

## **Operating Agreement for Shared Programmatic Activities**

**Between**

**Pacific Islands Fisheries Science Center and Southwest Fisheries Science Center**

### **I. Purpose and Objective**

The Pacific Islands and Southwest Fisheries Science Centers have long-established science programs directed towards assessment and monitoring of living marine resources and habitats in the eastern tropical, central, and western Pacific Ocean. Shared programmatic areas requiring improved coordination include highly migratory species (HMS) (e.g., tuna and billfish fisheries; cetaceans; sea turtles); and various other oceanic species (e.g., seabirds). The objective of this agreement is to ensure smooth and efficient conduct of research and scientific support in order to meet NMFS responsibilities and to support the needs of the Pacific Islands Regional Office (PIRO) and Southwest Regional Office (SWRO). It does this through assigning responsibilities while ensuring flexibility for collaboration between the Centers. Furthermore, adherence to this agreement will ensure that NMFS scientific input to management entities such as the Western Pacific (WPFMC) and Pacific (PFMC) Fisheries Management Councils, international management bodies, and NMFS Regional offices is consistent and well coordinated.

This document serves as the primary document guiding operations between the SWFSC and PIFSC including the designation of programmatic leads and the development of biennial program plans to determine how Centers will coordinate research and communications, and ensure accountability for shared programmatic activities. These biennial program plans will further define roles and responsibilities and will be supported by joint program planning annually on a fiscal year basis.

### **II. Definitions**

A key element of this operating agreement is the designation of respective Center roles for each shared programmatic area. The definition of roles and responsibilities for the "Lead Center" and the "Supporting Center" are described below. Coordination and planning responsibilities described below for staff will be clearly articulated in their performance plans and outcomes and accomplishments.

**"Lead Center"** – The Lead Center has the primary responsibility for the assigned programs. The Lead Center is responsible for planning, budgeting, prioritizing, and executing the program with involvement of the Supporting Center, and communication of results to management entities. The Lead Center is responsible for engaging the Supporting Center in development of the relevant science and program plans related to these shared Pacific responsibilities.

**"Supporting Center"** – The Supporting Center is responsible for providing informed and timely input to science and program plans, advice regarding staffing and budget decisions, conducting specialized supporting science, and meeting deadlines for synthesis products.

**“Program Lead”** – The Program Lead is a senior leader in the Lead Center responsible for overall coordination and performance of the program in meeting agreed upon goals expressed in the program plan.

**“Supporting Center Lead”** – The Supporting Center Lead is a senior staff member in the Supporting Center who coordinates Supporting Center participation in meeting goals of the program plan.

**“Lead Center Staff”** – Staff at the Lead Center involved in the relevant program

**“Supporting Center Staff”** – Staff at the Supporting Center involved in the relevant program

**“Biennial Program Plan”** – A program plan for each shared program developed every two years. These plans will include science priorities and responsibilities, guidelines for team communications, milestones, budget and staffing plans, and guidelines for external communications with constituent and management partners.

### **III. Designated Programmatic Responsibilities**

#### **Pacific Highly Migratory Species (HMS)**

**Lead for Monitoring and Scientific Studies:** Lead responsibility designation for HMS studies is based on stocks and expertise located at the Centers and consistent with the management responsibilities of each Regional Office. Lead for stocks not mentioned, e.g., some shark species, and miscellaneous large pelagics, will be decided through consultation and designated in the biennial program plan.

- PIFSC will lead in providing monitoring, scientific studies and scientific support to the PIRO for yellowfin tuna, bigeye tuna, skipjack tuna, swordfish, blue marlin; blue, oceanic whitetip, and silky sharks; and South Pacific albacore. PIFSC will also be responsible for estimation and research on by-catch species interactions for Western Central Pacific Ocean (WCPO) fisheries. SWFSC will lead in providing monitoring, scientific studies and scientific support to the SWRO on North Pacific albacore, Pacific bluefin tuna, and thresher sharks. SWFSC will also be responsible for estimation and research on Eastern Pacific Ocean by-catch species interactions. There will be shared responsibility for striped marlin, mako sharks, and other pelagic species as agreed with responsibilities outlined in the biennial program plan.

