

NATIONAL MARINE FISHERIES SERVICE [REGION] SUPPLEMENT
03-202-01-07
September 18, 2006

Habitat Conservation and Restoration
EFH Delegations of Authority (12/16/2004)
EFH Delegations of Authority – Background (12/16/2004)

Redelegations for Essential Fish Habitat, Federal Power Act, and the Fish and Wildlife Coordination Act

NOTICE: This publication is available at: <http://www.nmfs.noaa.gov/op/pds/>

OPR: **Certified by:** William T. Hogarth
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SUMMARY OF REVISIONS:

_____/s//_____ 09/18/2006_____
William T. Hogarth Date



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Pacific Islands Regional Office
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Honolulu, Hawaii 96814-4700
(808) 944-2200 • Fax: (808) 973-2941

AUG 12 2013

MEMORANDUM FOR: F/PIR/HCD ARA – Gerry Davis
FROM:  F/PIR/RA – Michael Tosatto
SUBJECT: Redelegations of Authority for Essential Fish Habitat
and Fish and Wildlife Coordination Act

The Pacific Islands Region (PIR) was formed after delegations of essential fish habitat (EFH) consultation authority were issued on September 7, 1999 to the Regional Administrators (RAs), and February 16, 2001 to Habitat Conservation Division (HCD) Assistant Regional Administrators (ARAs). Delegations of EFH, Fish and Wildlife Coordination Act (FWCA) and Federal Power Act consultation authorities were issued to the PIR Regional Administrator (RA) later on November 6, 2006. In order to further streamline the EFH and FWCA consultation process and to be consistent with all the other Regions, I have signed the attached NOAA Circulars re delegating authority to you to conduct consultations and other activities related to the following authorities: EFH under the Magnuson-Stevens Fishery Conservation and Management Act; and the FWCA. With these authorities you may conduct consultations with, and make recommendations to, state and federal agencies. Note that I will retain signature authority over internal consultations, and retain authority to review controversial consultations as needed. Also, any further re delegation of these authorities must be cleared by General Counsel for Fisheries, approved by me, and published as a NOAA Circular.

Attachments: NOAA Circulars (2) for delegations of authority for EFH, and FWCA

cc:

Frederick Tucher (GCPI)
Buck Sutter (OHC)
Thomas Bigford (OHC)
Terra Lederhouse (OHC)
Danielle Jayewardene (PIR HCD)



REDELEGATION OF AUTHORITY FROM
THE REGIONAL ADMINISTRATOR, PACIFIC ISLANDS REGION
DELEGATIONS OF AUTHORITY

TYPE OF ACTION: Add X Change Abolish

AUTHORITY DELEGATED TO: Assistant Regional Administrator
for Habitat Conservation, Pacific
Islands Region

TYPE OF DELEGATION: Administrative

SOURCE OF AUTHORITY: Fish and Wildlife Coordination
Act, 16 U.S.C. 661 et seq.

AUTHORITY TO DO WHAT: To consult with federal
permitting, licensing, and
construction agencies on proposed
projects that may affect living
marine resources under the Fish
and Wildlife Coordination Act,
16, U.S.C. 661 et seq.

EFFECT ON OTHER DELEGATIONS: None

RESERVED AUTHORITY: None

CLEARANCE BY:


8-9-2013
Section Chief, Pacific Islands Section
Office of NOAA General Counsel Date

APPROVING OFFICIAL:


8-9-2013
Regional Administrator for Date
The Pacific Islands Region

REDELEGATION OF AUTHORITY FROM
THE REGIONAL ADMINISTRATOR, PACIFIC ISLANDS REGION
DELEGATIONS OF AUTHORITY

TYPE OF ACTION: Add X Change _____ Abolish _____

AUTHORITY DELEGATED TO: Assistant Regional Administrator
for Habitat Conservation, Pacific
Islands Region

TYPE OF DELEGATION: Administrative

SOURCE OF AUTHORITY: Magnuson-Stevens Fishery
Conservation and Management Act
(Magnuson-Stevens Act), 16 U.S.C.
1801 *et seq.*

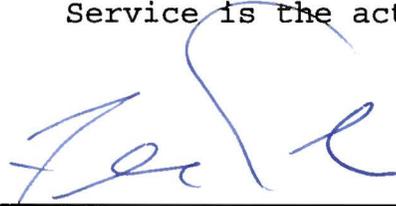
AUTHORITY TO DO WHAT: Conduct consultations with, and
make recommendations to, federal
and state agencies (excluding the
National Marine Fisheries
Service) regarding activities
affecting essential fish habitat
(EFH), in accordance with section
305(b) of the Magnuson-Stevens
Act, 16 U.S.C. 1855(b), except in
those instances where the
Director, Office of Habitat
Conservation, in consultation
with the Pacific Islands Region,
determines that the activities
have national significance. The
Assistant Regional Administrator
for Habitat Conservation may
redelegate this authority to area
or field office supervisors, but
cannot redelegate authority for
programmatic consultations or
general concurrences.

EFFECT ON OTHER DELEGATIONS: None

RESERVED AUTHORITY:

The Regional Administrator will retain signature authority for all EFH consultations for which the National Marine Fisheries Service is the action agency.

