



Mid-Atlantic Fishery Management Council

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Michael P. Luisi, Chairman | P. Weston Townsend, Vice Chairman

Christopher M. Moore, Ph.D., Executive Director

July 7, 2023

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

Dear Ms. Coit:

At the May 2023 meeting of the Council Coordination Committee (CCC), Kelly Denit gave a presentation on NMFS's draft Fisheries Climate Governance Policy (policy). During the presentation, Ms. Denit reviewed the timeline and steps for finalizing and implementing the policy by Summer 2024. However, the timeline did not mention any plans for public outreach and comment. I am writing on behalf of the Mid-Atlantic Fishery Management Council to express our deep concern about the lack of public involvement in the proposed process.

Transparency and public participation are fundamental aspects of the fisheries management process under the Magnuson-Stevens Act. The draft policy as written will have serious and far-reaching implications for U.S. fisheries, and stakeholders should be given a meaningful opportunity to review and provide comment. In fact, when Ms. Denit first briefed the CCC on development of this policy in May 2022, she was asked by a member of the CCC "do you have intentions of going out to other stakeholders or members of the public, at some point?" Her response was "we would plan to do that, once we get to the draft policy, in the Spring of 2023."¹ Based on this statement, we expected that NMFS would solicit broad public input during a formal comment period once a draft policy was available. However, it appears that this may not be the case. The draft policy has been completed for more than six weeks, and not only has NMFS not issued a public announcement or request for comments, but the draft policy is not even available on the agency's website.

Although we appreciate that NMFS has invited the CCC and the Councils to provide comments, the Councils are not a proxy for direct public engagement. Stakeholders should be informed about the draft policy and given time to ask questions and develop comments. NMFS should also allot time to review and consider comments and revise the policy if needed. As such, we request that NMFS immediately take steps to inform the public about the availability of this draft policy and schedule a formal public comment period including several public meetings or webinars. Thank you for your consideration of these comments. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher M. Moore".

Christopher M. Moore, Ph.D.
Executive Director

CC: Sam Rauch, Kelly Denit, Marian Macpherson, RFMC Executive Directors

¹ May 2022 CCC Meeting Transcript for May 18, 2022 (pp. 55-56) <https://www.fisherycouncils.org/ccc-meetings/may-2022>