**Conservation Advice and International Agreements:** Much of the monitoring and scientific studies conducted by the Centers is focused on meeting demands for providing regional and national statistics to Regional Fishery Management Organizations (RFMOs), assessing the status of stocks, determining the impact of the fisheries or other forces, and developing conservation advice to prevent overfishing and promote sustainable fisheries.

- PIFSC will be the lead for the Scientific Committee of the Western and Central Pacific Fisheries Commission (WCPFC) in providing United States fisheries statistics for the WCPFC and for developing conservation advice for supporting PIRO needs. It will also participate on the Scientific Advisory Committee of the Inter-American Tropical Tuna Commission (IATTC) as required and will provide the appropriate statistics for SWFSC participation in the IATTC.
- SWFSC will be the lead for the Scientific Advisory Committee of the IATTC and be responsible for coordinating provision of conservation advice on IATTC stocks for SWRO needs.
- There will be shared responsibility for participation in the International Scientific Committee on Tuna and Tuna-like Species (ISC), including rotating the head of delegation, which will coincide with the revision of the biennial plans. Responsibilities for ISC activities will be outlined in the biennial program plan, including provision of stock assessment-level fishery statistics on a timely basis.
- Both Centers will continue to serve as lead for scientific advice on other international agreements, such as the Canada-U.S. Albacore Treaty and MexUS-Pacifico agreement for the SWFSC and the South Pacific Tuna Treaty for the PIFSC. In areas where there may be overlap, responsibilities will be outlined in the biennial program plan.

**Table 1: Summary of HMS Programmatic Role Designations**

| Programmatic Area                                                                                                                      | Lead               | Supporting Center(s) |
|----------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------|
| <b>HMS Scientific Studies</b>                                                                                                          |                    |                      |
| Yellowfin tuna, bigeye tuna, skipjack tuna, South Pacific albacore, swordfish, blue marlin and blue, oceanic whitetip and silky sharks | PIFSC              | SWFSC                |
| North Pacific albacore, Pacific bluefin tuna, thresher sharks                                                                          | SWFSC              | PIFSC                |
| <b>HMS Monitoring and Data Management</b>                                                                                              |                    |                      |
| Longline, Purse Seine, and American Samoa, Guam, Hawaii, Northern Mariana Islands, and Pacific remote island areas                     | PIFSC              | SWFSC                |
| California gillnet, North Pacific albacore trollers, PSMFC fisheries                                                                   | SWFSC              | PIFSC                |
| <b>HMS Conservation Advice and International Agreements</b>                                                                            |                    |                      |
| WCPFC Scientific Committee                                                                                                             | PIFSC              | SWFSC                |
| IATTC Scientific Advisory Committee                                                                                                    | SWFSC              | PIFSC                |
| South Pacific Tuna Treaty                                                                                                              | PIFSC              | SWFSC                |
| ISC                                                                                                                                    | Shared SWFSC/PIFSC |                      |
| WCPFC Northern Committee                                                                                                               | PIFSC              | SWFSC                |
| Canada-US Albacore Treaty                                                                                                              | SWFSC              | PIFSC                |
| MexUS-Pacifico Agreement                                                                                                               | SWFSC              | PIFSC                |

