



NOAA
FISHERIES

Tab A, No. 9(b)

NOAA Fisheries

**Equity and
Environmental
Justice Strategy**

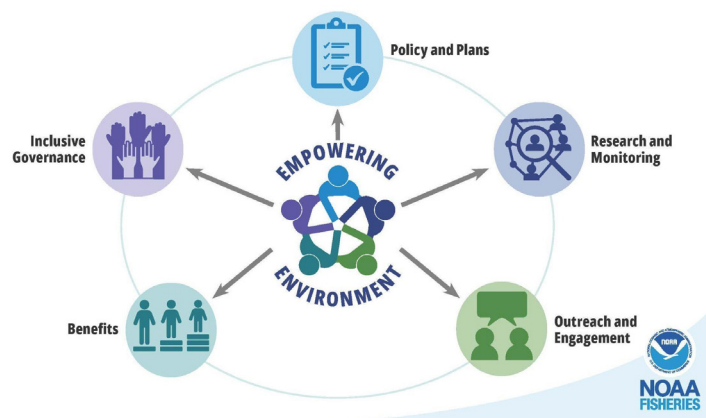
Executive Summary

NOAA Fisheries is responsible for managing the nation’s ocean resources and habitats. We use the best science available to make fisheries sustainable and productive, provide safe seafood, conserve protected resources, and maintain healthy ecosystems. It is our goal to make these services available to everyone, such that no community¹ is underserved. This document outlines NOAA Fisheries’ strategy for incorporating equity and environmental justice (EEJ) into everything we do, and in ways that are consistent with applicable laws and availability of appropriations.²

Equity is the fair treatment of all individuals, taking into account that not everyone has been treated fairly. Environmental justice is equity applied to environmental laws, policies, and practices. The Federal Government recognizes that barriers to equity have left many communities underserved, and they are often the most vulnerable to environmental issues, such as climate change. Recognizing that not all communities have had equal access to NOAA Fisheries’ services, we identified three overarching goals to move us closer to EEJ for all:

- Prioritize identification, equitable treatment, and meaningful involvement of underserved communities;
- Provide equitable delivery of services; and
- Prioritize EEJ in our mission work with demonstrable progress.

To reach those goals we identified six core areas where we can improve. We created this strategy using input from NOAA Fisheries staff and the public. We will continue to engage with communities, and underserved communities in particular, to implement this strategy at regional and programmatic levels. There is much to do, and we are committed to advancing EEJ at NOAA Fisheries.



¹ For the purposes of this document, “communities” are groups of individuals, representatives from organizations or interest groups, or governmental entities that have a strong interest in or are affected by NOAA Fisheries’ work and policies.

² This strategy must be implemented consistent with applicable laws and subject to the availability of appropriations. Further, the EEJ strategy is not intended to, and does not create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Table of Contents

Equity and Environmental Justice Strategy	1
Executive Summary	2
Table of Contents	3
List of Acronyms	4
Definitions	5
Introduction	6
NOAA Fisheries’ Stewardship Mission	7
Policy Mandates for Equity and Environmental Justice	7
Barriers to Equity and Environmental Justice	9
NOAA Fisheries’ Approach to EEJ	11
Empowering Environment	12
Policy and Plans	15
Research and Monitoring	17
Outreach and Engagement	20
Benefits	25
Inclusive Governance	27
Appendix 1: Synthesis of Public Input	31
Synthesis of Public Comments	31
Appendix 2: NOAA Fisheries Authorities and EEJ	38

List of Acronyms

CERCLA: Comprehensive Environmental Response, Compensation and Liability Act

DOC: Department of Commerce

EEJ: Equity and Environmental Justice

EO: Executive Order

ESA: Endangered Species Act

HMS: Highly Migratory Species

IN FISH!: Inclusive NOAA Fisheries Internship Program

LGBTQ+: Lesbian, Gay, Bisexual, Transgender, Queer, and Others

IK: Indigenous Knowledge

MMPA: Marine Mammal Protection Act

MREP: Marine Resource Education Program

MSA: Magnuson-Stevens Fishery Conservation and Management Act

NCBO: NOAA Chesapeake Bay Office

NEPA: National Environmental Policy Act

NMFS: National Marine Fisheries Service

NOAA: National Oceanic and Atmospheric Administration

NOAA Fisheries: NOAA's National Marine Fisheries Service

OHC: Office of Habitat Conservation

OPA: Oil Pollution Act

Definitions

NOAA Fisheries acknowledges that the following definitions and principles are not static and that NOAA Fisheries' organizational knowledge continues to develop. We are committed to the ongoing assessment and evolution of NOAA Fisheries' understanding of EEJ.

Environmental justice^{3,4,5} is the fair treatment and meaningful involvement of all people, regardless of race, color, gender, sexual orientation, national origin, tribal affiliation, religion, disability, or income during the development, implementation, and enforcement of environmental laws, regulations, and policies, including but not limited to:

- Equitable protection from environmental and health hazards;
- Equitable access to a healthy, sustainable, and resilient environment in which to live, play, work, learn, grow, worship, and engage in cultural and subsistence practices; and
- Equitable opportunity and access to decision-making processes for underserved communities.

*Equity*⁶ is the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment.

*Meaningful involvement*⁷ means:

- Communities have an opportunity to participate in decisions about activities that may affect their environment and/or health;
- The communities' contribution will inform NOAA Fisheries' decisions;
- Community concerns will be considered in the decision-making process; and
- Decision-makers will seek out and facilitate the involvement of those potentially affected.

*Public*⁸ is the general population of the United States. Many segments of "the public" may have a particular interest in, or may be affected by, NOAA Fisheries programs and decisions.

*Communities*⁹, for the purposes of this document, are groups of individuals, representatives from organizations or interest groups, or governmental entities that have a strong interest in or are affected by NOAA Fisheries' work and policies.

*Underserved communities*¹⁰ refers to communities that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life. These include geographic communities as well as populations sharing a particular characteristic, history, or identity. Adapting EOs 13985 and 14091, these groups could include but

³ Adapted from the [Environmental Protection Agency's](#) definition and [EO 14096](#).

⁴ Informed by [First National People of Color Environmental Leadership Summit Principles of Environmental Justice](#).

⁵ Informed by Bennett et al., 2021. Blue growth and blue justice: Ten risks and solutions for the ocean economy. *Marine Policy*, 125.

⁶ As defined by [EO 13985](#) and [EO 14091](#).

⁷ Adapted from the [Environmental Protection Agency's](#) definition.

⁸ Adapted from the [Environmental Protection Agency's](#) definition.

⁹ NOAA Fisheries notes that it works closely with other governmental entities (e.g., tribes, states, and territories) who are important and valuable partners and also included in this definition of communities.

¹⁰ As defined by [EO 13985](#).

are not limited to: women and girls; Black, Latino, and Indigenous and Native American persons,¹¹ Asian Americans and Pacific Islanders, and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, queer, and other (LGBTQ+) persons; persons with disabilities; persons who live in rural or urban areas; and persons otherwise adversely affected by persistent poverty or inequality. Specific to the fisheries context, underserved groups within fishing communities may include, for example, subsistence fishery participants and their dependents, fishing vessel crews, and fish processor and distribution workers. Finally, territorial and commonwealth communities in American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands may also be categorized as underserved. Underserved communities vary by region, and by the barriers they face. Furthermore, many of these community categories intersect. Hence identification of and meaningful involvement with underserved communities will be regionally specific and an ongoing process that will require long-term commitment.

Climate change is the long-term shift in oceanic and atmospheric conditions, resulting in increased temperature, heat waves, sea level rise, and changes in weather patterns like drought, flood, and storm frequency/duration. Climate justice seeks to protect the rights of those most vulnerable to the effects of climate change. EO 14008 recognizes that climate change places additional environmental, economic, and social burdens on disadvantaged communities that have been historically marginalized and overburdened.

*Recognitional justice*¹² is the acknowledgement of and respect for pre-existing governance arrangements as well as the distinct rights, worldviews, knowledge, needs, livelihoods, histories, and cultures of different groups in decisions.

*Procedural justice*¹³ is the level of participation and inclusiveness of decision-making and the quality of governance processes.

Introduction

NOAA Fisheries¹⁴ endeavors to equitably serve all communities in our stewardship of the nation's ocean resources and their habitat. To accomplish this mission, we need to incorporate and prioritize equity and environmental justice (EEJ) in all of our ongoing and future activities, to the extent consistent with existing applicable law. This strategy provides guidance for doing so, with an emphasis on identifying and engaging underserved communities. It is the result of guidance from recent Executive Orders (EOs), the Department of Commerce's Equity Action Plan, NOAA's Climate Council, and NOAA Fisheries leadership, as well as enthusiastic staff participation and a clear and growing need expressed by the communities we serve.

In 2021, NOAA Fisheries convened an EEJ Working Group to improve information sharing, coordinate internal expertise, and develop this strategy. The strategy development included a multi-year iterative process to ask the public and communities we serve for their advice (see Appendix 1). We held several virtual and in-person meetings, solicited comments via our website, and provided presentations at engagement events. We received input from individuals and

¹¹ The U.S. Federal Government has specific guidelines for relationships with federally recognized tribes. This Equity and Environmental Justice Strategy does not revise or impact that responsibility in any way. See [Executive Order 13175](#) (Consultation and Coordination With Indian Tribal Governments), which directs federal agencies to "have an accountable process to ensure meaningful and timely input by Tribal officials in the development of regulatory policies that have Tribal implications." See also [NOAA Procedures for Government-to-Government Consultation with Federally Recognized Indian Tribes and Alaska Native Corporations](#), which guides NOAA Fisheries' work with federally recognized tribes.

¹² Informed by Bennett et al., 2021. Blue growth and blue justice: Ten risks and solutions for the ocean economy. Marine Policy, 125.

¹³ Informed by Bennett et al., 2021. Blue growth and blue justice: Ten risks and solutions for the ocean economy. Marine Policy, 125.

¹⁴ Known informally as NOAA Fisheries, the official name of the agency in legislation and regulations is the National Marine Fisheries Service (NMFS).

organizations representing fishing, aquaculture, and seafood processing sectors; tribal governments; state and territory governments; commercial, subsistence, recreational, and artisanal fishermen; non-governmental organizations; regional fishery management councils and advisory bodies; living marine resource consumers; academics; other federal agencies; and other members of the public. We learned that while NOAA Fisheries' work has incorporated elements of EEJ and made some improvements, our efforts to date have not been coordinated and have not always met the scope, magnitude, and duration of the challenges facing underserved communities, and some shared that our policies and actions may have contributed to current inequities and injustices. This strategy will guide us to identify and address challenges moving forward.

EEJ is a cross-cutting issue that impacts everything we do and intersects with other NOAA Fisheries priorities such as diversity and inclusion within our workforce.¹⁵ While EEJ is primarily focused on delivering equitable services to the communities we serve, successful implementation of this strategy will depend, in part, on continued progress toward creating a diverse and inclusive NOAA Fisheries workforce.

