

***NATIONAL MARINE FISHERIES SERVICE NORTHEAST SUPPLEMENT
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***Administration and Operations Operating Agreement between Regional Offices and
Regional Science Centers Operating: Guidelines***

OPERATING AGREEMENT BETWEEN NERO AND NEFSC

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***SUMMARY OF REVISIONS: This is an update to the Operating Agreement of
February 20, 2004, between the Northeast Region Office and the Northeast
Fisheries Science Center.***

[Approving Authority name]

Date

[Approving Authority title]

February 2008

NOAA Fisheries

**OPERATING AGREEMENT
BETWEEN**

**NORTHEAST REGIONAL OFFICE
and
NORTHEAST FISHERIES SCIENCE CENTER**

A mutual goal of the Regional Administrator and Science and Research Director is to facilitate communication and teamwork between the various programs in the Northeast Region, including interactions between Regional Office and Science Center personnel. Better interactions with Headquarters staff is also encouraged using appropriate procedures that ensure that requests from Headquarters are managed without unnecessarily disrupting Regional Office or Science Center operations. The following guidance establishes the policy on tasking and work processes in the Northeast Region and further defines roles and responsibilities described in the NOAA Fisheries "Operating Agreement Between Regional Offices and Regional Science Centers".

Assistant Regional Administrators, Division Chiefs, Office Directors, and Staff Chiefs (collectively referred to as Unit Managers throughout this document) will be responsible, and accountable, for managing their work programs teaming with other organizational units and Headquarters Program offices where appropriate, to accomplish goals and objectives set by senior management. Resource allocation and policy, including formal sign-off of NOAA Fisheries positions, will remain the responsibility of top level management.

Coordination and Tasking

In general, Regional Office, Science Center, and Headquarters interactions should occur at the lowest appropriate level. Coordination and interactions between and among units in the Regional Office and/or Science Center should be conveyed staff-to-staff for minor requests, but staff must ensure that first level supervisors are kept informed. For requests requiring substantial commitments of staff time, Unit Managers should work with each other to coordinate joint projects and must keep executive staff informed of workload and staffing commitments. Decisions and tasking should be elevated to the Science and Research Director (for issues internal to the Science Center, between Center, or Center-Headquarters) or to the Regional Administrator (for Regional Office, between Region, or Region-Headquarters issues) whenever significant staff resources are required or if conflicts arise.

Interactions and coordination with Headquarters program offices should follow similar procedures. Minor requests from Headquarters may occur from staff-to-staff if Unit Managers are copied via e-mail so they can track workloads. For tasks that require substantial commitments of staff time, coordination must occur between Headquarters and Regional Office/Science Center Unit Managers to determine whether, and in what time frame, the work can be accomplished. All major Headquarters tasking must occur through the RA or S&RD, as

appropriate. Corresponding processes should be used for interactions with Enforcement and NOAA General Counsel.

Work products that require an official, or even implied Science Center position must be transmitted through the S&RD (or the Deputy S&RD in the absence of the S&RD) for signature. Issues that require an official Regional position must be transmitted through the RA (or Deputy RA in the absence of the RA).

Teamwork

To promote better interactions among programs, we strongly encourage the use of task-oriented teams. Regional Office/Science Center managers should form teams or working groups for specific projects (e.g., development of new management plans, developing better data reporting programs or implementing new initiatives), with one unit taking the lead and a fixed time frame for reporting to senior management. Unit Managers should delegate this responsibility as needed. All teams should have a clear work outline, specific product, and definite time line for completion, with regular briefings for senior managers on progress. Teams could be with the Regional Office or Science Center or might draw members from both entities as well as Headquarters (as appropriate).

All management units should hold regular staff meetings and Unit Managers should request attendance by the RA or S&RD, as appropriate, to improve communication. Regular Unit Manager meetings within and between the Regional Office and Science Center should also be held to advise the RA and S&RD on specific issues and discuss problems of concern to all. Combined Regional Office and Science Center training sessions and seminars should be scheduled, as appropriate, to facilitate communication between staffs and promote fiscal efficiency.

Units should meet regularly with support staff (administrative services, planning and budget, data management, public relations) to manage their work, plan future activities, and communicate results to the Region as a whole and to the public. Support staff task leaders should participate in meetings of other management units whenever possible to help keep communication lines open and raise issues for discussion with executive staff.

Contacts During Litigation

Information will not be provided in response to a verbal request from any party to a lawsuit with NOAA, as identified in the NOAA litigation database. The requester must be asked to submit the request for information in writing to either the RA or S&RD, as appropriate. Any written request for information from any party to a lawsuit with NOAA shall be forwarded to the Office of General Counsel for the Northeast Region (GCNE). GCNE shall coordinate a response to the request with the Department of Justice and the NEFSC.

Media Contacts

The regional public affairs (PA) staff advise Regional Office and Science Center staff on media

strategy and keep executive staff informed about media interest in current agency activities -- typically through regular staff meeting reports, conference calls on specific topics, and direct alerts during developing stories. Regional PA staff coordinate activities with NOAA PA staff assigned to NOAA Fisheries headquarters through weekly conference calls and regular communications during developing stories. NOAA PA staff in the NOAA-F headquarters will inform HQ executive staff and NOAA PA about regional media activities. If regional PA staff are not available, NOAA PA staff at headquarters will be substituted.