**Cetacean Research**

- Cetacean research falls into three broad categories: 1) near-shore research conducted from small boats and land-based stations; 2) pelagic/oceanic research conducted from NOAA or chartered research vessels; and 3) bycatch estimation and stock assessments. The basic principle is that the lead for each category of this research will be determined by the physical location of the research, by extant expertise as jointly agreed, or by the fishery under consideration: e.g., for the central and western Pacific, it will be PIFSC; for the eastern Pacific, it will be SWFSC with the expectation that both Centers will provide their special expertise and assist in capacity building as determined by the biennial program plans.
- Conducting NOAA vessel (and related chartered research vessel) transect surveys of cetacean populations is costly in terms of personnel resources, days at sea, and budgets. The two Centers' marine mammal programs will meet annually to coordinate research plans for the forthcoming five years.
- Near-shore research conducted from small boats and land-based stations - The Lead Center for this research will be determined by the physical location of the research (e.g. for the central and western Pacific, the Lead Center will be PIFSC; for the eastern Pacific, the Lead Center will be SWFSC). The Lead Center may request collaboration (thereby bringing in the other Center in a Supporting Center role) on a case-by-case basis.
- Pelagic/oceanic research conducted from NOAA research and/or chartered vessels - These cruises collect data on cetacean abundance and distribution, as well as on stock structure, life history and health, and the ecosystem. Each oceanic cruise will usually include a number of PIs. For research conducted in the eastern Pacific, the Lead Center will be SWFSC. For research conducted in the central and western Pacific, the Lead Center will be determined on a case-by-case basis, as determined by the Biennial Plan.
- Bycatch estimation and stock assessment – The Lead Center will be determined by the physical location of the fishery under consideration (e.g. for the central and western Pacific, the Lead Center will be PIFSC; for the eastern Pacific, the Lead Center will be SWFSC). The Lead Center will estimate bycatch (including serious injury determination) and produce stock assessments and associated contributions for the annual Stock Assessment Reports.

**Table 2: Summary of Cetacean Research Responsibilities**

| Programmatic Area                       | EPO   | WCPO                            |
|-----------------------------------------|-------|---------------------------------|
| Near Shore Research                     | SWFSC | PIFSC                           |
| Pelagic/Oceanic Research                | SWFSC | Joint Coordination <sup>1</sup> |
| Bycatch Estimation and Stock Assessment | SWFSC | PIFSC                           |
|                                         |       |                                 |

|                          |       |       |
|--------------------------|-------|-------|
| IWC                      | SWFSC | PIFSC |
| IATTC                    | SWFSC |       |
| WCPFMC                   |       | PIFSC |
| MEXUS-Pacifico Agreement | SWFSC |       |

<sup>1</sup> The Lead Center will be determined on a case-by-case basis. Full funding and ship time will be provided by the Lead Center. The Biennial Plan may allow for exceptions on a case-by-case basis.

### **Sea Turtle Research**

Sea turtle research falls into four broad categories: 1) life history biology; 2) pelagic/oceanic movement; 3) population assessment; and 4) bycatch estimation and stock assessment. The split of responsibilities is complex. It will be up to the Biennial Plan to determine the nature of collaboration between the Centers.

## **IV. Program Planning**

### ***Joint Program Planning/Biennial Program Plans***

The Centers will collaboratively conduct joint programmatic planning for the science conducted under the respective programs (highly migratory species, cetaceans, and sea turtles). A comprehensive planning process will occur biennially led by the respective Program Lead with support and involvement from the Supporting Center Lead and staff from both Centers, and will generate the Biennial Program Plans. The planning process and resulting plans will include science priorities and responsibilities, guidelines for internal team communications, milestones, and guidelines for external communications with constituent and management partners. Respective Regional Office staff will be invited to these discussions to ensure regional management needs are met. The biennial program plans will be approved by both Center Directors and communicated to Regional Offices. Similarly, Regional Offices will invite SC staff to participate in their planning processes.

Programs will also conduct annual program planning to refine communication policies and to plan for important events during the year. Respective Regional Office staff will be invited to participate in the relevant portions of these meetings by mutual agreement of the two Centers.

### ***Budget Decisions***

Budget allocation decisions are made by the Science Directors and Deputy Science Directors, with input and advice from senior programmatic staff. The Deputy Directors have the responsibility to act in the best interest of their Center, understanding the unique capacities at each Center and recognizing the value to the agency and each Center in minimizing overlap and maximizing coordination. The Science Center Directors have the responsibility to balance the needs and interests of their Center with the best interests of the agency as a whole.