NOAA identifies climate change as an EEJ issue because its impacts are unevenly experienced across the nation. Long-standing socioeconomic inequities can make underserved communities, who often have the highest exposure to hazards and the fewest resources to respond, more vulnerable. Fishing communities may be especially vulnerable to sea level rise, increased storm events, displacement, accumulated effects from multiple disasters, loss of catch abundance and diversity, and the resulting impacts to their local economy.¹⁶

Implementation of this strategy requires the participation of the entire NOAA Fisheries workforce, across all program offices, regional offices, and science centers. Detailed activities will be outlined in implementation plans. While there is much we can do with existing staffing and resources, additional funds or resources would be needed over time to monitor and make significant progress toward many of the EEJ goals and objectives outlined in this strategy. This will take time and adaptation. NOAA Fisheries is committed to working with all of our communities to serve them in a more equitable and environmentally just manner.

NOAA Fisheries' Stewardship Mission

NOAA Fisheries is responsible for the stewardship of the nation's ocean resources and their habitats. Backed by robust science, NOAA Fisheries provides vital services for the nation, including ensuring productive and sustainable fisheries, safe sources of seafood, conservation and recovery of protected resources, and ecosystem protection and restoration. NOAA Fisheries' work directly impacts the economic opportunities, health, and environment of many communities—including underserved communities.

Policy Mandates for Equity and Environmental Justice

Government programs and policies can play a large role in advancing environmental justice and the equitable distribution of benefits to individuals, families, businesses, and communities. Recognizing this, federal agencies are evaluating their approach to providing services so that the needs of underserved communities are included. This has been further encouraged and specified by EOs that have been issued to promote EEJ within the Federal Government.

¹⁵ As described in the [NOAA Fisheries Diversity and Inclusion Strategic Plan](#).

¹⁶ As described in the [NOAA Fisheries' Climate Science Strategy Five Year Progress Report \(2021\)](#).

Signed in 2023, [EO 14096](#) (Revitalizing Our Nation's Commitment to Environmental Justice for All) advances environmental justice for all through

meaningful engagement and collaboration with underserved and overburdened communities to address the adverse [environmental] conditions they experience and ensure they do not face additional disproportionate burdens or underinvestment.

Also signed in 2023, [EO 14091](#) (Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government) extends and strengthens equity-advancing requirements for agencies to

advance an ambitious, whole-of-government approach to racial equity and support for underserved communities and to continuously embed equity into all aspects of Federal decision-making.

Signed in 2021, [EO 13985](#) (Advancing Racial Equity and Support for Underserved Communities Through the Federal Government) states

...the Federal Government should pursue a comprehensive approach to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. Affirmatively advancing equity, civil rights, racial justice, and equal opportunity is the responsibility of the whole of our Government. Because advancing equity requires a systematic approach to embedding fairness in decision-making processes, executive departments and agencies (agencies) must recognize and work to redress inequities in their policies and programs that serve as barriers to equal opportunity.

Also signed in 2021, [EO 14008](#) (*Tackling the Climate Crisis at Home and Abroad*) directs federal agencies to

make achieving environmental justice part of their missions by developing programs, policies, and activities to address the disproportionately high and adverse human health, environmental, climate-related and other cumulative impacts on disadvantaged communities, as well as the accompanying economic challenges of such impacts.

The White House Environmental Justice Advisory Council was established under Executive Order 14008. The EJ Advisory Council recommends that each agency create an EJ Scorecard to track regulatory impacts on and benefits to disadvantaged communities. EJ Scorecard recommendations include: evaluating access to and distribution of benefits; tracking federal funding; establishing iterative and bidirectional feedback; engaging agency staff; documenting potential burdens; and identifying short- and long-term goals.

[EO 12898](#) (*Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations*), signed in 1994, directs each federal agency, “[t]o the greatest extent practicable and permitted by law...” to identify and address, as appropriate, the disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations.

The Department of Commerce Equity Action Plan (2022) lays the foundation for programming and policies that will reach a larger and more diverse audience and address key barriers to economic success for historically underserved communities. The goals of the plan include: making services, science, and data more accessible to underserved communities; ensuring that benefits and funding advance racial equity and support underserved communities; and providing economic opportunities for underserved communities by institutionalizing equity in the long term. These goals require systems to collect quantitative and qualitative data to measure progress on equity and a more diverse, inclusive, equitable, and accessible workplace.

The [2012 Department of Commerce \(DOC\) Environmental Justice Strategy](#) notes that, as the custodian of extensive environmental data, NOAA is uniquely equipped to assess “the potential ... disproportionate and adverse environmental impacts on low-income and minority populations.” In addition, it notes that NOAA Fisheries studies the impact of climate change on NOAA Fisheries’ trust resources, including fisheries, ESA and MMPA species, and their associated habitats. NOAA Fisheries has key data resources for understanding how those climate-induced changes to our resources will specifically impact underserved/minority/tribal populations. The DOC Environmental Justice Strategy (2012) outlined the following “Guiding Environmental Justice Principles”:

- The public should be afforded meaningful opportunities to participate in the formulation, design and execution of Departmental programs, policies and activities.
- Tribes should, on a government-to-government basis, be afforded regular and meaningful consultation and collaboration opportunities in the development of Department policies that have Tribal implications (see Executive Order 13175).
- All populations should share in (and are not excluded from) benefits of Departmental programs, policies and activities affecting human health or the environment.
- No populations should be affected in a disproportionately high and adverse manner by agency programs, policies or activities affecting human health or the environment.
- The Department will engage in environmental justice activities in a transparent and accountable manner.

In addition to these policy mandates, EEJ is also encouraged and prioritized under a number of federal statutes that govern NOAA Fisheries’ work with some underserved communities (described in detail in Appendix 2). Provisions of these laws either explicitly encourage EEJ or allow NOAA Fisheries to address EEJ at our discretion in conformance with our existing authorities in our planning, policies, and regulations as we fulfill our conservation and management mandates. NOAA Fisheries strives to make decision-making processes accessible and transparent to communities such that they can understand and engage in federal decisions that could impact them.

Barriers to Equity and Environmental Justice

As stewards of the nation’s ocean resources and habitats, NOAA Fisheries’ work affects underserved communities dependent on marine ecosystems for environmental, economic, social, and cultural well-being. Underserved communities experience barriers to fair treatment and meaningful involvement in NOAA Fisheries’ work, some of which stem from our own policies and practices. The barriers faced by underserved communities are often interrelated but vary by community history, characteristics, and need. Below, we have identified some common barriers but acknowledge there are likely many more.

1. Unawareness of underserved communities

The first barrier to EEJ within NOAA Fisheries is that we have not fully identified the underserved communities that are impacted by our work. This affects those whom NOAA Fisheries serves, who are engaged in communications, who research and monitoring programs are tailored for, who are impacted by management decisions, and who receive services. Without recognition of underserved communities, their needs cannot be documented or addressed.

2. Structural barriers

Underserved communities may face structural barriers (e.g., laws, regulations, and policies) that impact equitable access to resources and/or NOAA Fisheries services. For example, criteria for allocation of resources may be based on historical ownership or access, creating services for the largest number of people, or generating the greatest net benefits, which may exclude underserved communities. Inequitable political representation can also lead to marginalization of communities, such as those in U.S. territories. In addition, some territorial residents may be excluded from grant and scholarship opportunities because they are not recognized as U.S. citizens.

3. Barriers to engagement and accessing services

Underserved communities can experience barriers to engaging in and accessing NOAA Fisheries' services due to disabilities and cultural and language differences. Many underserved communities are geographically isolated, and the capability to attend NOAA meetings may be prohibitive due to venues, times, travel costs, and family responsibilities. Virtual and hybrid meetings have increased meeting accessibility for many, but limitations in internet access in some communities still perpetuates access barriers. Such impediments may be further complicated by climate change, wherein storm events or other natural disasters impede access directly or disable the infrastructure used to access services, such as roads and the internet. Furthermore, mandates, protocols, and meeting dynamics may feel unwelcoming; follow unfamiliar norms and procedures; not include language translation and interpretation where appropriate; and be counter to cultural decision-making, allocation, and resource use practices of some underserved communities. For example, some underserved communities, such as indigenous or Native American societies, prioritize equity, the sharing of resources, and preservation for future generations, which can be at odds with Western management strategies. In addition, institutional distrust can serve as a barrier to engagement and access by underserved communities who may have experienced generations of inequitable treatment and harm by government agencies.

4. System complexity

The complexity of accessing and understanding federal services and the system can inhibit inclusion of communities, especially those who have not previously received such services. Application systems for grants or permits may be difficult to navigate and require specialized knowledge. The development of fishery regulations through the regional fishery management councils can be complex and take considerable time; it can be challenging for underserved communities to meaningfully engage in the process. Additionally the fisheries science and management system has not incorporated indigenous knowledge (IK)¹⁷ into this process, which could perpetuate distrust of an already complex and daunting system.¹⁸

5. Gaps in expertise

Our ability to identify, characterize, assess impacts, and serve all communities equitably requires prioritizing research conducted by, and staff capacity of, anthropologists, sociologists, geographers, economists, and interdisciplinary social scientists, who are limited in number. Similarly, the number of education and outreach staff is limited and they do not have the resources to engage with all communities on all issues. Other barriers to engagement and trust building with underserved communities include gaps in staff with cultural and language literacy that are located in or closer to underserved communities. Not only is more engagement needed, but staff also could benefit from listening and learning

¹⁷[Guidance for Federal Departments and Agencies on Indigenous Knowledge](#) provided by the White House.

¹⁸ Guidance for including IK into federal decision making is provided by the [Office of Science and Technology Policy and Council on Environmental Quality Memorandum on Indigenous Traditional Ecological Knowledge and Federal Decision Making](#) and [NOAA Fisheries and National Ocean Service Guidance and Best Practices for Engaging and Incorporating Traditional Ecological Knowledge in Decision-Making](#).

from underserved communities and potentially making use of their expertise and IK. In addition, there is the potential that underserved communities may not have the expertise needed to take part in the complex scientific, economic, and legal considerations of the fishery management process.

6. Gaps in representation

Underserved communities are not well represented in the NOAA Fisheries workforce, leading to the lack of awareness discussed above and crucial gaps in perspectives. Staff may unconsciously prioritize their own communities because of familiarity, easy access, and pre-existing communication paths. Similarly, while we do not collect demographic data, underserved communities seem to be underrepresented on regional fishery management councils and other committees and advisory bodies that provide recommendations to NOAA Fisheries.

NOAA Fisheries’ Approach to EEJ

To address the barriers faced by underserved communities, NOAA Fisheries developed a framework that includes overarching goals and a series of both short- and long-term actions spread across the six EEJ core areas and objectives to achieve those goals (Table 1). These goals and objectives interact to create the capacity and accountability processes necessary to advance EEJ within the agency, as encouraged in the DOC Equity Action Plan.

