



NOAA
FISHERIES

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NOAA Fisheries

Equity and Environmental Justice Strategy

Executive Summary

NOAA Fisheries endeavors to serve stakeholders equitably by engaging underserved communities in the science, conservation, and management of the nation's ocean resources and their habitat. This national strategy builds on NOAA Fisheries' previous equity and environmental justice efforts to provide guidance for incorporating and prioritizing EEJ in ongoing and future activities in support of NOAA Fisheries' mission.

NOAA Fisheries' science, conservation, and management activities serve a diverse array of communities across the United States and Territories. Recognizing that not all communities have equal opportunities and access to NOAA Fisheries' services, we identified three overarching goals (Table 1). This national strategy requires step-down implementation plans and annual progress reports to ensure improvements in five core areas: Policy, Research, Outreach, Benefits, and Governance. A sixth core area, Empowering Environment, provides agency staff with the support and tools necessary to implement changes (Table 1).

Identifying and recognizing underserved communities, as well as addressing access barriers they face, will allow NOAA Fisheries to more equitably and effectively serve all communities. Focusing on these six core objectives will provide more equitable stewardship of the nation's ocean resources and their habitat.

This national strategy is the result of guidance from recent Executive Orders, 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 indicated by underserved communities. To be clear, it does not condone business as usual and is not a rebranding of existing activities. Rather, this national strategy describes the path that NOAA Fisheries will take to incorporate EEJ into the vital services we provide to all stakeholders.

Table 1. NOAA Fisheries’ three overarching goals and six core EEJ 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 mandated and mission work.		
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>Incorporate Equity and Environmental Justice in 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>Equity in Research and Researching Equity: Identify underserved communities, address their needs, and assess impacts of management decisions.</p>	<p>Outreach and Engage Equitably: Build relationships with underserved communities to better understand their needs, and improve information sharing with all stakeholders.</p>	<p>Equitably Distribute Benefits: Distribute benefits equitably among stakeholders by increasing the access to opportunities for underserved communities.</p>	<p>Inclusive Governance: Provide for the meaningful involvement of underserved communities in the decision-making processes.</p>

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List of Acronyms

CERCLA: Comprehensive Environmental Response, Compensation and Liability Act

DOC: Department of Commerce

EEJ: Equity and Environmental Justice

EJ IWG: Federal Interagency Working Group on Environmental Justice

ESA: Endangered Species Act

HMS: Highly Migratory Species

IN FISH!: Inclusive NOAA Fisheries Internship Program

LGBTQ+: lesbian, gay, bisexual, transgender, and queer

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 Fisheries: National Oceanic and Atmospheric Administration National Marine Fisheries Service

OHC: Office of Habitat Conservation

OPA: Oil Pollution Act

PDS: Policy Directive System

TEK: Traditional Ecological Knowledge

Introduction

This national strategy provides guidance for incorporating and prioritizing equity and environmental justice (EEJ) in ongoing and future activities in support of NOAA Fisheries’ mission. While NOAA Fisheries’ work has incorporated elements of EEJ, our efforts to date have not met the scope, magnitude, and duration of the challenges facing underserved communities. In 2021, President Biden signed Executive Orders 13985 and 14008 to promote equity and environmental justice within the federal government and its external-facing efforts. In response, the FY22-26 Department of Commerce’s Strategic Plan revised its mission, “to create the conditions for economic growth and opportunity for all communities,” and published its Equity Action Plan. NOAA Fisheries responded by convening an EEJ Working Group to improve information sharing, coordinate internal expertise, and to inform implementation of EEJ. The EEJ Working Group identified current EEJ activities (described in detail in Appendix 1) and developed this document as a framework for embedding EEJ into everything NOAA Fisheries does, on a daily basis, to fulfill our mission to provide vital services equitably for the entire nation. Implementing this strategy requires the participation of the NOAA Fisheries’ entire workforce and all offices and programs. While there is much we can do without additional funds, significant progress will require additional funds, as requested in the FY23 Budget Request.

Definitions

NOAA Fisheries adopts the following definitions:

Environmental Justice is the fair treatment and meaningful involvement of all people, regardless of race, color, gender, sexual orientation, national origin, religion, disability, or income during 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 decision-making processes; and
- Equitable opportunity for underserved communities that have been marginalized.*

Equity 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** means:

- Stakeholders have an opportunity to participate in decisions about activities that may affect their environment and/or health;
- The public's contribution informs 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.

*Stakeholders** are individuals or representatives from organizations or interest groups that have a strong interest in NOAA Fisheries' work and policies.

*Public** 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.

Underserved Communities, as defined by Executive Order 13985, 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 EO 13985 these groups could include but are not limited to: women and girls; Black, Latino, and Indigenous and Native American persons***, Asian Americans and Pacific Islanders, and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural 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 fishing communities (which include 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 will 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 a regionally specific and an on-going process that will require long-term commitment.

Climate Change is the long-term shift in oceanic and atmospheric conditions, resulting in increased temperature, sea level rise, and changes in weather patterns like drought, flood, and storm frequency/duration. 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. As described in the NOAA Fisheries’ Climate Science Strategy Five Year Progress Report (2021), fishing communities may be especially vulnerable to sea level rise, loss of catch abundance and diversity, and the resulting impacts to their local economy.