## **V. General Programmatic Coordination and Communication**

The Biennial Program Plans will be developed by the Lead and Supporting Center leads and shall include a section describing specifically how the Centers will ensure regular communications regarding progress towards implementing the plan, address any obstacles, and coordinate science input to management entities. A guideline for joint collaboration and communication is below.

### *Meetings*

Subject matter meetings will be held in person on a biennial basis, rotating between the two Centers, with intervening meetings held by video-conference as required. The subject matter Lead and Supporting Lead will schedule conference calls to provide updates, resolve issues, and adjust plans as necessary.

## **VI. Constituent Relations**

The Biennial Program Plan will designate a senior staff Communications Lead from each center for relevant management bodies ('WP Council Lead' for WPFMC, 'P Council Lead' for PFMC, 'IWC Lead' for International Whaling Commission, etc). This team shall have the primary responsibility for ensuring that the NMFS Pacific Ocean scientific input to management bodies is well coordinated.

The subject matter Lead is responsible for ensuring that Science Directors have the information they need to serve as the Chief Science Advisor to their respective Regional Administrators (see Section VII below).

## **VII. Regional Office Considerations**

### *Regional Office Role*

Success of this operating agreement in contributing to rational stewardship of NMFS' Pacific responsibilities requires good communication and collaboration between the Centers and the Regions. The commitment of the PIRO and SWRO in communicating their needs to their respective Centers and supporting the work of the Centers, including promoting the conservation advice in conservation and management policies and positions, is vital for sustaining this agreement.

The Science Centers and Regional Offices are expected to hold joint (all four offices) biennial meetings to plan future requirements and the respective SCs and ROs to hold regular meetings throughout the year as necessary to ensure coordination. The biennial Regional Office meetings will be held prior to and inform the biennial program planning efforts between Science Centers.

### *Regional Office Advice*

The Science Directors serve as the science advisor to their respective Regional Administrator and this role will not change with this operating agreement.

## **VIII. Accountability**

### *Accountability*

Adherence to the form and spirit of this Operating Agreement will be an element in the personal performance plans of each Science Center director, and as such, considered in his/her performance rating. Lead and supporting staff at both Centers will include an element in their performance plans reflecting their role in Pacific-wide efforts and Program Leads will provide input into performance plans and evaluations.

### *Proper attribution of science*

Proper attribution is a foundation of science and both Centers will uphold this ethic. Therefore there is joint responsibility to appropriately credit the science done by the other Center in any publication or communication, internal or external. This includes adequate consultation on any publication or communication that includes or should include the published or unpublished science and data produced by the other Center. Similarly, this principle applies to proper attribution of contributions by Regional Office staff and any other partner.

### *Measuring Success*

Success of this agreement will be measured by the following:

- The quality and timeliness of scientific information and advice to the Regional Offices.
- Completion of Program Plans annually by each shared program (HMS, Cetacean and Sea Turtles).
- Internal resolution of any disputes in a timely manner
- Contribution of supporting center and staff is acknowledged in scientific papers, presentations, etc.
- Little or no duplication of effort
- Efficient distribution of resources in a way that supports NMFS and NOAA priorities

## **IX. Other Guiding Principles**

### *No Surprises*

This document promotes a "no surprises" policy and facilitates a high degree of consultation between the partners. It is the intention of the two Centers that the working relationship resulting from this agreement is based on a high level of trust. To ensure that trust is generated and maintained, parties should ensure that the relevant program staff are fully informed of activities of joint interest and avoid actions that place either Center and/or the agency in an untenable or embarrassing position.

## **X. Revision**

Revisions and amendments to this document may be made with agreement and signature of both Science Directors. If agreement is not reached the existing agreement will remain in place.

Science Directors and Deputy Directors agree to implement this agreement for two years in good faith. After two years, the two SDs and DSDs will conduct a review of this

agreement to evaluate and improve upon its effectiveness by making any further jointly approved revisions. Such biennial revisions will be subject to approval by the NOAA Fisheries Director of Scientific Programs. In the absence of agreement, the NOAA Fisheries Director of Scientific Programs will be the final arbitrator.

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