Table 1. NOAA Fisheries’ three overarching goals and six core areas and objectives

NOAA Fisheries’ Equity and Environmental Justice Goals				
Prioritize identification, equitable treatment, and meaningful involvement of underserved communities.	Provide equitable delivery of services.	Prioritize EEJ in our mission work with demonstrable progress.		
Core Areas and Objectives				
<p>Empowering Environment: Provide the institutional support, including training and resources, needed to implement multiple EEJ approaches at NOAA Fisheries. Internal leadership and management will identify EEJ as priorities and encourage staff to consider EEJ in every aspect of their work.</p>				
<p>Policy and Plans: Ensure that our policies promote equal opportunities for all and do not create unintended inequities or unequal burdens for underserved communities.</p>	<p>Research and Monitoring: Identify underserved communities and their needs, conduct collaborative research, and assess impacts of management decisions.</p>	<p>Outreach and Engagement: Build relationships with underserved communities to better understand their engagement preferences, and improve information sharing with all communities.</p>	<p>Benefits: Distribute benefits equitably among communities by increasing the access to opportunities for underserved communities.</p>	<p>Inclusive Governance: Enable the meaningful involvement of underserved communities in decision-making processes.</p>

To achieve these goals and objectives, each geographic region (e.g., Southeast, Pacific Islands, etc.) and national program (e.g., Office of Protected Resources, Office of Habitat Conservation, etc.) will create an EEJ implementation plan that is consistent with applicable law, specific and responsive to the needs of underserved communities, and allows for their input. Each program, science center, and regional office will set EEJ as Priority Areas or milestones in annual strategic planning starting in 2023. National program offices will coordinate with regional offices and science centers to establish ownership for shared goals. Implementation plans will include metrics describing activities that incorporate or advance EEJ principles, and progress will be publicly reported annually. To track progress toward our goals, NOAA Fisheries will evaluate these annual reports using an EEJ Scorecard that includes the metrics recommended by the White House EJ Advisory Council (e.g., access to and distribution of benefits and funding, feedback from underserved communities, tracking of federal funding, staff engagement, and documentation of regulatory burdens).

In the sections below, we explain each objective and its role in NOAA Fisheries' commitment to EEJ and provide guiding questions to consider when developing regional or programmatic plans for NOAA Fisheries' day-to-day work. Many of these questions demonstrate the need for additional EEJ work in a particular area. These needs are reflected in a summary of short- and long-term actions, metrics, and resources needed to implement each objective (Tables 2–7). The tables are meant to provide a range of examples that could be relevant, however not all will be relevant to each national program or geographic region. While there is much we can do with existing staffing and resources, additional funds or resources would be needed over time to make significant progress toward many of the objectives outlined in this strategy. These EEJ metrics will be updated if further guidance is provided by the White House EJ Advisory Council, DOC, and/or NOAA.

Empowering Environment

Objective: Provide the institutional support, including training and resources, needed to implement multiple EEJ approaches at NOAA Fisheries. Internal leadership and management will identify EEJ as priorities and encourage staff to consider EEJ in every aspect of their work.

Barriers Addressed: Gaps in Expertise, Gaps in Representation

To implement this strategy, it is imperative that leadership and management create an empowering environment. This means identifying EEJ as a priority by enabling employees to meaningfully integrate EEJ considerations into their day-to-day work and supporting this through increasing expertise on EEJ within the NOAA Fisheries workforce. It will also require dedicating adequate long-term staff and resources to achieve the goals of the strategy at both the national and regional levels. An empowering environment will enable NOAA Fisheries to recognize and integrate underserved communities in the decision-making process and ensure fairness in the distribution of benefits and harms of management decisions¹⁹ to the extent consistent with applicable law. As stated by the White House EJ Advisory Council, "Agency and administrative professional culture should encourage and incentivize staff to reflect and share lessons learned." This will also be supported by a multiscale approach including the continued work of the national NOAA Fisheries EEJ Working Group, as well as regional EEJ working groups to develop regionally specific plans.

¹⁹ Informed by Bennett et al., 2021. Blue growth and blue justice: Ten risks and solutions for the ocean economy. Marine Policy, 125.

Basic needs shared across multiple objectives include:

- EEJ training
- Staff time
- Staff expertise
- Community liaisons
- Demographic data collection, analysis, and reporting
- Collaboration with other agencies
- Language translation services

Guiding Questions

- How can NOAA Fisheries’ leadership and workforce better reflect the diversity of the communities we serve?
- How should we diversify the disciplinary expertise necessary for addressing EEJ in our work?
- Are staff given adequate time, resources, training, and guidance to incorporate EEJ into their work?
- What accountability structures does NOAA Fisheries need, e.g., monitoring and evaluation of EEJ metrics and the incorporation of EEJ work into performance plans?
- What data and resources do staff need to identify underserved communities impacted by their work, as well as the training and tools needed to promote EEJ in that work and evaluate the success of EEJ efforts?

Table 2: Empowering Environment: Actions, Metrics, and Resources Needed

Actions	Metrics	Resources Needed
1. Hire a national EEJ coordinator.	<ul style="list-style-type: none"> ● Coordinator hired 	<ul style="list-style-type: none"> ● Leadership support ● Additional funding to hire EEJ coordinator
2. Leadership at every level communicates about EEJ to staff and prioritizes EEJ in NOAA Fisheries strategic plans and annual priorities documents.	<ul style="list-style-type: none"> ● Number of offices with an EEJ milestone ● Percentage of milestones reached 	<ul style="list-style-type: none"> ● Leadership support ● EEJ training
3. At every organizational level, include EEJ collateral duty roles in the performance plans of applicable staff, including time needed for training, relationship building, and metrics for accountability.	<ul style="list-style-type: none"> ● Percentage of applicable staff/contracts with EEJ included in performance plans and work statements ● Distribution of EEJ focused work across pay bands/leadership levels 	<ul style="list-style-type: none"> ● Leadership support ● Suggested performance plan language

Actions	Metrics	Resources Needed
4. Include EEJ collateral duty roles in the performance work statements of contracts with work that interfaces with external audiences, including metrics for accountability.	<ul style="list-style-type: none"> Percentage of applicable contracts with EEJ included in performance work statements 	<ul style="list-style-type: none"> Leadership, project officer, and contracting staff support Suggested language
5. Provide engaging and meaningful training opportunities targeted at staff and leadership to help build a shared understanding of the concepts of EEJ and how to implement these concepts in their work and evaluate the success of EEJ efforts (such as provided via the Environmental Protection Agency’s “Environmental Justice Learning Center”).	<ul style="list-style-type: none"> Number and percentage of staff trained Evaluation of training by participants 	<ul style="list-style-type: none"> EEJ training materials and/or funds for trainer Current staff time
6. Support continuation of the NOAA Fisheries national EEJ Working Group, with representation from each sub-office. The Working Group should continue to meet to share information about successful approaches, collaborate on outreach and inclusion of common constituencies, and guide NOAA Fisheries’ decision-making.	<ul style="list-style-type: none"> Number of offices represented at regular meetings 	<ul style="list-style-type: none"> Staff time
7. Establish Regional/Program EEJ Working Groups.	<ul style="list-style-type: none"> Number of Regional/Program EEJ working groups 	<ul style="list-style-type: none"> Staff time
8. Build internal infrastructure for prioritizing and implementing EEJ across the suite of NOAA Fisheries activities: create “field offices” staffed by liaisons (prioritizing local knowledge, language) to facilitate relationships, public meetings, research (social science, climate and biological), monitoring, etc.	<ul style="list-style-type: none"> Number of field staff with knowledge of local language and culture 	<ul style="list-style-type: none"> Additional funding to hire community liaisons Additional funding to establish field offices EEJ training
9. Provide training on NOAA Fisheries’ EEJ goals, objectives, and implementation for regional fishery management councils and regional and international advisory body members.	<ul style="list-style-type: none"> Number of trainings provided Feedback from trainees on their efficacy 	<ul style="list-style-type: none"> Staff time
10. Provide facilitation training to staff that is specifically focused on interfacing with underserved communities.	<ul style="list-style-type: none"> Number of trainings provided Feedback from trainees on their efficacy 	<ul style="list-style-type: none"> Staff time EEJ training

Actions	Metrics	Resources Needed
11. Mandatory training for all grant reviewers on how to mitigate the types of bias that may disadvantage underserved communities when reviewing applications.	<ul style="list-style-type: none"> Number and percentage of grant reviewers trained 	<ul style="list-style-type: none"> Staff time EEJ training
12. Engage with other federal and state agencies to increase the scope and impact of NOAA Fisheries’ EEJ goals and objectives.	<ul style="list-style-type: none"> Number of EEJ interactions with other agencies 	<ul style="list-style-type: none"> Staff time
13. Hire community liaisons who possess local expertise such as familiarity with cultural protocols and ability to speak the local language.	<ul style="list-style-type: none"> Number of field staff with knowledge of local language and culture 	<ul style="list-style-type: none"> Additional funding to hire community liaisons Additional funding to establish field offices EEJ training

Policy and Plans

Objective: Ensure that our policies promote equal opportunities for all and do not create unintended inequities or unequal burdens for underserved communities.

Barriers Addressed: Structural

NOAA Fisheries issues policies, strategies, and regulations to implement its mission as authorized by, and based on requirements of, laws enacted by Congress. Entrenched and long-standing disparities in public policies have denied equal opportunity to some individuals and communities. To the extent permitted by applicable law, NOAA Fisheries will systematically consider EEJ in policy and planning activities to reduce barriers to inclusion and institutionalize equity for the long term. This includes considering the impacts and responsiveness of NOAA Fisheries’ programs to underserved communities.

Guiding Questions

- How can NOAA Fisheries better include equity for underserved communities in policies and internal guidance?
- How will NOAA Fisheries review existing policies and procedures with EEJ lenses so that they may be refined or revised to achieve more equitable outcomes?
- How can NOAA Fisheries design or revise policies and procedures in a way that ensures that they are helpful and clear to underserved communities?
- How can NOAA Fisheries further incorporate into its policies and procedures relevant language, customs, and IK, consistent with statutory requirements (e.g., best scientific information available standard under MSA)?