Diversity, Equity, Inclusion, and Accessibility

NOAA Fisheries strives to eradicate discrimination in our programs and policies, identify and reduce barriers to equity, and be inclusive of all communities affected by NOAA Fisheries’ work. This EEJ Strategy focuses on advancing environmental justice and equitably serving all underserved communities through NOAA Fisheries’ externally facing services and policies. Successful implementation of this strategy will depend, in part, on continued progress toward a diverse and inclusive NOAA Fisheries workforce. NOAA Fisheries’ internal diversity, equity, inclusion and accessibility efforts focus on cultivating a diverse workforce to reflect, understand, and respond to the varied communities we serve, including underserved communities, as described in the [NOAA Fisheries Diversity and Inclusion Strategic Plan](#) for 2022-2025 and as outlined in [Executive Order 14035](#). Here, diversity encompasses national origin, language, race, color, abilities, ethnicity, gender, age, religion, and sexual orientation, among other factors. Inclusion refers to equitable treatment, access, opportunity and advancement of all employees.

* adapted from the [Environmental Protection Agency](#)’s definition

**as defined by [Executive Order 13985](#)

***The United States 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.

NOAA Fisheries’ Stewardship Mission

NOAA Fisheries¹ 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.

Mandates for Equity and Environmental Justice

Government programs and policies can play a large role in advancing environmental justice and the equitable distribution of services to individuals, families, businesses, and communities. Recognizing this, executive orders have

¹ Known informally as NOAA Fisheries, the official name of the agency in legislation and regulations is the National Marine Fisheries Service (NMFS).

been issued to promote EEJ within the federal government and guide the way NOAA Fisheries and other federal agencies implement their mission. EEJ are a priority for the Administration, and several interagency groups are updating metrics, definitions, and approaches that will be incorporated into this strategy as they become available.

Signed in 2021, [Executive Order 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, [Executive Order 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.

[Executive Order 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 actions on minority and low-income populations.

The Department of Commerce Equity Action Plan (2022) lays the foundation for programing 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 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 shall, 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 mandates, EEJ are 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 the public and to help stakeholders understand and engage in federal decisions that could impact their livelihoods and communities.

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. However, underserved communities experience barriers to fair treatment and meaningful involvement in NOAA Fisheries' work. The barriers faced by underserved communities are often interrelated but vary by community history, characteristics, and need. Below, we have identified some common barriers.

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 oversight affects who are considered NOAA Fisheries stakeholders, who research and monitoring are tailored for, and who are aware of and 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 prevent equitable access to resources and/or NOAA Fisheries' services. For example, criteria for allocation of resources may be based on historical ownership, creating services for the largest number of people, generating the greatest net benefits, or prioritizing commercial segments of fisheries, which may exclude underserved communities.

3. Barriers to accessing services

Underserved communities can experience barriers to accessing NOAA Fisheries' services due to language differences or difficulties attending NOAA meetings due to venues, times, or travel costs. Furthermore, mandates and management protocols may be counter to cultural decision-making and allocation practices of some underserved communities.

4. System complexity

The complexity of accessing federal services can inhibit inclusion of stakeholders, especially those who have not previously received such services. Benefit application systems may be difficult to navigate and require special knowledge.

5. Gaps in expertise

Our ability to identify, characterize, and serve all communities equitably requires prioritizing research conducted by anthropologists, sociologists, geographers, economists, and interdisciplinary social scientists. Similarly, education and outreach staff are limited and do not have the resources to engage with all communities on all issues. We also don't have staff geographically located and with the cultural and language literacy needed to engage many of our underserved communities.

6. Gaps in representation

Underserved communities are not well represented on the regional Fisheries Management Councils established under MSA or the advisory panels associated with those councils. Underserved communities are also 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.

NOAA Fisheries' Approach to EEJ

To address the barriers faced by underserved communities, the NOAA Fisheries' EEJ Working Group developed a framework that includes long-term goals and short-term objectives, as recommended by the White House EJ Advisory Council. 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.

Long-term Goals

1. Prioritize identification, equitable treatment, and meaningful involvement of underserved communities.
2. Provide equitable delivery of NOAA Fisheries' services.
3. Prioritize EEJ in our mandated and mission work.

To achieve these goals, each national program (e.g., Office of Protected Resources, Office of Habitat Conservation, etc.) and geographic region (e.g., Southeast, Pacific Islands, etc.) will create an EEJ step-down implementation plan (possibly as part of their [NOAA Fisheries Geographic Strategic Plans](#) for FY 2023–2028) that is specific and responsive to the needs of underserved communities and allows for the input of underserved communities. Each program, science center, and regional office will set EEJ as Priority Areas or milestones in annual strategic planning starting in FY2023. National program offices will coordinate with regional offices and science centers to establish ownership for shared goals. Implementation plans will include metrics describing EEJ actions, 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). These metrics are currently under review within the federal government; upon availability, the final metrics will be incorporated into NOAA Fisheries' EEJ Scorecard.

Short-term Objectives

To provide consistency in the development of regional or programmatic plans, the NOAA Fisheries' EEJ Working Group has identified six EEJ objectives (Table 1). 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 actions, metrics, and resources needed to implement each objective. These EEJ metrics will be updated if further guidance is provided by the White House EJ Advisory Council, DOC, and 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 a priority and encourage staff to consider EEJ into every aspect of their work.

To implement this strategy, it is imperative that leadership and management create an empowering environment. This means identifying EEJ as priorities 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. 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.

Basic needs shared across multiple objectives include:

- EEJ Training
- Staff time
- Staff expertise
- Community Liaisons
- Demographic data collection, analysis, and reporting
- Support 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 expertise guidance to incorporate EEJ into their work?
- What accountability structures does NOAA Fisheries need, e.g. a commitment to 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?