All media requests to individual Region or Science Center staff can be referred to the regional PA staff, and many of them should be. When in doubt, send the inquirer to the regional PA staff. Routine requests for publicly available information about which the request recipient is expert can be filled by the recipient, and a brief e-mail should be sent to PA about who called, what they wanted, and when a report might run. Examples include requests for clarification of regulatory actions (not opinions about them), landings figures, current numbers of entangled whales, number of permits retired during buyouts, and questions about biology and life history of a particular species. All requests from national news organizations (for example, network evening news, 24-hr cable news, national market newspapers, NPR, widely viewed internet news sites) must be referred to regional PA staff.

Requests that will, or might, make the recipient part of a news account, or that could call for a statement of agency policy, are to be referred to the regional PA staff before responding. First requests for interviews, any requests for opinions or reactions to media questions, requests for photos, website access or use, copyright, or matters that touch on agency policy or current newsworthy events are examples of requests that should be routed through the PA staff.

The PA staff will work with the individual contacted to assure that appropriate regional executive and HQ staff are advised, devise the substance of a response, assist with interviews, provide any background information that is relevant, follow-up with the reporter and with NOAA PA if required, and follow-up with the recipient of the request about how the coverage turned out.

Sometimes, a Unit Manager or area expert becomes a recognized agency spokesperson on a particular subject. The regional PA works with these individuals on a case-by-case basis to provide whatever support is useful and efficient; the most important factor is to keep one another informed about media contacts and coverage. It is always a good idea to touch base before any interview to share information about why and how a story is developing.

Congressional Contacts

Controlled congressional correspondence and official requests for testimony are already covered by agency procedure. Region and Science Center Unit Managers, however, should inform one another of these requests as they are received to mitigate any duplication of effort and assure that proper review of responses occurs at the field level before returning to headquarters.

More casual direct contacts from Congressional staffs, or requests via NOAA Legislative Affairs (LA) staff, should be documented in an e-mail and forwarded to the RA or S&RD or staff specifically designated by them to manage these responses. If the request is urgent, make sure

your e-mail is acknowledged. All inquiries or requests involving funds should be referred in this way.

If the request is for routine data and/or comprises publicly available information (e.g. number of employees at a particular site, a publication, or Aquarium operating hours) and can be provided expeditiously by whoever received the request, do so. An e-mail should be sent immediately thereafter to the RA, S&RD, regional PA, and NOAA LA staff assigned to NOAA Fisheries (if applicable) that includes what was requested, what was provided, who asked for it, which member or Congressional committee they work for, and contact information for that person.

Management Council and Commission Contacts

Most of the coordination and tasking that specifically relates to fishery management actions will take the form of Regional Office/Science Center or Center/Headquarters interactions and thus fall under the protocol discussed above. There are instances however, where one of the two regional fishery management Councils or the Atlantic States Marine Fisheries Commission will contact the Regional Office or Science Center staff directly and ask for assistance or technical support.

To the extent that the request involves the workload and functioning of an already-established technical team (such as a Plan Development Team, Technical Committee, or Monitoring Committee) staff-to-staff (Council to technical team) communication is appropriate.

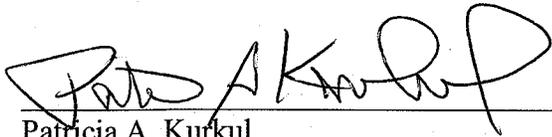
If the request of NEFSC staff extends across teams, involves realignment or reorientation of resources, or seeks commitment of additional resources, communication should be via the NEFSC Fishery Management Coordinator. If the work product involves an explicit or implied Regional Office or Science Center position, the request must be transmitted through the RA or S&RD (or the Deputy RA or Deputy S&RD in the absence of the RA or S&RD).

Copies of any written work product that results from Science Center/Regional Office collaboration should be provided to both the Center and the Regional Office. For the special case of fishery management actions, ultimate work products become decision memoranda, proposed rules, certification statements and the like. So that both the Science Center and Regional Office are fully informed as to the results of the collaborative effort, the document-preparing office should ensure that the other office receives copies of any materials/correspondence submitted to Headquarters or the region's fishery management councils.

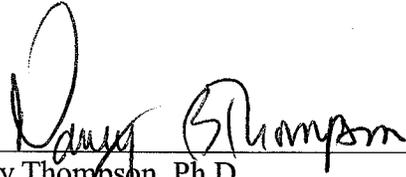
National Environmental Policy Act (NEPA) Procedures

As stipulated in the February 2, 2004, Operating Agreement between NOAA Fisheries Science Centers and Regional Offices, the Regional National Environmental Policy Act (NEPA) Coordinator is responsible for ensuring NEPA compliance in all activities independently initiated by the Science Center. This includes major Federal actions such as the issuance of grants, contracts, facilities activities, and other actions subject to NEPA compliance. As such, the Science Center is responsible for preparing the required NEPA documents in accordance with the

requirements of NOAA Administrative Order (NAO) 216-6 "Environmental Review Procedures for Implementing the National Environmental Policy Act". The NERO NEPA Coordinator and his/her designated staff will work with the Science Center staff to assess the level of NEPA review required for a proposed action, provide NEPA and regulatory documentation guidance, review draft documents, and make recommendations for approval by the S&RD. Procedures to accomplish these tasks are set forth in a separate Standing Operating Procedure.



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