Table 3: Policy and Plans: Actions, Metrics, and Resources Needed

Actions	Metrics	Resources Needed
<p>1. Issue guidance on how new NOAA Fisheries policies and plans can consider EEJ objectives and possibly incorporate IK. Guidance could include providing opportunities for engagement of underserved communities during the development process, and monitoring and reporting on EEJ outcomes during the implementation process.</p>	<ul style="list-style-type: none"> ● Percentage of new policies and plans including EEJ objectives ● Percentage of new policies and plans including appropriate ways for EEJ outcomes to be monitored and reported ● Community engagement protocols for underserved communities into policies and plans 	<ul style="list-style-type: none"> ● Staff time ● EEJ training
<p>2. Issue guidance that during the periodic review and updating of each NOAA Fisheries directive in the Policy Directive System, as relevant, the review includes: accessibility (including but not limited to 508 compliance), clear messaging for a broad audience as well as underserved communities impacted by the directive, language, customs, and IK.</p>	<ul style="list-style-type: none"> ● Percentage of applicable PDS directives including EEJ considerations 	<ul style="list-style-type: none"> ● Staff time ● EEJ training
<p>3. For those policies and internal guidance that are not included in the Policy Directive System, conduct a review to determine whether revisions may be necessary to advance EEJ in NOAA Fisheries’ actions and programs.</p>	<ul style="list-style-type: none"> ● Timelines and standards established for conducting regulatory process reviews and addressing EEJ in those processes ● Number of regulatory process reviews completed ● Number of regulatory processes updated based on reviews and measured against pre-established timelines and standards 	<ul style="list-style-type: none"> ● Staff time ● EEJ training
<p>4. Develop programs, policies, and activities to address the disproportionately high and adverse effects of climate change and other cumulative environmental impacts on underserved communities. This includes potential impacts on food security, as well as other economic, social, and cultural impacts.</p>	<ul style="list-style-type: none"> ● Number of programs, policies, and activities that address climate change impacts on underserved communities 	<ul style="list-style-type: none"> ● Staff time ● EEJ training

Research and Monitoring

Objective: Identify underserved communities and their needs, conduct collaborative research, and assess impacts of management decisions.

Barriers Addressed: Unawareness of Underserved Communities; Gaps in Expertise; System Complexity

NOAA Fisheries uses the best scientific data and information available to guide and adapt its management decisions. Research and monitoring encompass the collection and analysis of data in support of NOAA Fisheries' mission across a broad array of biological, oceanographic, ecological, social, cultural, and economic arenas. They inform NOAA Fisheries' understanding of 1) the near- and long-term condition of our coastal and marine ecosystems and 2) the identification, role, and characterization of communities who rely on or interact with those ecosystems.

Research and monitoring are crucial to NOAA Fisheries' EEJ efforts for two main reasons. First, we need social, cultural, and economic (human) research and monitoring to identify and characterize underserved communities and to understand how they are affected by NOAA Fisheries' decisions on resources, livelihoods, culture, food security, etc. Methods to identify underserved communities must be appropriate for a given region, program, or project area. Social scientists could use, but are not limited to, U.S. Census-based mapping tools, site-specific information from regional staff, information from project partners and grantees, and community consultation. Identification of underserved communities and understanding their needs is the first step in achieving our EEJ goals and to address aspects of recognitional justice. Collecting and analyzing demographic information on the individuals participating in, and affected by or benefiting from, NOAA Fisheries' programs and management will also be essential to monitoring our EEJ progress. Any of the above research, monitoring, and data collection would be based on, and consistent with, existing legal authorities.

Second, EEJ requires meaningful involvement of underserved communities in biological (non-human) research and monitoring. Meaningful involvement includes early engagement with underserved communities to identify shared priorities that meet their needs and fulfill NOAA Fisheries' mission. It also includes engagement of underserved communities during data gathering and reporting. NOAA Fisheries must ensure that its findings and resulting documentation are transparent and accessible. For example, NOAA Fisheries partners with coastal communities to identify needs and perform research to understand the impacts of climate change and develop climate resilience plans. Environmental research and monitoring can also provide meaningful employment to coastal communities. Executive Order 14008 seeks to create jobs in coastal communities to mitigate climate change, protect and restore coastal ecosystems (such as wetlands, seagrasses, coral, and oyster reefs and mangrove and kelp forests), protect coastlines, and support biodiversity and fisheries. Such research and monitoring jobs could create more opportunities for women and people of color in occupations where they are underrepresented, such as the sciences.

Guiding Questions

- What research do we need to identify underserved communities and assess their needs?
- How can NOAA Fisheries better engage with underserved communities to identify, co-develop, and co-produce place-based research and monitoring priorities and promote opportunities for citizen science?
- How can we reduce bias in the prioritization of NOAA Fisheries' research to better serve underserved communities?
- How can NOAA Fisheries expand involvement of members of underserved communities in research and monitoring projects while ensuring protection of IK?

- How will NOAA Fisheries more equitably allocate research and monitoring resources to identify and characterize underserved communities, understand their needs, and use findings to effectively guide management decisions that affect them?
- How can NOAA Fisheries more equitably allocate our research and monitoring resources to fisheries, habitat, and protected species science that directly impact underserved communities?
- How can NOAA Fisheries improve our understanding of the impact of our regulatory actions on underserved communities?
- Does NOAA Fisheries use best practices for working with communities to integrate IK into research structure, data collection, and data reporting?
- How can NOAA Fisheries better share research and monitoring results in plain language?

Table 4: Research and Monitoring: Actions, Metrics, and Resources Needed

Actions	Metrics	Resources Needed
<p>1. Promote meaningful involvement of underserved communities throughout the research process. This includes co-development and co-production of research and monitoring for community characterization and social indicators, fisheries management, climate change, aquaculture, protected species, and habitat protection and restoration. Such co-development and co-production should incorporate IK and proceed consistently with applicable confidentiality of information requirements.</p>	<ul style="list-style-type: none"> • Early engagement of underserved communities to co-produce research and monitoring priorities • Involvement of underserved community members in the data collection process • Reporting of findings to underserved communities and those who contributed to the research • Percentage of projects that meaningfully involve underserved community members during planning, fieldwork, and reporting • Number of research collaborations with historically Black colleges and universities, minority-serving institutions, tribal colleges, and community colleges • Underserved community satisfaction with the NOAA Fisheries research and monitoring process 	<ul style="list-style-type: none"> • Staff time • EEJ training • Additional funding to pay study participants
<p>2. Identify and characterize underserved communities and underserved fisheries participants (e.g., subsistence and inland fishermen, processing plant workers, etc.), by prioritizing social, cultural, economic, and</p>	<ul style="list-style-type: none"> • Number of social, cultural, economic, and demographic research projects • Number of projects focusing on cultural literacy to effectively and appropriately engage with underserved communities 	<ul style="list-style-type: none"> • Staff time • EEJ training • Approval from Office of Information and Regulatory Affairs

Actions	Metrics	Resources Needed
demographic research. Include historical and cultural fishing practices.	<ul style="list-style-type: none"> Number of data sources and research projects characterizing underserved communities 	<ul style="list-style-type: none"> Additional funding to hire new staff with expertise in social sciences, culture, and languages
3. Analyze the social, cultural, and economic impacts of NOAA Fisheries’ services and management decisions (e.g., fisheries management, aquaculture, climate change and habitat conservation) on underserved communities.	<ul style="list-style-type: none"> Number of reports or other documents that integrate social, cultural, and economic impacts to underserved communities 	<ul style="list-style-type: none"> Staff time EEJ training
4. Include IK in fisheries management, protected resources, aquaculture, habitat, climate, and ecosystem-based science, consistent with statutory requirements (e.g., best scientific information available).	<ul style="list-style-type: none"> Number of projects and products that incorporate IK in their data collection and reporting 	<ul style="list-style-type: none"> Current staff time EEJ training Additional funding to compensate community members providing IK
5. Increase co-production and co-development (e.g., meaningful involvement of fisheries and aquaculture representatives from underserved communities) in stock assessments, research, and monitoring, to the extent consistent with applicable law.	<ul style="list-style-type: none"> Diversity and number of fisheries and marine aquaculture representatives from underserved communities taking part in stock assessment processes Number of community data workshops Underserved community satisfaction with NOAA Fisheries stock assessment processes 	<ul style="list-style-type: none"> Staff time EEJ training Additional funding to compensate for participation Additional funding to hire community liaisons
6. Collaborate, co-produce, and co-develop research on the consumption patterns of communities who principally rely on marine resources for subsistence or non-exploitive values. Communicate to the public the risks and benefits of those consumption patterns (as recommended in EOs 12898 and 14096).	<ul style="list-style-type: none"> Number of communities involved in research 	<ul style="list-style-type: none"> Staff time
7. Conduct an analysis of barriers to entry in fisheries and marine aquaculture programs	<ul style="list-style-type: none"> Percentage of fisheries programs for which a barrier analysis is conducted 	<ul style="list-style-type: none"> Staff time

Actions	Metrics	Resources Needed
(e.g., cost, culture, and management structure) for underserved communities.		
8. Build and share tools and other resources to understand how climate change impacts fisheries, fishing communities, protected resources, and ecosystems so that communities are prepared and ready to adapt	<ul style="list-style-type: none"> • Number of tools publicly shared 	<ul style="list-style-type: none"> • Staff time
9. Advance and improve territorial fisheries science and management support through improved assessment and support of local fisheries management agencies via co-developed and co-produced research and monitoring.	<ul style="list-style-type: none"> • Number of joint stock assessments co-produced • Number of positions funded • Number of projects funded 	<ul style="list-style-type: none"> • Additional funding for co-developed and co-produced research
10. Develop protocols for inclusion of IK in decision-making processes.	<ul style="list-style-type: none"> • National protocol 	<ul style="list-style-type: none"> • Staff time
11. Expand the Community Social Vulnerability Indicators Toolbox to include new metrics that consider environmental justice, climate change concerns, and racial equity in underserved coastal communities.	<ul style="list-style-type: none"> • Number of new metrics 	<ul style="list-style-type: none"> • Staff time • Additional funding to purchase data
12. Continue to collect input from fishermen, regional fishery management councils, advisory committees, scientists, and other communities on how to make fisheries and protected resources more resilient to climate change, including changes in management and conservation measures, and improvements in science, monitoring, and cooperative research, as directed by EO 14008, Sec. 216(c).	<ul style="list-style-type: none"> • Number of underserved communities providing input, represented in input, or represented in input • Number of new ideas 	<ul style="list-style-type: none"> • Staff time • EEJ training

Outreach and Engagement

Objective: Build relationships with underserved communities to better understand their engagement preferences and improve information sharing with all communities.

Barriers Addressed: Unawareness of Underserved Communities; Barriers to Engagement and Accessing Services; Gaps in Expertise; Gaps in Representation

NOAA Fisheries shares information and builds relationships with the communities it serves through outreach and engagement, including student education programs, internships, and a variety of communication methods. Engaging in two-way knowledge sharing is crucial to our success, and we will use input from underserved communities to improve this process.