Table 2: Empowering Environment, Action Areas, and Proposed Metrics

Action	Possible Mechanisms/Metrics	Resources Needed
1. 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 programs with an EEJ milestone • Percentage of milestones reached 	<ul style="list-style-type: none"> • Leadership support • EEJ training
2. Include EEJ collateral duty roles into the performance plans of applicable staff, including metrics for accountability	<ul style="list-style-type: none"> • Percentage applicable staff with EEJ included in performance plans • EEJ work included in promotion scoring criteria for appropriate staff 	<ul style="list-style-type: none"> • Leadership support • Suggested language
3. Include EEJ collateral duty roles into the performance work statements of contracts with work that interfaces with external stakeholders, 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
4. 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. (Such as the Environmental Protection Agency’s “Environmental Justice Learning Center”)	<ul style="list-style-type: none"> • Number and percentage of staff trained 	<ul style="list-style-type: none"> • EEJ training materials and/or funds for trainer • Current staff time
5. 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"> • Current staff time
6. 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"> • Current staff time
7. Build internal infrastructure for prioritizing and implementing EEJ: create “field offices” staffed by liaisons (prioritizing local knowledge, language) to facilitate relationships, public meetings, research (social science and biological), monitoring, etc.	<ul style="list-style-type: none"> • Number of field staff with knowledge of local language and culture • Number of in-person meetings, or venue and platform decisions that prioritize underserved communities. 	<ul style="list-style-type: none"> • EEJ community liaisons • Field offices • EEJ training

<p>8. Provide training on NOAA Fisheries’ EEJ goals and objectives for Council or other advisory body members</p>	<ul style="list-style-type: none"> • Number of trainings provided • Feedback from trainees on their efficacy 	<ul style="list-style-type: none"> • Current staff time
<p>9. Mandatory training for all grant reviewers on how to mitigate the types of bias that likely disadvantage underserved communities when reviewing applications</p>	<ul style="list-style-type: none"> • Number and percentage of grant reviewers trained 	<ul style="list-style-type: none"> • Current staff time • EEJ training

Incorporate Equity and Environmental Justice in Policy and Plans

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

NOAA Fisheries must adhere to requirements of laws enacted by Congress, which may have a great impact on stakeholders, particularly underserved communities. In accordance with its statutory mandates, NOAA Fisheries issues policies, strategies, and regulations to implement its mission. At times, we are required to make determinations based solely on the best available scientific information, such as the listing of species under the Endangered Species Act; however, some sections of some laws permit EEJ considerations in their implementation, and some plans are wholly dependent on the input and involvement of the communities they address. For example, [climate change resilience planning](#) requires the knowledge and participation of fishing communities to assess and address impacts of changing ocean conditions. Thus, to the extent permitted by applicable law, Policy and Planning EEJ activities consider the impacts and responsiveness of NOAA Fisheries' programs to underserved communities and look for opportunities to co-develop management, conservation, and stewardship initiatives with such communities.

As stated in EO 13985, entrenched disparities in public policies have denied equal opportunity to some individuals and communities. These disparities include past and ongoing policy decisions by the NOAA Fisheries that may have exacerbated unequal distribution of economic, social, and cultural resources. For example, allocation of fishery resources is a complex issue because of the history and tradition of access, the perceptions of equity that arise with allocation decisions, and differences in the economic and social values competing user groups place on those resources.

By more systematically considering EEJ in NOAA Fisheries' policy and planning activities, we can improve equity in the delivery of services. Where possible and appropriate, NOAA Fisheries can include provisions to reduce barriers and improve services to underserved communities to institutionalize equity for the long-term.

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 ensure 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?
- What additional flexibility can we provide in NOAA Fisheries' policies and procedures to incorporate relevant local language, customs, and knowledge?

Table 3: Incorporate Equity and Environmental Justice in Policy and Plans, Action Areas and Proposed Metrics

Action	Possible Mechanisms/Metrics	Resources Needed
1. Issue guidance on how new NOAA Fisheries’ policies and plans regarding our external-facing work shall consider EEJ objectives	<ul style="list-style-type: none"> Percentage of policies and plans including EEJ objectives 	<ul style="list-style-type: none"> Current staff time EEJ training
2. Issue guidance that during the periodic review of each NOAA Fisheries’ directive in the Policy Directive System (PDS) , the review includes: appropriate language, clear messaging, accessibility, and consideration of EEJ, communities, local language, customs, and traditional knowledge	<ul style="list-style-type: none"> Percentage of applicable PDS directives including EEJ considerations 	<ul style="list-style-type: none"> Current staff time EEJ training
3. Conduct a review of major NOAA Fisheries’ regulatory processes (fisheries, protected resources, habitat conservation, and aquaculture) to determine whether new policies, regulations, or guidance documents may be necessary to advance EEJ in NOAA Fisheries’ actions and programs	<ul style="list-style-type: none"> Number of regulatory process reviews completed Number of regulatory processes updated based on review 	<ul style="list-style-type: none"> Current staff time EEJ training
4. Develop programs, policies, and activities to address the disproportionately high and adverse environmental, climate-related, and other cumulative impacts on underserved communities, as well as the accompanying food security and economic challenges of such impacts	<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"> Current staff time EEJ training

Research and Monitoring for Equity

Objective: Identify undeserved communities, address their needs, and assess impacts of management decisions.