CLEARANCE BY:



8-9-2013

Section Chief, Pacific Islands Section
Office of NOAA General Counsel Date

APPROVING OFFICIAL:



8.9.2013

Regional Administrator for Date
The Pacific Islands Region



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September 18, 2006

MEMORANDUM FOR: William T. Hogarth, Ph.D.
Assistant Administrator for Fisheries

FROM: 
William L. Robinson
Regional Administrator

SUBJECT: Redelegations for Essential Fish Habitat, Federal Power Act, and the Fish and Wildlife Coordination Act

The Pacific Islands Regional Office has reviewed its delegations of authority and developed the attached NOAA Circulars that redelegate consultation authorities for Essential Fish Habitat, the Federal Power Act, and the Fish and Wildlife Coordination Act to the Administrator, Pacific Islands Region. These redelegations already exist for our other regional offices, but no revised redelegations were executed to cover the Pacific Islands Regional Office when established.

These formal delegations are required by NOAA rules, and are needed to clarify which organizational unit and position in the Pacific Islands Region will be responsible for conducting consultations and providing recommendations to state and federal agencies under these three authorities. I request that you approve the NOAA Circulars and the attached memorandum that transmits the redelegations to the Administrator, Pacific Islands Region.

Our Regional Counsel (GCPI) has cleared these proposed delegations, and it is our understanding that the Office of General Counsel must also review and clear them before your signature. Upon GCF clearance and your approval, we understand that both Bob Ziobro (Office of Planning) and Jim Arnold (NOAA Administrative Management and Executive Secretariat) are to receive both a signed version and an electronic version in MSWord format for distribution and logging into the official NMFS and NOAA delegations systems. Therefore, I will send along the electronic versions of the attached draft NOAA Circulars.

Attachments: Draft NOAA Circulars redelegating consultation authorities for Essential Fish Habitat, the Federal Power Act, and the Fish and Wildlife Coordination Act to the Administrator, Pacific Islands Region.

cc: GCF - S. Nathanson
NMFS Office of Planning - R. Ziobro, M. Holliday



MEMORANDUM FOR: William L. Robinson
Regional Administrator

FROM: William T. Hogarth, Ph.D.
Assistant Administrator for Fisheries

SUBJECT: Redelegations for Essential Fish Habitat, Federal Power Act, and
the Fish and Wildlife Coordination Act

I have signed the attached NOAA Circulars redelegating authority to you to conduct consultations and other activities related to the following authorities: essential fish habitat (EFH) under the Magnuson-Stevens Act; the Federal Power Act; and the Fish and Wildlife coordination Act. With these authorities you may conduct consultations with, and make recommendations to, state and federal agencies.

Note that any further redelegation of these authorities must be cleared by General Counsel for Fisheries, approved by me, and published as a NOAA Circular.

Attachments: NOAA Circulars (3) for delegations for the EFH, Federal Power Act, and the Fish and Wildlife Coordination Act

cc: NMFS Office of Planning – R. Ziobro, M. Holliday
GCF - S. Nathanson
NOAA AMES – J. Arnold

NOAA Circular

Please file

REDELEGATION OF AUTHORITY FROM THE ASSISTANT ADMINISTRATOR FOR FISHERIES DELEGATIONS OF AUTHORITY

TYPE OF ACTION: Add X Change Abolish

AUTHORITY DELEGATED TO: Regional Administrator, Pacific Islands Region

TYPE OF DELEGATION: Administrative

SOURCE OF AUTHORITY: Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1801 et seq.

AUTHORITY TO DO WHAT: Conduct consultations with, and make recommendations to, federal and state agencies regarding activities affecting essential fish habitat, in accordance with section 305(b) of the Magnuson-Stevens Act, 16 U.S.C. 1855(b), except in those instances where the Director, Office of Habitat Conservation, in consultation with the Pacific Islands Region, determines that the activities have national significance. This authority may be redelegated to the Deputy Regional Administrator or Assistant Regional Administrator for Habitat Conservation, who may redelegate authority to conduct individual EFH consultations to area or field office supervisors, but can not redelegate authority for programmatic consultations or general concurrences.

EFFECT ON OTHER DELEGATIONS: None

RESERVED AUTHORITY:

None

CLEARANCE BY:

NOAA General Counsel

Date

APPROVING OFFICIAL:

Assistant Administrator for
Fisheries

Date

NOAA Circular

Please file

REDELEGATION OF AUTHORITY FROM THE ASSISTANT ADMINISTRATOR FOR FISHERIES DELEGATIONS OF AUTHORITY

TYPE OF ACTION: Add X Change Abolish

AUTHORITY DELEGATED TO: Regional Administrator, Pacific Islands Region

TYPE OF DELEGATION: Administrative

SOURCE OF AUTHORITY: Fish and Wildlife Coordination Act, 16 U.S.C.
661 et seq.

AUTHORITY TO DO WHAT: Authority under the Fish and Wildlife
Coordination Act, 16 U.S.C. 661 et seq., to
consult with federal permitting, licensing, and
construction agencies on proposed projects that
may affect living marine resources.

EFFECT ON OTHER DELEGATIONS: None

RESERVED AUTHORITY: None

CLEARANCE BY:

NOAA General Counsel

Date

APPROVING OFFICIAL:

Assistant Administrator for
Fisheries

Date