Effective outreach and engagement must be highly customized, consistent, long-term, and flexible. They also require skill, knowledge, and time. NOAA Fisheries can increase coordination and communication with underserved communities by seeking input from community members, pursuing early engagement, prioritizing cultural literacy, addressing communication barriers (e.g., interpretation and translation), and building communication plans and methods that can adapt to emerging needs. For example, we strive to address the climate crisis from planning to implementation, “with substantive engagement by stakeholders, including State, local, and Tribal governments.”²⁰

Through outreach and engagement, NOAA Fisheries intends to better communicate with communities impacted by our work. We will prioritize new and reinvigorated efforts to work more closely and build stronger relationships with underserved communities. As recommended by the White House EJ Advisory Council, we will establish iterative feedback loops to improve our communication methods and employ a common language and framework to ensure consistency in equitable outreach and education across the entire agency.

Guiding Questions

- Does NOAA Fisheries reach underserved communities through various communication platforms, languages, and outreach activities? Are those the preferred methods of communication within the community?
- How does NOAA Fisheries actively respond to and use the feedback we receive?
- At an agency level, how can we prioritize outreach and train staff to effectively engage with underserved communities?
- How can NOAA Fisheries build relationships with underserved communities that allow for two-way communication and trust?
- What training and resources do staff need to expand NOAA Fisheries’ outreach and communication in underserved communities?
- How can NOAA Fisheries make its communications more accessible and understandable to a diverse audience, including underserved communities?

²⁰ As stated in [EO 14008](#).

Table 5: Outreach and Engagement: Actions, Metrics, and Resources Needed

Actions	Metrics	Resources Needed
<p>1. Leverage existing information and community ties to engage with underserved communities.</p>	<ul style="list-style-type: none"> ● Number of connections to underserved communities ● Number of updates provided to underserved communities ● Number of individuals from underserved communities we reach through agency communication methods 	<ul style="list-style-type: none"> ● Staff time
<p>2. Co-develop communication plans and strategies for underserved communities.</p>	<ul style="list-style-type: none"> ● Number of new communication plans co-developed with underserved communities ● Underserved communities effectively reached by new plans 	<ul style="list-style-type: none"> ● Staff time ● Community input ● Additional funds for engagement ● Staff training
<p>3. Learn from existing community ties (e.g., listening and learning sessions with community members and local organizations) the best methods for communication. Share this information throughout the agency and with regional fishery management councils and other advisory bodies, and update strategies based on new information or on-the-ground realities. Consider accessibility in terms of language, distribution method (in-person, print, social media, etc.), and cultural protocols.</p>	<ul style="list-style-type: none"> ● Percentage of communication plans and strategies that are responsive to cultural norms and community context 	<ul style="list-style-type: none"> ● Staff time ● Community input ● Additional funds for engagement ● Staff training

Actions	Metrics	Resources Needed
<p>4. Create outreach materials and events that follow the communication plan developed with and for each underserved community.</p>	<ul style="list-style-type: none"> ● Number of communication products (brochures, media posts, etc.) or outreach events (meetings, presentations, workshops, etc.) ● Underserved community satisfaction with the communication products and outreach events ● Underserved community awareness of NOAA Fisheries’ presence 	<ul style="list-style-type: none"> ● Staff time ● Additional funding to hire language experts for interpretation and translation ● Additional funding to hire community liaisons ● Additional funds for outreach materials and events ● EEJ training ● Use of outreach funding
<p>5. Create educational programs and opportunities, in partnership with Sea Grant, NOAA Office of Education, and external academic institutions, to engage underserved communities in science activities related to NOAA Fisheries’ research, conservation, and management mission.</p>	<ul style="list-style-type: none"> ● Number of education and community engagement events and products (programs, curricula, and activities) targeting underserved communities ● Number of underserved communities/members that are reached by community engagement events and products ● Number of paid internship opportunities for underserved communities ● Number of paid interns from underserved communities ● Include EEJ considerations in grantee selection criteria ● Underserved community participant satisfaction with education program/product 	<ul style="list-style-type: none"> ● Staff time ● List of current opportunities ● Funding for additional opportunities ● EEJ training
<p>6. Support educational programs and opportunities such as the Marine Resource Education Program (MREP) to engage underserved communities in management processes.</p>	<ul style="list-style-type: none"> ● Number of members of underserved communities trained in management processes 	<ul style="list-style-type: none"> ● Staff time ● Additional funding to support existing education programs ● EEJ training

Actions	Metrics	Resources Needed
7. Provide outreach, mentorship, and public-facing online training for underserved communities regarding how to navigate NOAA Fisheries' grant program proposal development and application process, and the internship and job application process.	<ul style="list-style-type: none"> • Development of online application resource • Number of public outreach events targeted at underserved communities • Number of underserved communities receiving access to technical expertise and subject matter experts 	<ul style="list-style-type: none"> • Staff time • Coordination with NOAA Office of Education and HR • Communications plan to reach key audiences
8. Co-create fisheries management and seafood industry pilot education/training programs with historically Black colleges and universities, minority-serving institutions, tribal colleges, and community colleges to create educational and employment opportunities for underserved communities.	<ul style="list-style-type: none"> • Number of pilot programs created • Number of participants in pilot programs 	<ul style="list-style-type: none"> • Additional funding for pilot programs
9. Generate interest in fishing by creating a program for training, education, outreach, and technical assistance initiatives involving youth from underserved communities.	<ul style="list-style-type: none"> • Development of a targeted program for underserved communities • Number of activities funded within that program 	<ul style="list-style-type: none"> • Additional funding for program activities
10. Explore feasibility of a financial assistance program for underserved community members to travel and participate in conservation and management processes (e.g., advisory committees, panels, working groups).	<ul style="list-style-type: none"> • Explore feasibility (legal, financial, etc.) of a financial assistance program • Number of people provided with financial assistance • Number of new diverse perspectives included in processes 	<ul style="list-style-type: none"> • Staff time • Additional funding for travel
11. Ensure all internships and fellowships are paid.	<ul style="list-style-type: none"> • Number of paid internships and fellowships 	<ul style="list-style-type: none"> • Additional funding for internships
12. Engage with coastal communities threatened and impacted by climate change.	<ul style="list-style-type: none"> • Number of engagements regarding climate change 	<ul style="list-style-type: none"> • Staff time

Benefits

Objective: Distribute benefits equitably by increasing the access to opportunities for underserved communities.

Barriers Addressed: Barriers to Engagement and Accessing Services; Structural Barriers; System Complexity

NOAA Fisheries provides benefits to communities through direct investments, disaster assistance, and grant opportunities for research, habitat conservation and restoration, aquaculture, climate change mitigation, and species recovery, among others.^{21,22} Benefits can also come in the form of data and tools that communities can use to make decisions. For example, benefits relating to climate change mitigation include funding and tools to build knowledge and resilience.

As stated in EO 13985, advancing equity creates

...opportunities for the improvement of communities that have been historically underserved, which benefits everyone. The Federal Government should, consistent with applicable law, allocate resources to address the historic failure to invest sufficiently, justly, and equally in underserved communities, as well as individuals from those communities.

As described in the DOC Equity Action Plan, to the extent consistent with applicable law, we will: make services, science, and data more accessible to underserved communities; ensure that benefits and funding advance racial equity and support underserved communities; and provide economic opportunities for underserved communities by institutionalizing equity in the long term. As recommended by the White House EJ Advisory Council, we will evaluate access to and distribution of benefits and track federal funding. Furthermore, the Justice40 Initiative directs the Federal Government to deliver at least 40 percent of the overall benefits from federal investments in climate and clean energy to disadvantaged communities.²³ Investments in ecological restoration and community resilience are integral to NOAA's climate strategy goals to create and foster natural and economic resilience along coasts through our expertise and robust on-the-ground partnerships and place-based conservation activities.

NOAA Fisheries seeks to examine its policies, criteria, and processes related to the provision of funding and other benefits to ensure equitable distribution. The key challenges will be to recognize and repair inequities and to identify new opportunities to deliver benefits to underserved communities.

²¹ This includes administration of 52 [funding and financial service opportunity programs](#) that provide direct and indirect benefits to communities.

²² Benefits will also include new funding opportunities under the [Infrastructure Investment and Jobs Act](#), which allocates, among other things, \$400 million “for restoring fish passage by removing in-stream barriers and providing technical assistance pursuant to section 117 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1891a), of which up to 15 percent shall be reserved for Indian Tribes or partnerships of Indian Tribes in conjunction with an institution of higher education, non-profit, commercial (for profit) organizations, U.S. territories, and state or local governments.”

²³ The [Justice40 Initiative](#) is part of EO 14008.

Guiding Questions

- What barriers do underserved communities face in accessing benefits managed by NOAA Fisheries?
- Do NOAA Fisheries’ benefits (such as funding, fisheries allocations, permits, opportunities, services, and environmental protection and restoration) equitably reach or benefit underserved communities? Consistent with applicable legal requirements, how can we expand the equity in our delivery of these benefits?
- How can we better serve underserved communities with data and tools NOAA Fisheries provides to the public?
- What accountability structures and processes are needed to ensure equitable delivery of benefits, such as data collection, on benefit recipients and analysis of that data?

Table 6: Benefits: Actions, Metrics, and Resources Needed

Actions	Metrics	Resources Needed
<p>1. Identify and address, to the extent possible, potential barriers that underserved communities may face when accessing NOAA Fisheries’ benefits and services, including agency acquisition and financial assistance opportunities. To the extent possible and permitted by applicable law, identify and address generational inequities. Work to incorporate EEJ considerations into all competitive funding opportunities.</p>	<ul style="list-style-type: none"> • Number of staff trained to identify and combat unconscious bias in funding decisions • Number of grant/funding/contracting program selection criteria reviewed and modified • Feedback on accessibility of benefits and services 	<ul style="list-style-type: none"> • Staff time • EEJ training
<p>2. Track and report the percentage of grants, projects, marine resource allocations, restoration funds, and other funding going to underserved communities.</p>	<ul style="list-style-type: none"> • Tracking and reporting mechanisms developed • Tracking and reporting mechanisms used to analyze the allocation of resources to underserved communities 	<ul style="list-style-type: none"> • Staff time • Approval from Office of Information and Regulatory Affairs
<p>3. Incorporate EEJ considerations into decision-making about resource allocations, to the extent consistent with applicable law. Considerations could include assessment of impacts and benefits to underserved communities and prioritization of actions that benefit or correct a disparity among communities.</p>	<ul style="list-style-type: none"> • Number of programs that incorporate EEJ into allocation decision-making 	<ul style="list-style-type: none"> • Staff time • EEJ training
<p>4. For natural resource damage assessments, ensure natural resource injuries (including lost human use, as well as social, cultural, and economic benefits) borne by underserved communities are</p>	<ul style="list-style-type: none"> • Number of natural resource damage assessment cases with explicit consideration of natural resource and human use losses borne by 	<ul style="list-style-type: none"> • Staff time • EEJ training

Actions	Metrics	Resources Needed
accounted for and ensure they are appropriately compensated with restoration.	underserved communities and engagement in restoration planning	
5. Increase tribal, state, and territorial capacity for protected resources conservation by requesting additional funds to create jobs and protect species that may have cultural and subsistence value for tribes and indigenous communities.	<ul style="list-style-type: none"> Number of Species Recovery Grants to Tribes and states with underserved communities 	<ul style="list-style-type: none"> Additional funding

Inclusive Governance

Objective: Enable the meaningful involvement of underserved communities in decision-making processes.