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. This informs NOAA Fisheries' understanding about 1) the near and long-term condition of our coastal and marine ecosystems and 2) the identification, role, and characterization of humans that rely on or interact with those ecosystems.

Research and monitoring is crucial to EEJ efforts for two main reasons. First, EEJ prioritizes the social, cultural and economic (human) research and monitoring needed 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 will need to be appropriate for a given region, program, or project area. Social scientists could use, but are not limited to, Census-based mapping tools, site-specific information from regional staff, information from project partners and grantees, and community consultation. These activities provide the data needed to inform policies that ensure societal benefits from ocean and coastal resources are shared equitably. Collecting and analyzing demographic information on the individuals currently participating and affected by or benefiting from NOAA Fisheries' programs and management will also be essential to monitoring our progress towards EEJ, as encouraged by the DOC Equity Action Plan.

Second, EEJ also 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. Meaningful involvement also includes engagement of underserved communities during data gathering and reporting, to ensure that findings are appropriate and accessible. For example, NOAA Fisheries' climate change research seeks input on the impacts of climate change on fisheries and fishery-dependent communities in order to develop resilience plans.

Guiding Questions

- What research do we need to identify underserved communities?
- How can NOAA Fisheries better engage with underserved communities to identify, co-develop, and co-produce place-based research and monitoring priorities?
- How can we reduce bias in social science research?²
- How can NOAA Fisheries expand involvement of members of underserved communities in research and monitoring projects?
- 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?

² Sampling includes social-science research, but also any other situation where community consultation is used as data.

- 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 traditional ecological knowledge into research structure, data collection, and data reporting?
- How can NOAA Fisheries make science communication more accessible and understandable to a diverse audience, including underserved communities?

Table 4: Research and Monitoring for Equity, Action Areas and Proposed Metrics

Action	Possible Mechanisms/Metrics	Resources Needed
<p>1. 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, aquaculture, protected species, and habitat restoration.</p>	<ul style="list-style-type: none"> • Early engagement of underserved communities to co-produce research and monitoring priorities (Links to Outreach and Engagement) • Involvement of underserved community members in the data collection process. • Reporting of findings back to underserved communities • Percentage of projects that involve underserved community members during planning, fieldwork, and reporting • Number of research and monitoring projects that meaningfully involve underserved communities • Underserved community satisfaction with the NOAA Fisheries research and monitoring process 	<ul style="list-style-type: none"> • Current staff time • EEJ training • Dedicated funds to pay study participants
<p>2. Identify and characterize underserved communities by prioritizing social, cultural, economic, and demographic research.</p>	<ul style="list-style-type: none"> • Prioritize social and economic research for EEJ by supporting internal expertise [human capital] • Prioritize cultural literacy to effectively and appropriately engage with underserved communities (Links to Outreach and Engagement) • Number of data sources and research projects characterizing underserved communities 	<ul style="list-style-type: none"> • Current staff time • EEJ training • OMB approval

<p>3. Analyze the social, cultural, and economic impacts of NOAA Fisheries’ services and management decisions (e.g., fisheries, protected species, and habitat conservation) on underserved communities.</p>	<ul style="list-style-type: none"> • Number of reports that integrate social, cultural, and economic impacts to underserved communities. 	<ul style="list-style-type: none"> • Current staff time • EEJ training
<p>4. Include local and traditional ecological knowledge³ in fisheries, climate, and ecosystem-based science.</p>	<ul style="list-style-type: none"> • Quantity of climate and ecosystem based management projects and products that incorporate local and traditional ecological knowledge in their data collection and reporting 	<ul style="list-style-type: none"> • Current staff time • EEJ training
<p>5. Co-production and co-development (i.e., meaningful involvement of fisheries and aquaculture representatives from underserved communities) in the fisheries and cultivation stock assessment and allocation processes.</p>	<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"> • Current staff time • EEJ training • EEJ community liaisons
<p>6. Develop a survey and reporting methodology to estimate the value that underserved communities receive from their use of living marine resources (including non-exploitative value).</p>	<ul style="list-style-type: none"> • Publication of reporting methodology 	<ul style="list-style-type: none"> • Current staff time
<p>7. Conduct an analysis of barriers to entry in fisheries and marine aquaculture programs (e.g., cost, culture, and management structure) for underserved communities and identify potential policy changes.</p>	<ul style="list-style-type: none"> • Percentage of fisheries programs for which a barrier analysis is conducted and policy changes identified 	<ul style="list-style-type: none"> • Current staff time
<p>8. Co-produced and co-developed research on the consumption patterns of communities who principally rely on fish and/or wildlife for subsistence. Communicate to the public the risks and benefits of those consumption patterns (Executive Order 12898).</p>	<ul style="list-style-type: none"> • Number of reports produced 	<ul style="list-style-type: none"> • Current staff time

³ Please see [the NOAA Fisheries and National Ocean Service Guidance and Best Practices for Engaging and Incorporating Traditional Ecological Knowledge in Decision-Making](#) for more information.

<p>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 application.</p>	<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, as requested for FY23
<p>10. 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.</p>	<ul style="list-style-type: none"> • Number of new metrics 	<ul style="list-style-type: none"> • Additional funding, as requested for FY23 • EEJ training

Outreach and Engage Equitably

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

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

Effective outreach and engagement must be highly customized, personalized, consistent, long-term, and flexible. They also require skill, knowledge, and time. NOAA Fisheries can increase coordination and communication with underserved communities through asking the opinion of community members, using those opinions to direct actions, early engagement, prioritizing cultural literacy, addressing communication barriers (e.g. translation), and building communication plans that can adapt to emerging needs of underserved communities.

