveness. However, staff from various regions shared qualitative perspectives on effectiveness related to preventing overfishing, reducing document length and analytical burden, and improving public acceptance.

As the Gulf Council considers how to prioritize and further explore potential streamlining measures, several candidate evaluation metrics are proposed for consideration. These metrics capture key factors relevant to determining whether management approaches are realistic and practical to operationalize:

1. Data Needs – Frequency, types, and quality of data required; analytical tools and models needed to support the management system under consideration.
2. Time and Resources – Types and availability of staff; adequacy of internal capacity or potential for external contracting; number, type, and sequencing of meetings required.
3. Transparency and Communication – Opportunities for public input; tools needed to translate and communicate new approaches to stakeholders; mechanisms to support understanding and uptake.
4. Efficiency and Responsiveness – Applicable NEPA vehicle; level of rulemaking required; estimated timeline for development and implementation; extent to which new information is incorporated into decisions.

Because many of these factors are not easily quantified, a qualitative scoring approach may be appropriate. For example, staff could assign a score of 1–3 or 1–5, with lower scores reflecting weaker performance and higher scores indicating stronger performance. Cumulative or comparative scores could then be used to identify management tools that warrant further evaluation or investment. Figures like below could support this process by visually summarizing relative strengths and weaknesses of different approaches (Figure 12). The Gulf Council may wish to refine these candidate metrics to reflect the indicators most relevant to its regional context and strategic priorities.

[115] Example of a SAFE page for a NEFMC FMP, in this case the Monkfish fishery: https://www.nefmc.org/library/monkfish-safe-report.

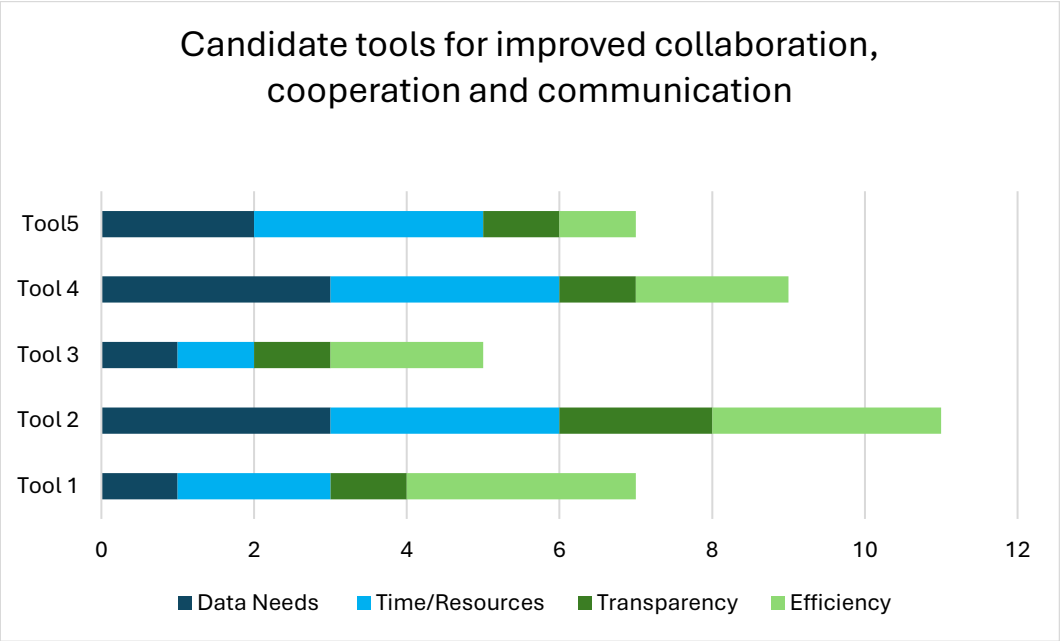



FIGURE 12 - EXAMPLE OF COMPARATIVE TOOL TO SUPPORT EVALUATION OF TRADEOFFS FOR CANDIDATE MANAGEMENT STRATEGIES TO IMPROVE EFFICIENCY

## APPENDIX I. Questionnaire Instrument

This short, voluntary questionnaire was distributed to approximately 160 individuals (RMFC staff, SSC members, and NMFS staff) in early August 2025 to assess their views on the challenges to and potential approaches for more efficiently incorporating new information into the management process. A total of 50 individuals completed and submitted the questionnaire.


# Gulf Council Regulatory Process Review Questionnaire

Welcome to the Gulf Council's Regulatory Process Review Questionnaire! This short questionnaire is intended to help the Gulf Council learn about how other regional fishery management councils (councils) are addressing the challenge of more efficiently incorporating new scientific information into the regulatory process and ensuring the timely response of management to fishery changes. Findings from this effort will be included in a final report to be made available later this year, which should be a helpful tool for all councils.

This questionnaire should take less than 15 minutes to complete. While the questionnaire is anonymous, we encourage you to share your name and contact information at the end of the survey for future followup. Nothing in the final report will be attributed to any individual. We ask that you complete the questionnaire by no later than **Wednesday, August 20**; however, if you need more time to complete it please reach out to us at wgoldsmith@pelagicstrategies.com and dboelke@fisheriesinsightnetwork.com.

Which of the following best describes your role(s) in the fishery management process? (Select all that apply)

- [ ] Fisheries scientist or analyst
- [ ] Fishery manager
- [ ] Other: _____

Which of the following best describes your affiliation?