Barriers Addressed: Barriers to Engagement and Accessing Services; Gaps in Representation; System Complexity; Structural Barriers

Inclusive governance ensures broad and diverse participation in decision-making, such that all communities are equally welcomed and encouraged to participate. However, members of underserved communities rarely have equal access to contribute to governance processes. NOAA Fisheries seeks to increase the diversity of voices involved in our processes, empower community participation, and support cooperative management²⁴ and co-stewardship²⁵ efforts wherever possible.

The decisions NOAA Fisheries makes through its scientific, conservation, and management work impact communities. Federal rulemaking and other management processes are subject to numerous requirements to ensure transparency and opportunities for community participation. However, access for underserved communities may be limited by a number of factors that can present procedural justice barriers. Methods to address procedural justice include not only the facilitation of participatory management, but also the creation of a participatory culture and environment that increases perceptions of fairness and supports capacity for underserved communities to engage and access the mechanisms of the management process.²⁶ It is incumbent upon us to ensure equity in NOAA Fisheries’ processes.

NOAA Fisheries works in partnership with regional fishery management councils, advisory bodies, tribes, Alaska Natives, other indigenous communities, state, territorial, and local government agencies, and numerous other partners to achieve NOAA Fisheries’ mission. Increasing engagement and representation of underserved communities is essential to successful fulfillment of our mission.

²⁴ Cooperative management refers broadly to a range of resource management relationships and arrangements. See [Cooperative Research and Cooperative Management, NOAA Technical Memorandum NMFS-F/SPO-156](#) (August 2015). In the United States, the term co-management is often used with respect to legally defined resource management arrangements between federal and state governments, and specific coastal tribes in the Northwest, Alaska, and the Great Lakes.

²⁵ See the [Joint Secretarial Order on Fulfilling the Trust Responsibility to Indian Tribes in the Stewardship of Federal Lands and Waters](#).

²⁶ Informed by Bennett et al., 2021. Blue growth and blue justice: Ten risks and solutions for the ocean economy. *Marine Policy*, 125.

Guiding Questions

- How can NOAA Fisheries better account for the needs of underserved communities in decision-making?
- What accountability processes and structures are needed for NOAA Fisheries to assess if underserved community needs are adequately accounted for in decision-making?
- Is the information NOAA Fisheries uses to support decision-making accessible to underserved communities (i.e., is the information written in plain language, 508 compliant, translated into appropriate primary languages, delivered in a preferred platform, etc.)?
- How can underserved communities have equitable access to participate in public meetings (time/travel to in-person meetings, broadband internet to support remote participation, access to interpreters, etc.)?
- How can NOAA Fisheries ensure that public meetings are inclusive, safe, and welcoming?
- How can NOAA Fisheries facilitate access and involvement of underserved communities during the decision-making process?
- How can NOAA Fisheries increase representation of underserved communities on regional fishery management councils and advisory bodies, including international advisory bodies?

Table 7: Inclusive Governance: Actions, Metrics, and Resources Needed

Actions	Metrics	Resources Needed
<p>1. Increase and improve opportunities for underserved communities to engage in the decision-making process, including in public meetings. When hosting meetings in local communities, support local businesses for services (e.g., meeting spaces, travel, etc.) where possible and consistent with federal travel requirements.</p>	<ul style="list-style-type: none"> • Number of methods implemented to increase participation in meetings • Diversity of platforms and methods used to make public meetings accessible to underserved communities • Frequency and timeliness of engagement with community representatives to ensure communication methods are effective • Number of public meetings and other engagement in underserved communities and number of attendees • Percentage of public meeting notices and documents in languages used by constituency and with translation and interpretation services available • Number of advisory bodies that implement harassment prevention policies, training, and codes of conduct 	<ul style="list-style-type: none"> • EEJ training for staff and advisory body members • Staff time • Additional funds for participants’ travel • Additional funds for facilities rental, equipment, supplies, translation, interpreters, etc.
<p>2. Encourage increased representation of underserved communities on regional fishery management councils, advisory</p>	<ul style="list-style-type: none"> • Data collected to track and report representation of underserved communities 	<ul style="list-style-type: none"> • Staff time • Outreach plan for new recruits

Actions	Metrics	Resources Needed
bodies, recovery planning teams, and the Marine Fisheries Advisory Committee to facilitate broader participation and understanding.	<ul style="list-style-type: none"> • Availability of and satisfaction with training and educational resources/materials for underserved communities • Satisfaction of representatives with their role in advisory bodies, committees, etc. 	<ul style="list-style-type: none"> • Approval from Office of Information and Regulatory Affairs
3. Create training programs to provide underserved communities the information and tools needed to confidently and productively engage in fishery (commercial, non-commercial, recreational, aquaculture) management decision processes.	<ul style="list-style-type: none"> • Number of people trained 	<ul style="list-style-type: none"> • Additional funding to create training program
4. Establish or improve relationships with municipal, state, and territorial governments, other federal agencies, and non-government organizations in territories to leverage their community connections when soliciting public input.	<ul style="list-style-type: none"> • Number of regional and national outreach lists including these groups • Number of meetings scheduled to brief government officials in underserved communities • Satisfaction of attendees on the effectiveness of the outreach efforts 	<ul style="list-style-type: none"> • Staff time • Additional funding to hire community liaison • Additional funding for travel
5. Coordinate with municipal, state, and tribal governments, other federal agencies, and non-government organizations on cross-cutting issues that impact underserved communities, such as climate change.	<ul style="list-style-type: none"> • Number of cross-cutting issues affecting underserved communities that are addressed 	<ul style="list-style-type: none"> • Staff time • EEJ training
6. Continue to honor tribal sovereignty and the federal trust responsibility. Strengthen relationships with tribes, especially in regards to climate change impacts and fisheries.	<ul style="list-style-type: none"> • Number of consultations, informal coordination, or outreach efforts with tribal nations • Satisfaction of tribal nations with the consultation or other outreach process and outcomes 	<ul style="list-style-type: none"> • Staff time
7. Co-develop plans to better understand the priorities and needs of underserved communities, and how they would prefer to engage in governance activities. Include underserved communities, tribal nations, territorial agencies, non-governmental organizations, academic	<ul style="list-style-type: none"> • Number and diversity of participants sharing information and contributing to improved governance strategies for their communities 	<ul style="list-style-type: none"> • Staff time

Actions	Metrics	Resources Needed
experts, and regional fishery management councils.		
8. Continue to engage in fisheries and resource co-management with state agencies and tribal nations.	<ul style="list-style-type: none"> ● Number of co-management agreements ● Satisfaction of state and tribal nations with the co-management process 	<ul style="list-style-type: none"> ● Staff time

Appendix 1: Synthesis of Public Input

The development of the NOAA Fisheries EEJ Strategy was a multi-year iterative process, which included early community (i.e., public) input to inform the first draft of the strategy (November 2021), then additional community feedback on the draft strategy itself (May–September 2022). In this section, we synthesize the comments used to draft and then update the strategy. We received many comments that were regional or program office specific. While we reviewed those comments on the draft strategy to inform its finalization, they were also shared with relevant regions or program offices to consider as they draft their implementation plans.

We solicited comments using several different methods:

- We held eight national virtual meetings (four in November 2021 and four in May 2022).
- We developed a website that included a feature enabling public comment submission electronically.
- We received feedback during presentations to regional fishery management council meetings and agency advisory bodies (e.g., the Atlantic Highly Migratory Species Advisory Panel).
- We visited American Samoa, Guam, and CNMI (including Saipan, Tinian, and Rota) to conduct in-person meetings.
- We conducted targeted virtual meetings with key communities in Hawai‘i.

We also worked to make the materials more accessible by translating the entire draft strategy into Spanish, and the executive summary into 10 other languages: Carolinian, Chamorro, Chinese, French, Haitian, Hawaiian, Portuguese, Samoan, Tagalog, and Vietnamese. We also created a podcast to share the purpose of the NOAA Fisheries EEJ strategy and made it available online.

Synthesis of Public Comments

We have synthesized public input on the draft strategy. Many of the comments were used to strengthen and improve the strategy, while others were beyond the scope of this strategy or more relevant to specific programs or regions. In the latter case the comments were given to those offices to consider in the development of their EEJ implementation plan.

Feedback area	Feedback synthesis	Response
Strategy framing and organization	Incorporate existing environmental justice resources, literature, and equity frameworks.	We included more references to resources, literature, and frameworks within the introduction and in other relevant sections, such as Inclusive Governance.
	Acknowledge harms done by NOAA Fisheries.	We added language in the introduction to clarify that we have been told of the inequities NOAA Fisheries policies have caused.

Feedback area	Feedback synthesis	Response
	Ensure that the link between identified EEJ barriers and EEJ objectives is clear.	The section on barriers was revised to include more detail related to each objective, and for each objective section we identified the barriers addressed.
	More clearly define the barriers to engaging in the regional fishery management council process.	Barriers to engaging in the regional fishery management council process include system complexity and gaps in representation. Descriptions of these are found in the "Barriers to Equity and Environmental Justice" section.
Strategy development	Have community input into actions and metrics so that they are responsive to the needs and priorities of underserved communities.	Further community input will be sought for regional and program office implementation plans.
	Clarify what is done with community feedback and make the feedback available to the public.	This table was developed to share the public feedback and how it was incorporated.
Strategy implementation	Assess EEJ progress through monitoring and evaluation on an ongoing basis across all target areas.	Actions and metrics are identified across all core areas in the national strategy. This recommendation has also been sent to program offices and regions to aid in the development of their implementation plans.
	Use a common framework across agency programs and offices to make implementation consistent.	NOAA Fisheries program offices and regions will use this national strategy to guide the development of their implementation plans.
	Include community input in EEJ implementation plans through listening sessions.	Program offices and regions developed engagement plans to gather community input for implementation plans.
	Work with local governments and agencies to properly implement the EEJ strategy at the regional level and support local programs already doing EEJ work with underserved communities.	This recommendation has been sent to program offices and regions to aid in the development of their implementation plans.
	Identify and communicate the expected benefits of the EEJ strategy to underserved communities.	This recommendation has been sent to program offices and regions to aid in the development of their implementation plans.
	EEJ is everyone’s job—ensure that implementation is distributed evenly across disciplines and is not the sole burden of underrepresented staff.	This recommendation has been sent to program offices and regions to aid in the development of their implementation plans.