Through outreach and engagement, NOAA Fisheries intends to better understand the needs and priorities of communities impacted by our work. We will prioritize new and reinvigorated efforts to work more closely with community representatives and build stronger relationships with underserved communities. As recommended by the White Council EJ Advisory Council, we will establish iterative and bidirectional feedback loops to improve our communication methods.

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 aggregate and incorporate 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?

Table 5: Outreach and Engage Equitably, Action Areas and Proposed Metrics

Action	Possible Mechanisms/Metrics	Resources Needed
<p>1. Leverage existing information and community ties</p>	<ul style="list-style-type: none"> • Create a list of current connections to underserved communities for each region or program • Add additional underserved communities to the above list for each region or program, and allow for periodic updates (Links to Research and Monitoring) 	<ul style="list-style-type: none"> • Current staff time
<p>2. Work with members of underserved communities to create communication plans</p>	<ul style="list-style-type: none"> • Number of communication plans 	<ul style="list-style-type: none"> • Current staff time • Community input • Minor funds for printing /contact mailings • Staff training
<p>3. Learn from existing community ties (e.g., listening and learning sessions with community members) the best methods for communication, and allow for the communication plan to evolve 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 that are responsive to cultural norms and community context. 	<ul style="list-style-type: none"> • Current staff time • Community input • Minor funds for printing /contact mailings • Staff training
<p>4. Create outreach materials and events that follow the communication plan developed with and for each underserved community (see Action 2).</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/image. 	<ul style="list-style-type: none"> • Current staff time • Language experts for written and in-person translation • EEJ community liaisons • Funds for outreach materials and events • EEJ training • Use of outreach funding

<p>5. Create educational programs and opportunities to engage underserved communities in STEM activities related to NOAA Fisheries’ research and management mission and support.</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 selection criteria • Underserved community participant satisfaction with education prog./ product 	<ul style="list-style-type: none"> • Current staff time • List of current opportunities • Funding for additional opportunities • EEJ training
<p>6. Support educational programs and opportunities to engage underserved communities in the management process through support of EEJ selection criteria in existing programs provided by partners.</p>	<ul style="list-style-type: none"> • Number of stakeholders from underserved communities trained in management process 	<ul style="list-style-type: none"> • Current staff time • Resources to support existing education programs • EEJ training
<p>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 (Links to Equitably Distribute Benefits), and the internship and job application process.</p>	<ul style="list-style-type: none"> • Develop an online application resource and number of public outreach events targeted at underserved communities • Develop public outreach events targeted at underserved communities • Develop a mentorship program application processes, increasing underserved communities access to technical expertise and subject matter experts 	<ul style="list-style-type: none"> • Current staff time • Communications plan to reach key audiences
<p>8. Create fisheries management and seafood industry pilot education/training programs with historically Black colleges and universities, minority serving institutions, Tribal colleges, and community colleges</p>	<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, as requested for FY23
<p>9. Generate interest in fishing by creating a grant program for training, education, outreach, and technical assistance initiatives involving youth from underserved communities</p>	<ul style="list-style-type: none"> • Number of grants funded 	<ul style="list-style-type: none"> • Additional funding

Equitably Distribute Benefits

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

NOAA Fisheries provides benefits to communities through direct investments, disaster assistance, and grant opportunities for research, habitat restoration, aquaculture, and species recovery among others^{4,5}. 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 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, 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 Council EJ Advisory Council, we will evaluate access to and distribution of benefits and track federal funding. Furthermore, the Justice40 Initiative directs us to deliver at least 40 percent of the overall benefits from federal investments in climate and clean energy to disadvantaged communities. 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 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.

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? 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?

⁴ This includes administration of 52 [funding and financial service opportunity programs](#) that provide direct and indirect benefits to communities.

⁵ Going forward, benefits will also include new funding opportunities under the Infrastructure Investment and Jobs Act, which allocates \$400 million to protect and restore habitats that sustain fisheries, recover protected species, and maintain resilient ecosystems and communities (15 percent of funding reserved for Tribes).

Table 6: Equitably Distribute Benefits, Action Areas and Proposed Metrics

Action	Possible Mechanisms/Metrics	Resources Needed
<p>1. Identify and remove potential barriers that underserved communities may face to access NOAA Fisheries’ benefits and services, including agency acquisition and financial assistance opportunities; work to incorporate EEJ considerations into all internal and external competitive funding opportunities</p>	<ul style="list-style-type: none"> Review selection criteria that may systematically disqualify underserved communities Number of grant/funding/contracting programs reviewed and modified Increase accessibility of benefits and services (Linked to Outreach and Engagement) 	<ul style="list-style-type: none"> Current staff time EEJ training
<p>2. Track and report the percentage of grants, projects, disaster declarations, 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"> Current staff time
<p>3. Incorporate EEJ considerations into program decision-making and resource allocation. Considerations could include assessment of impacts and benefits to underserved communities in the community selection criteria, 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. Goal that at least 40% of overall climate adaptation and resilience resources benefit disadvantaged communities (EO 14008 Sec. 402, and “Justice 40”) 	<ul style="list-style-type: none"> Current 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 accounted for and ensure they are appropriately compensated with restoration of those habitats injured</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 underserved communities and engagement in restoration planning. 	<ul style="list-style-type: none"> Current staff time EEJ training
<p>5. Increase Tribal and state capacity for species recovery by requesting additional funds for Species Recovery Grants, which create jobs and improve populations of listed species, which often have cultural and subsistence value for Tribes.</p>	<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, as requested for FY23

Inclusive Governance

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

Inclusive governance ensures broad and diverse participation in decision-making, such that all stakeholders are equally welcomed and encouraged to participate. However, members of underserved communities rarely have equal access to contributing to governance processes (see *Barriers to Equity and Environmental Justice*). NOAA Fisheries seeks to increase the diversity of voices through public comments, empower community participation, and support cooperative management efforts wherever possible.