- ○ Regional Fishery Management Council
- ○ NOAA Fisheries Regional Office
- ○ NOAA Fisheries Science Center
- ○ Other: _____

In which region(s) are you most familiar with fisheries management in the U.S.? (Select all that apply)

- [ ] New England
- [ ] Mid-Atlantic
- [ ] South Atlantic
- [ ] Gulf
- [ ] Caribbean
- [ ] Western Pacific
- [ ] Pacific
- [ ] North Pacific
- [ ] All of the above (national scope)
- [ ] Other: _____

*The following open-ended questions are intended to help the Gulf Council learn more about the specific challenges and potential solutions for improving regulatory efficiency in your region. Feel free to answer each using bullet points or a few sentences (links to relevant resources are welcome as well).*

In your experience, which of the following present the biggest challenge(s) to more efficiently incorporating new information into the management process? (Select all that apply)

- [ ] Time lags associated with new science/data collection/processing and analysis
- [ ] The length of the council process from receiving new information to making a recommended change
- [ ] The time it takes for final implementation/publication of a final rule after a recommendation is transmitted from a council to NOAA Fisheries
- [ ] NEPA considerations/the need to balance efficiency with transparency (public comment opportunities, etc.)
- [ ] Other legal considerations (MSA, ESA, MMPA, etc.)
- [ ] Limited resources at the Council and/or NOAA Fisheries levels
- [ ] Other: _____

If you have additional details on the biggest challenges to improving the responsiveness of management that you indicated above, please include them below.

Your answer

Are there particular approaches/strategies that have been implemented or are being considered in your region to improve the responsiveness of management to changes on the water? Has the council (or councils) with which you are associated used any unconventional or streamlined approaches to implement regulatory actions more efficiently? If so, please briefly describe the approach and relevant fishery(ies) below.

Your answer

Have the approaches that you described in the above question been effective in improving timeliness and efficiency?

Your answer

The Gulf Council is particularly interested in approaches that have **automated** the process of developing/implementing new measures based on new scientific information. Are you aware of any such efforts to do so in your region?

Your answer

The Gulf Council is interested in evaluating the tradeoffs related to **efficiency** and **transparency**; did the more timely approaches/strategies used in your region have any impacts on transparency?

Your answer

Is there anything else you think the Gulf Council should consider as it weighs potential strategies for improving the responsiveness of management? If so, please describe below.

Your answer

*Thank you for taking the time to participate in this questionnaire! If you would be willing to further discuss your experience with regional councils' regulatory processes and potential strategies for more efficiently incorporating new information into management, please share your name and email below.*

Name

Your answer

Email address

Your answer

Submit Clear form

# APPENDIX II. Semi-Structured Interview Questions

Consultants conducted semi-structured 45-minute interviews with 24 individuals (a combination of SSC members, Council staff, and NMFS staff) during August-September 2025 to gather feedback on challenges, needs, tradeoffs, lessons learned and best practices for more efficiently incorporating new scientific information into the management process. Interviews generally adhered to the following series of pre-defined questions.

1. Name, affiliation, region, role in management [add disclaimer that we will not attribute any comments to any individual, etc.]

2. In your experience, what are the biggest challenge(s) to more efficiently incorporating new information into the Council management process? [From questionnaire]
    - [If they filled out questionnaire, they already answered this – please elaborate - dive into specific examples]
    - [If not, here are some possibilities from questionnaire; are there one or two that rise to the top?
        - Time lags associated with new science/data collection/processing and analysis
        - The length of the council process from receiving new information to making a recommended change
        - The time it takes for final implementation/publication of a final rule after a recommendation is transmitted from a council to NMFS
        - NEPA considerations/the need to balance efficiency with transparency (public comment opportunities, etc.)
        - Other legal considerations (MSA, ESA, MMPA, etc.)
        - Limited resources at the Council and/or NMFS levels]

3. Has there been any analysis of the timing for the development and implementation of management actions in response to new information in your region or nationally?
    - If yes, in a format you can share? Where can we find it?
    - For councils: Does your Statement of Organization, Practices, and Procedures (SOPP) describe how the regulatory process works in your region, and is it available online? Other operational procedures documented?

4. Are there certain approaches or tools that have been developed in your region to improve the timeliness and throughput of new data or scientific products? [From questionnaire]
    - If they filled out the questionnaire, ask for more details: Tell us the story.
        - What was the impetus for initiating the approach(es)?
        - What data inputs are required, and what is the timeline for completing the process?
        - What obstacles/challenges have you all encountered in conceiving/implementing this approach?
        - Are there particular metrics you are using to track success?

        - Can you speak to any tradeoffs you have had to address–for example, between efficiency and transparency (NEPA considerations)–in developing this new approach?
        - What has the reception been from stakeholders to this new approach?
        - Any specific mechanisms for incorporating on the water observations into assessments and/or management?
        - Has your region explored automating processes to more efficiently implement management actions?
    - If not ask again

5. The Gulf Council is interested in evaluating the tradeoffs **related to efficiency and transparency;** did the timelier approaches/strategies used in your region have any impacts on transparency? Have you observed any drawbacks? Specifically related to opportunities for public input? [From questionnaire]

6. In a resource-limited environment, how are you and your colleagues working to address this challenge? Are there any outside-the-box approaches you're considering? Do you expect any changes moving forward in terms of time lags or other impacts of reduced budgets? Any changes for assessments or regulatory review of management actions on the horizon?