Feedback area	Feedback synthesis	Response
	Coordinate EEJ efforts across federal agencies.	This has been recognized as a need by NOAA leadership.
Cross-cutting topics	Establish a community or tribal liaison within underserved communities to network and provide understanding of cultural protocols and language interpretation.	Community, cultural, or tribal liaisons are a cross-cutting need detailed in "Empowering Environment" but also listed as a need in the "Research and Monitoring," "Outreach and Engagement," and "Inclusive Governance" sections.
	Build a workforce with diverse expertise, with job descriptions and hiring that includes local cultural and linguistic knowledge and practice, and social science.	Gaps in expertise have been identified as a barrier to EEJ, and detailed in the "Empowering Environment" and "Research and Monitoring" sections. Creation of job descriptions and hiring are in Table 2, Action 13, and the need for cultural, linguistic, and social science expertise is detailed in Table 4, Action 2.
	Increasing EEJ capacity through NOAA Fisheries workforce training, including cultural awareness training for staff that interface with underserved communities, and training on reducing unconscious biases for grants and application reviewers.	Internal training is identified as a basic need in the "Empowering Environment" core area and is found in Resource Needs of all six core areas. Environmental Justice trainings are being coordinated for the NOAA Fisheries workforce (Table 2, Action 10 and 11, and Table 6, Action 1).
	Place greater value on building lasting relationships with our partners.	Relationship building and partnerships is a cross-cutting issue across all six core areas.
	Dedicate funds to implement the National EEJ Strategy by program offices and regions—the strategy cannot be carried out by existing staff time and resources.	The need for resources is written into the "Empowering Environment" core area, and "additional funding" is included under "Resources Needed" in Tables 2, 4, 5, 6, and 7.
	Provide early, consistent, and dedicated engagement.	The quality of engagement is a cross cutting issue, included in "Research and Monitoring" (Table 4, Action 1), "Outreach and Engagement" (Table 5, Actions 2 and 3), and "Inclusive Governance" (Table 7, Action 1) sections.
	Institutionalize EEJ so that it persists over time.	Meaningful integration of EEJ into our day-to-day work is described in the "Empowering Environment" core area but is also a cross-cutting issue found throughout the strategy.

Feedback area	Feedback synthesis	Response
	Better engage historically Black colleges and universities and minority-serving institutions.	Establishing research collaborations and education/training programs with historically Black colleges and universities, minority-serving institutions, tribal colleges, and community colleges is described in the "Research and Monitoring" (Table 4, Action 1) and "Outreach and Engagement" (Table 5, Action 8) sections.
	Provide training to partners to help them build capacity.	Training is identified in the "Empowering Environment" core area and includes training of partners (Table 2, Action 9). The "Outreach and Engagement" core area also specifies different types of external training in Table 5, Action 7, 8, and 9, and education in Action 5, 6, 8, and 9.
	Include links to climate change as a cross-cutting issue.	We have included climate change considerations throughout the strategy.
	Have metrics that measure outcomes, not just input.	We have reviewed all metrics and where possible made them outcome-oriented.
Empowering Environment	Ensure EEJ policies apply to contractors and grantees.	We are looking into this further.
	Have a national point of contact for the national EEJ strategy.	Hiring a national EEJ coordinator is a top priority described in the "Empowering Environment" core area (Table 2, Action 1).
	Prioritize EEJ at all levels of the agency.	Leadership at every level is prioritizing EEJ as described in the "Empowering Environment" core area (Table 2, Action 2 and 3).
	Budget paid staff time for relationship building, and incorporate EEJ training and work into performance plans or contracts.	EEJ duties, including time for training and relationship building, are described in the "Empowering Environment" core area (Table 2, Action 3 and 4).
	Minimize disturbance from frequent federal staff turnover.	This is important to the "Empowering Environment" core area, but we believe this issue is best addressed by DEIA initiatives.
	Consider employment pathways and pipelines to create a diverse workforce.	This is important to the "Empowering Environment" core area, but we believe these issues are best addressed by DEIA initiatives.

Feedback area	Feedback synthesis	Response
Policy and Plans	Include underserved communities in the policymaking process.	We will issue guidance on how to include IK and engage communities in the development of policies and plans (Table 4, Action 1).
	Include EEJ objectives in policies and plans linked with outcomes metrics that are monitored and reported.	We will issue guidance on how to incorporate EEJ into new policies and plans, including how to monitor and report outcomes, as described in the "Policy and Plans" core area (Table 3, Action 1).
	Conduct EEJ analysis of current policies.	Review recommendations for current policies and guidance documents are described in the "Policy and Plans" core area (Table 3, Action 3).
	There were many suggestions for revision of specific policies or fisheries management decisions.	Specific policy suggestions were sent to the relevant program office or region so that they may be considered in the implementation plans. The strategy also states that: "To the extent permitted by applicable law, NOAA Fisheries will systematically consider EEJ in policy and planning activities to reduce barriers to inclusion and institutionalize equity for the long term."
Research and Monitoring	Align NOAA Fisheries' research priorities with underserved communities' research priorities.	Co-development and co-production of research and monitoring projects is described in the "Research and Monitoring" core area (Table 4, Action 1).
	Collect survey data that can adequately characterize people in fishing communities, and include a focus on underserved communities, underserved fisheries participants, and historical and cultural fishing practices.	Identification and characterization of underserved communities, fisheries participants, and fishing practices is described in the "Research and Monitoring" core area (Table 4, Action 2).
	Conduct EEJ analysis of current and proposed management impacts.	Impact analysis of management decisions is described in the "Research and Monitoring" core area (Table 4, Action 3).
	Work with and compensate local community leaders.	Co-production and co-development of research, including for sharing of IK, and compensation is described in the "Research and Monitoring" core area (Table 4, Actions 1, 4, and 5).
	Increase funding for territorial science initiatives and invest in local scientific research and	Co-developed and co-produced research and funding in the territories is described in the

Feedback area	Feedback synthesis	Response
	expertise.	"Research and Monitoring" core area (Table 4, Action 9).
Outreach and Engagement	Strengthen partnerships with academic institutions, Sea Grant, and NOAA Office of Education.	Creating new opportunities with Sea Grant, NOAA Office of Education, and external academic institutions is described in the "Outreach and Engagement" core area (Table 5, Action 5).
	Ensure engagement involves the appropriate language and venue; hold in-person meetings with the public, local government, and fishing organizations.	Identifying and implementing the best methods for engagement is described in the "Outreach and Engagement" core area (Table 5, Actions 3 and 4).
	Create targeted campaigns to raise awareness of NOAA Fisheries' mission and progress.	The creation of targeted programs is described in the "Outreach and Engagement" core area (Table 5, Action 5).
	Invest in capacity building for specialized workforces based on regional strengths.	Capacity building for fisheries training and education is described in the "Outreach and Engagement" core area (Table 5, Actions 6-9).
	Create a mentor network to support robust proposal writing efforts.	Mentorship and training for grant proposal development is described in the "Outreach and Engagement" core area (Table 5, Action 7).
	Invest in K-12 outreach to reach all members of local communities.	Fisheries' youth programs are described in the "Outreach and Engagement" core area (Table 5, Action 9).
Benefits	Include input from underserved communities into funds distribution decision-making.	We will engage underserved communities to identify and address the barriers to applying for and receiving funds (Table 6, Action 1).
	Devote funds to distribute to underserved communities in the form of compensation for harms/burdens from policies disproportionately impacting vulnerable populations.	We will ensure natural resource injuries borne by underserved communities are accounted for and appropriately compensated with restoration. Where possible, we will devote and track funds going to underserved communities (Table 6, Actions, 2, 3, and 4).
	Provide supervision of locally managed funds.	This is one of our responsibilities under the Federal Grant and Cooperative Agreement Act.
	Consider generational equity by looking at historical, cultural, and traditional participation in a fishery and access to resources and associated impacts to future generations.	Consideration of generational equity is described in the "Benefits" core area (Table 6, Action 1).

Feedback area	Feedback synthesis	Response
	Consider barriers to benefit access such as criteria related to population size, recordkeeping burden, and non-commercial fisheries and marine fisheries.	Barrier identification and alleviation (to the extent possible) are described in the "Benefits" core area (Table 6, Action 1).
	Conduct EEJ analysis of NOAA Fisheries' benefits distribution, such as research funding and grants, and report findings.	Analysis of benefits distribution is described in the "Benefits" core area (Table 6, Action 2).
Inclusive Governance	Acknowledge the strong role that regional fishery management councils have in the fishery management process, and the role they play in implementing EEJ.	The importance of the councils has been acknowledged, particularly in the "Inclusive Governance" core area.
	Dedicate funds to provide to regional fishery management councils so that they can provide transportation to underserved communities to increase participation and solicit membership to historically underrepresented groups on council appointments, such as the advisory panels.	While not limited to FMCs, travel funds for underserved community participation was identified as a Resource Need in the "Inclusive Governance" core area (Table 7, Action 1).
	Honor tribal sovereignty and the federal trust responsibility.	We will continue to honor tribal sovereignty and the federal trust responsibility as described in the "Inclusive Governance" core area (Table 7, Action 6).
	Support the application of co-management/stewardship approaches to fishery management, conservation, and the development of governance capacity within underserved communities.	We will continue to support co-management of fisheries and other resources as described in the "Inclusive Governance" core area (Table 7, Action 8).

Appendix 2: NOAA Fisheries Authorities and EEJ

NOAA Fisheries implements programs, policies, and activities under the following laws, which often intersect with EEJ considerations:

Magnuson-Stevens Fishery Conservation and Management Act

The [Magnuson–Stevens Fishery Conservation and Management Act](#) (MSA) creates a public process governing marine fisheries management in U.S. federal waters with the objectives of preventing overfishing and rebuilding fisheries when needed. The MSA establishes eight regional fishery management councils to facilitate a constituent-based process for development of management measures, including fishery management plans, through open public forums. The MSA describes national standards for the development of fishery management plans, and NOAA Fisheries provides regulatory guidance on implementation of the 10 national standards for this management. Below, we outline several national standards with particular relevance to EEJ.

National Standard 1 requires that conservation and management measures prevent overfishing while achieving, on a continuing basis, the optimum yield (OY) from each fishery for the U.S. fishing industry (16 U.S.C. 1851(a)(1)). OY refers to an amount of fish that provides the greatest overall benefit to the nation, particularly with respect to food production and recreational opportunities, and taking into account protection of marine ecosystems; and is prescribed on the basis of maximum sustainable yield “as reduced by any relevant social, economic, or ecological factor...” 16 U.S.C. 1802(33). For social factors, the [National Standard 1 guidelines](#) provide a non-exhaustive list of potential considerations, fishery-related indicators, and other factors that may be considered. This list encourages consideration of “...preservation of a way of life for fishermen and their families, dependence of local communities on a fishery (e.g., involvement in fisheries and ability to adapt to change),... non-fishery related indicators (e.g., unemployment rates, percent of population below the poverty level, population density, etc.),...[and] the cultural place of subsistence fishing, obligations under Tribal treaties, proportions of affected minority and low-income groups, and worldwide nutritional needs” (50 CFR 600.310(e)(3)(iii)(B)(1)).