The decisions NOAA Fisheries makes through its scientific, conservation, and management work impact communities. Federal rulemaking is subject to numerous requirements to ensure transparency and opportunities for public participation; however, access for underserved communities may be limited by a number of factors. It is incumbent upon us to ensure that all stakeholders have an equal voice in NOAA Fisheries' processes.

NOAA Fisheries works in partnership with Councils (and other advisory bodies), Tribes, Alaska Natives, stakeholders, 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.

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?
- How can underserved communities have equitable access to participate in management processes (time/travel to in-person meetings, broadband internet to support remote participation, access to interpreters, etc.)?
- Is the information NOAA Fisheries uses to support decision-making accessible to stakeholders in underserved communities (plain language, 508 compliant, translated into appropriate primary languages, delivered in a preferred platform, etc.)?
- How can NOAA Fisheries facilitate representation of underserved communities on advisory bodies? How can NOAA Fisheries modify the decision-making process to improve access to underserved communities?
- How can NOAA Fisheries facilitate involvement of underserved communities when requesting public comment/input?

Table 7: Inclusive Governance Action Areas and Proposed Metrics

Action	Possible Mechanisms/Metrics	Resources Needed
<p>1. Increase and improve opportunities for underserved communities to engage in the decision-making process.</p>	<ul style="list-style-type: none"> • Support diverse platforms for participatory engagement with members of underserved communities (Link to Outreach and Engagement) • Early engagement with community representatives to ensure communication methods are effective (Link to Outreach and Engagement) • Attendance at public meetings that occur in underserved communities • Host public meetings and other engagement in underserved communities • Underserved community satisfaction with decision-making process • Underserved community satisfaction with decisions made 	<ul style="list-style-type: none"> • Travel funds for participants • Funds to compensate community members for their time and expertise • Funds for facilities rental, equipment, supplies, interpreters, etc. • Language experts • Staff training
<p>2. Increase the diversity of public comments by improving the accessibility of public meetings and documents and regulations</p>	<ul style="list-style-type: none"> • Identify new ways to make public meetings accessible to underserved communities (Link to Outreach and Engagement) • Percentage of public meetings notices in languages used by constituency and with interpretation services available • Provide documents that are accessible to underserved communities (Link to Outreach and Engagement) 	<ul style="list-style-type: none"> • Travel funds for participants • Funds for translation services • Language and communication experts
<p>3. Support representation of underserved communities in advisory bodies such as Regional Councils, Advisory Panels, recovery planning teams, Regional Fishery Management Organization advisory committees, Marine Fisheries Advisory Committee</p>	<ul style="list-style-type: none"> • Collect demographic information to track representation of underserved communities and provide to relevant advisory bodies to encourage greater diversity and representation • Develop training and educational resources/materials and provide these resources to underserved communities to facilitate broader participation and understanding of advisory bodies • Satisfaction of representatives with their role in advisory bodies. 	<ul style="list-style-type: none"> • Current staff time • Outreach plan for new recruits

<p>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</p>	<ul style="list-style-type: none"> • Number of regions with outreach lists including these groups • Number of meetings scheduled to brief government officials in underserved communities • Feedback from attendees on the effectiveness of the outreach efforts 	<ul style="list-style-type: none"> • Current staff time • EEJ community liaison • Travel funding
<p>5. Coordinate with municipal, State, and Tribal governments, other federal agencies, and non-government organizations on cross-cutting issues that impact underserved communities</p>	<ul style="list-style-type: none"> • Number of interagency teams that address cross-cutting issues affecting underserved communities. 	<ul style="list-style-type: none"> • Current staff time • EEJ training
<p>6. Continue to honor Tribal sovereignty and the federal trust responsibility.</p>	<ul style="list-style-type: none"> • Number of formal and informal consultations with Tribal Nations • Satisfaction of Tribal Nations with the consultation process and outcomes. 	<ul style="list-style-type: none"> • Current staff time
<p>7. Create training program to provide constituents the information and tools needed to confidently and productively engage in fishery (commercial, recreational, aquaculture) management decision processes</p>	<ul style="list-style-type: none"> • Number of people trained 	<ul style="list-style-type: none"> • Additional funding, as requested for FY23

Strategy Development Process

The development of the NOAA Fisheries’ EEJ Strategy is designed as a multi-year iterative process, which includes early community input and public feedback (Figure 1). In this section, we document development of the strategy with special attention to how community, internal, and public input were incorporated.

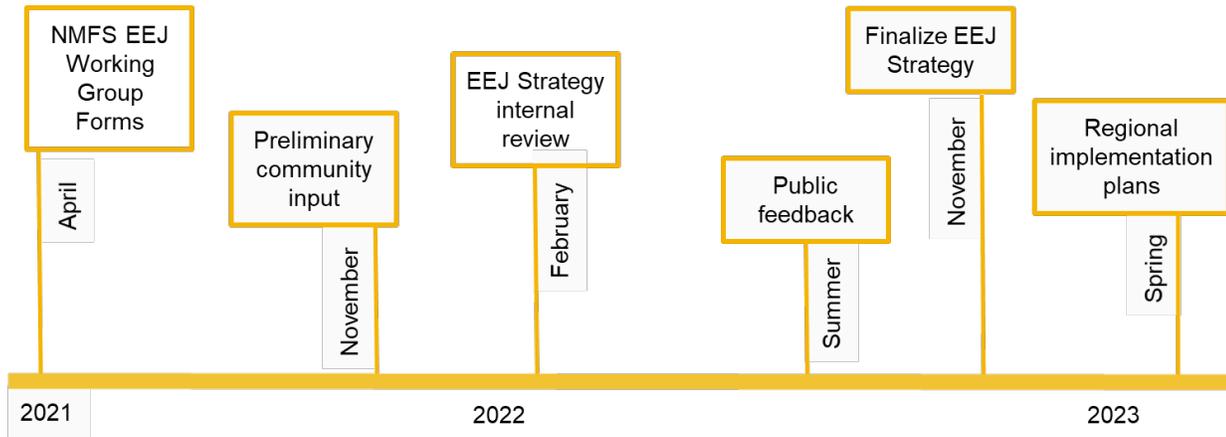


Figure 1. NOAA Fisheries’ EEJ Strategy development timeline

Preliminary Community Input

In November 2021, we solicited early input from federally and non-federally recognized Tribes, Territories, and Indigenous communities on NOAA Fisheries’ role in EEJ. We reviewed, synthesized and summarized the recommendations, as follows:

Empowering Environment

- Create a community committee with representatives of underserved groups
- Establish an EEJ liaison within underserved communities to network and provide understanding of cultural protocols
- Assess EEJ progress through monitoring and evaluation on an ongoing basis across all target areas.

Policy and Plans

- Review implementation of cultural consideration in the MMPA and ESA
- Do EEJ analysis of policies

Research and Monitoring

- Align NOAA Fisheries’ research priorities with underserved communities’ research priorities
- Collect survey data in all fishing communities

- Do EEJ analysis of management impacts
- Define and include non-commercial fisheries
- Increase funding to territorial science and invest in local scientific research and expertise

Outreach and Engagement

- Ensure engagement involves the appropriate language and venue; hold in-person meetings with the public, local government, and fishing organizations
- Create targeted campaigns to raise awareness of NOAA Fisheries' mission and progress; create a mentor network to support robust proposal writing efforts; invest in capacity building for specialized workforces based on regional strengths

Equitable Distribution of Benefits

- Consider barriers to benefit access such as criteria related to population size, recordkeeping burden, and non-commercial fisheries
- Do EEJ analysis of NOAA Fisheries' benefits distribution, such as research funding and grants

Inclusive Governance

- Coordinate with other federal agencies on land issues that affect habitat and species
- Honor Tribal sovereignty and the federal trust responsibility

Internal Review

In early 2022, the updated draft EEJ strategy was shared widely among NOAA Fisheries' leadership and staff. The working group received feedback from every region and several headquarters offices. As with the initial community input, feedback was categorized and addressed. The updated version was then presented to leadership in April 2022.

In response to the feedback, goals were included, objectives were reordered, and connection between them strengthened; metrics were reviewed to make them more output (rather than input) oriented.

Public Feedback—In Progress

NOAA Fisheries seeks public comment on this document to ensure that this national strategy will lead us to equitably serve all communities. Effort will again be made to reach underserved communities and, if possible, hold in-person meetings. So far throughout this process in-person meetings have not been possible due to Covid-19 travel restrictions. We will seek feedback from communities we have not yet heard from, such as processing plant workers. We will also incorporate EEJ updates, as they become available from the Administration, DOC, and NOAA, into the final strategy.

Appendix 1: EEJ Activity Categories

To better understand the scope of NOAA Fisheries’ current and planned efforts and to identify opportunities for future work, the NOAA Fisheries’ EEJ Working Group categorized 170 current EEJ activities. Six main categories and 17 distinct themes were identified⁶. Several activities were categorized under multiple themes and approaches, demonstrating how these approaches often work together. Outreach and Engagement was the most common approach used in NOAA Fisheries EEJ activities, followed by Research and Monitoring, then Benefit. Policy and Planning and Inclusive Governance had fewer examples and may represent opportunities for further prioritization and development. Below are examples of NOAA Fisheries’ ongoing work within those six EEJ approaches.

Table A1. Themes used to categorize EEJ activities and examples of each.

EEJ Approach	Theme	NOAA Fisheries Examples of Ongoing Work
Empowering Environment	EEJ Training - Activities and initiatives that improve communication and relationship building with underserved communities, including increasing understanding of NOAA Fisheries’ underserved constituent communities.	The Alaska Fisheries Science Center and Alaska Regional Office staff have taken cultural awareness training regarding Alaska Native communities, governance structure, and culture to help increase understanding and to build positive relationships and improve communication with and understanding of Alaska Native communities.
	Capacity Building - Capacity building, including career development products or activities.	NOAA Fisheries supports paid undergraduate summer internships for students from historically black colleges and minority serving institutions. Examples include the Inclusive NOAA Fisheries Internship Program (IN FISH!), Woods Hole Partnership Education Program, and the Hollings Preparation Program (see a complete list). With NOAA Fisheries mentors supporting participants on a project, these programs provide opportunities for career development in science and management fields.
Incorporate EEJ in Policy and Plans	Program Plans - Planning ways to increase the reach and benefits of NOAA Fisheries programs to underserved communities.	The Office of Habitat Conservation formed a standing committee to develop recommendations for integrating EEJ principles into Damage Assessment Remediation and Restoration Program work. Recommendations inform the development of new strategies for engaging underserved communities, the application of new methods and decision frameworks that allow us to better consider and assess EEJ factors, and our ability to assess progress over time relative to specific objectives.