National Standard 4 requires that allocations be fair and equitable, reasonably calculated to promote conservation, and carried out to avoid excessive shares (among other considerations). 16 U.S.C. 1851(a)(4). Relevant to EO 13985 (Advancing Racial Equity and Support for Underserved Communities Through the Federal Government), the [National Standard 4 guidelines](#) provide guidance on these requirements and also other factors relevant to the fishery management plan’s objectives that should be considered, such as “economic and social consequences of the scheme, food production...dependence on the fishery by present participants and coastal communities, ...opportunity for new participants to enter the fishery...” (50 CFR 600.325(c)(3)(iv)).

National Standard 8 requires conservation and management measures, consistent with MSA conservation requirements, to take into account the importance of fishery resources to fishing communities by utilizing economic and social data that are based upon the best scientific information available in order to provide for the sustained participation of such communities; and to the extent practicable, minimize adverse economic impacts on such communities (16 U.S.C. 1851(a)(8)). When addressing these requirements, the [National Standard 8 guidelines](#) provide that both consumptive and non-consumptive uses of fishery resources should be considered (50 CFR 600.345(c)(4)). “Fishing community” is defined under the MSA as a “community that is substantially dependent on or substantially engaged in the harvest or processing of fishery resources to meet social and economic needs, and includes fishing vessel owners, operators, and crew, and fish processors that are based in such community” (16 U.S.C. 1802(17); see also 50 CFR 600.345(b)(3)). The National Standard 8 guidelines further explain: “A fishing community is a social or economic group whose members

reside in a specific location and share a common dependency on commercial, recreational, or subsistence fishing or on directly related fisheries-dependent services and industries (for example, boatyards, ice suppliers, tackle shops)" (50 CFR 600.345(b)(3)). These fishing communities likely overlap in some cases with underserved communities as defined above, and highlighting potential inequity in fisheries policy decisions in required analyses under National Standard 8 is an important intersection of our authority and the Executive Orders.

The MSA contains a number of references to specific communities, including tribal governments, native Hawaiian, Alaska Native, and Western Pacific indigenous communities. As noted in the [2012 Department of Commerce Environmental Justice Strategy](#), the MSA recognizes the special role for tribes and other indigenous peoples in the development and implementation of fisheries policies. For example, the Act stipulates that the Pacific Fishery Management Council, whose area of responsibility is seaward of California, Oregon, Washington, and Idaho, includes a voting member who is a representative of an Indian Tribe with federally recognized fishing rights from the region. Additionally, the MSA authorizes a Western Alaska Community Development Quota Program, whose goals are providing eligible western Alaska villages with the opportunity to participate and invest in Bering Sea and Aleutian Islands fisheries, supporting economic development, alleviating poverty and providing economic and social benefits for residents, and achieving sustainable and diversified local economies (16 U.S.C. 1855(i)(1)). For any fishery under the authority of the Western Pacific Fishery Management Council, the MSA authorizes the establishment of a Western Pacific Community Development Program in order to provide access for western Pacific communities that participate in the program (16 U.S.C. 1855(i)(2)). The goals of this program include promoting the development of social, cultural, and commercial initiatives that enhance opportunities for western Pacific communities of American Samoa, Guam, Hawai'i, and the Commonwealth of the Northern Mariana Islands.

There is also a mandate under the MSA to establish a pilot program for regionally based marine education and training programs in the western Pacific and the northern Pacific to foster understanding, practical use of knowledge (including Alaskan Native, Native Hawaiian, and other Pacific Islander-based knowledge), and technical expertise relevant to stewardship of living marine resources. The goal of programs or projects would be to improve communication, education, and training on marine resource issues and increase scientific education for marine-related professions among coastal community residents, including Alaskan Natives, Native Hawaiians, and Pacific Islanders such as Chamorros, Carolinians, and Samoans, and other underrepresented groups in the region (16 U.S.C. 1855(j)).

The eight regional fishery management councils develop fishery management plans for stocks that require conservation and management in their regions (16 U.S.C. 1852). Councils are required to hold public hearings and conduct meetings in a public forum. This regional council system enables local-level input into management and provides avenues for underserved communities to engage. The Secretary of Commerce appoints 72 of the 114 voting members on the eight councils. These members play an important role in meeting MSA requirements and achieving sustainable fisheries. They can also play a role in supporting underserved communities, fulfilling NOAA's treaty and tribal trust responsibilities, and achieving EEF objectives in fisheries management. Increasing the number of qualified women, people of color, tribal members, subsistence users, and individuals from historically underserved communities through the annual appointment process is one way to broaden the viewpoints contributing to fishery management recommendations and to support inclusive decision-making representative of the diverse fishing communities the councils serve.

Endangered Species Act

The purpose of the [Endangered Species Act \(ESA\)](#) is to conserve threatened and endangered species and the ecosystems upon which they depend. NOAA Fisheries shares responsibility for implementing the ESA with the U.S. Fish and Wildlife Service; we are responsible for managing marine and anadromous fishes. The ESA prohibits the "take" (i.e., to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct) of

endangered species, but under certain circumstances, this prohibition does not apply to subsistence take by “any Indian, Aleut, or Eskimo who is an Alaskan Native who resides in Alaska” or “any non-native permanent resident of an Alaskan native village” 16 U.S.C. 1538(a); 1539(e).

In June 1997, the Secretary of Commerce and Secretary of the Interior issued a Joint Department of Commerce and Department of the Interior Secretarial Order [American Indian Tribal Rights, Federal Tribal Trust Responsibilities, and the Endangered Species Act](#). The Order acknowledges the trust responsibility and treaty obligations of the United States toward Indian Tribes and tribal members and its government-to-government relationship in dealing with tribes. Accordingly, the Departments will carry out their responsibilities under the ESA in a manner that harmonizes the federal trust responsibility to tribes, tribal sovereignty, and statutory missions of the Departments, and that strives to ensure that Indian Tribes do not bear a disproportionate burden for the conservation of listed species, so as to avoid or minimize the potential for conflict and confrontation. Section 161 of Public Law 108-199 (188 Stat. 452), as amended by section 518 of Public Law 108-447 (118 Stat. 3267), directs all federal agencies to consult with Alaska Native corporations on the same basis as Tribal Nations under EO 13175. Additionally, Secretarial Order 3225, entitled “Endangered Species Act and Subsistence Uses in Alaska (Supplement to Secretarial Order 3206)” establishes a consultation framework between NOAA Fisheries and Alaska Natives regarding subsistence take of ESA-listed species under the Act. Consistent with these orders and consultation policies, we coordinate and consult with affected Tribal Nations when considering actions under the ESA that may impact tribal trust resources, tribally owned fee lands, or the exercise of tribal rights.

Fish and Wildlife Coordination Act

Under the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), NOAA Fisheries annually funds [Species Recovery Grants to Federally Recognized Tribes](#) to support tribal management, research, monitoring, and outreach activities that have direct conservation benefits for species listed under the ESA.

Marine Mammal Protection Act

The [Marine Mammal Protection Act](#) of 1972 establishes a national policy to prevent marine mammals from declining beyond the point where they cease to be significant functional elements of the ecosystems of which they are a part. The MMPA prohibits the “take” of marine mammals, including the hunting, capturing, collecting, or killing of these animals, in U.S. waters or on lands subject to the jurisdiction of the United States, with some exceptions. It requires that an incidental take authorization be obtained for the unintentional “take” of marine mammals incidental to activities including construction projects. However, under certain circumstances, the MMPA exempts subsistence take by Alaska Natives (described in 16 U.S.C. 1371(b) as “any Indian, Aleut, or Eskimo who resides in Alaska and who dwells on the coast of the North Pacific Ocean or the Arctic Ocean”); see also 50 CFR 216.3 and 216.23. Additionally, [section 119 of the MMPA](#) allows NOAA Fisheries to establish agreements with [Alaska Native Organizations for co-management](#) of marine mammals harvested for subsistence and cultural purposes. Co-management promotes full and equal participation by Alaska Natives in decisions affecting the subsistence management of marine mammals (to the maximum extent allowed by law) as a tool for conserving marine mammal populations in Alaska.

Under applicable circumstances, the MMPA also provides NOAA Fisheries with authority to waive or grant an exemption to the take prohibition of marine mammals to facilitate the exercise of treaty rights to hunt or fish reserved by federally recognized treaty tribes. For example, under section 120 of the Act, NOAA Fisheries may authorize the lethal removal of seals and sea lions having a significant negative impact on ESA-listed salmon on the West Coast. In certain designated areas, NOAA Fisheries may authorize tribal governments to participate in the removal process. Under section 101(a)(3)

of the MMPA, NOAA Fisheries may consider granting a waiver of the take prohibition to allow a tribe to exercise their treaty right to engage in a subsistence hunt of healthy populations of marine mammals.

National Environmental Policy Act

The National Environmental Policy Act declares that it is the continuing policy of the Federal Government to use all practicable means and measures to foster and promote the general welfare, create and maintain conditions under which humans and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans, and directs federal agencies to consider the environmental impacts of their proposed actions prior to making decisions. The Council on Environmental Quality's 1997 [Environmental Justice Guidance under the National Environmental Policy Act](#) highlights the importance of NEPA in identifying environmental justice issues and offers principles for incorporating environmental justice into NEPA reviews of our proposed actions. The Federal Interagency Working Group on Environmental Justice established a NEPA Committee in 2012 pursuant to the [Memorandum of Understanding on Environmental Justice and Executive Order 12898 \(2011\)](#). The Memorandum identified NEPA as an area of focus for inclusion in the agencies' environmental justice efforts and directed efforts to "include interagency collaboration." After examining best practices, lessons learned, research, analysis, training, consultation, and other experiences of federal NEPA practitioners across the Federal Government, the Federal Interagency Working Group on Environmental Justice produced [Promising Practices for EJ Methodologies in NEPA Reviews \(2016\)](#) as an informal guide for sharing effective ways to build robust consideration of environmental justice into NEPA practice. As required under NEPA, many of NOAA Fisheries' actions undergo the environmental review process.

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

The Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) provides a comprehensive group of authorities focused on one main goal: to address any release, or threatened release, of hazardous substances, pollutants, or contaminants that could endanger human health and/or the environment. CERCLA's response provisions focus on the protection of human health and the environment. The statute also provides authority for assessment and restoration of natural resources that have been injured by a hazardous substance release or response.

Oil Pollution Act (OPA)

The [Oil Pollution Act](#) of 1990 strives to prevent oil spills from vessels and facilities, enforces removal of spilled oil, and assigns liability for the cost of cleanup and damages. The Act requires specific operating procedures; defines responsible parties and financial liability; implements processes for measuring damages; specifies damages for which violators are liable; and establishes a fund for damages, cleanup, and removal costs. It gives NOAA and others the authority to address impacts to natural resources caused by oil spills and to take actions to respond to or prevent an oil spill.