⁶ The iterative process of categorizing and developing themes and broad categories included a preliminary and secondary analysis based on feedback.

<p>Incorporate EEJ in Policy and Plans (cont'd.)</p>	<p>Policy - Considering EEJ during the policy making process.</p>	<p>The Pacific Islands Regional Office is working with stakeholders, other U.S. government colleagues, and Western & Central Pacific Fisheries Commission members to develop a management measure that will address concerns about the conditions faced by crew members from underserved communities, focusing on crew labor standards and safety.</p>
<p>Equity in Research and Researching Equity</p>	<p>Collaborative and Supporting Research - Research or research support done in collaboration with underserved communities or the agencies/institutions that represent them (e.g., Tribal council, Territorial fisheries agency).</p>	<p>Local fishermen from the villages of Emmonak and Alakanuk, NOAA Fisheries, the Alaska Department of Fish and Game, and the Yukon Delta Fisheries Development Association work together each summer to retrieve salmon nets, count fish, measure water temperature and send samples to the Alaska Fisheries Science Center Auke Bay Laboratories to analyze fish diet and body condition. The project provides opportunities to introduce young people to science careers while citizen scientists help study the decline in Chinook salmon returns to Yukon River.</p>
	<p>Social and Cultural Research - Research to identify and characterize underserved fisheries communities. It includes social indicators, demographic data, and research on human health, safety, and food security, non-commercial fisheries, as well as local, traditional and cultural knowledge</p>	<p>Community characterizations can be used to highlight previously underserved communities. For example, the Alaska Fisheries Science Center led research projects on the role of Alaska Native women in Bristol Bay fisheries, women’s engagement in 30 years of fishing in Alaska, and women’s participation within commercial fisheries in North America and Europe to explore the multifaceted nature of women’s fisheries engagement.</p>
	<p>Management and Governance Research - Analysis of impacts of management measures on underserved communities, and their perception of and engagement in the decision-making process.</p>	<p>The Office of Habitat Conservation’s Restoration Center Deepwater Horizon Project evaluates each proposal in the reasonable range of alternatives to determine whether its implementation would have disproportionate impacts on minority, low-income, or underserved populations.</p>
<p>Outreach and Engage Equitably</p>	<p>Relationship Building and Knowledge Sharing - Activities designed to build and maintain relationships with communities and provide important information.</p>	<p>Developed the Recreational Fishers Education Program - Puerto Rico in collaboration with the Puerto Rico Department of Environment & Natural Resources and the Caribbean Fishery Management Council. This is an educational program tailored to the recreational fishing community in Puerto Rico. The program is made up of 7 modules: fishery laws and regulations, regulated marine species, highly migratory species, coral reef ecosystems, Puerto Rico Coral Reef laws and regulations, fishery management and participation, and catch and release best practices. The program covers both federal and territorial fisheries and will be launching virtual online workshops this summer.</p>

Outreach and Engage Equitably (cont'd.)	Communication and Language Access - Communication platforms, settings, and products to reach underserved communities.	To broaden the engagement of minority fishing communities with the rulemaking process, and improve compliance with new conservation and management measures, several NOAA Fisheries offices translate fishery management materials (e.g., fishing compliance guides, species identification and safe handling cards), and provide interpreters at public meetings. Translations have been done in Spanish, Vietnamese, and Samoan.
	Education - Education products or activities designed to reach underserved communities.	The Alaska Fisheries Science Center works with the Sealaska Heritage Institute and the Alaska Native Science and Engineering Program to provide activities and science, technology, engineering and mathematics content for Alaska Native middle school students.
Equitably Distribute Benefits	Grants and Funding allocation - Grants and funding allocation for activities for underserved communities.	The Southeast Regional Office worked with the Office of Protected Resources to develop a revised process for evaluating Species Recovery Grants to Tribes to ensure fair representation of Tribal projects for funding panel consideration. In addition, the Office of Habitat Conservation has included specific language in their Notice of Federal Funding Opportunities to include EEJ and restoration opportunities.
	Fisheries and Aquaculture - Fisheries and aquaculture activities for underserved communities.	The Northwest Fisheries Science Center collaborated with the Northwest Indian College to support a Tribal youth partnership researching new toxins affecting shellfish aquaculture.
	Habitat Conservation and Restoration - Habitat conservation and restoration activities for underserved communities.	The NOAA Chesapeake Bay Office created the Envision the Choptank partnership, which finds collaborative solutions that support healthy and productive oyster reefs, and restore fishable, swimmable waters to the Choptank River. Envision the Choptank, with NCBO's support, has developed and agreed to EEJ principles and incorporated EEJ considerations into project equity checklists and is focusing on habitat restoration and conservation projects in underserved communities to increase equity and inclusion in projects.
	Climate Adaptation - Climate adaptation activities for underserved communities	NCBO is assisting with a Chesapeake Bay Program project targeting green infrastructure projects to enhance coastal resilience in underserved areas to increase equity and inclusion in restoration.

Inclusive Governance	Improve Diversity of Community Input - Activities designed to increase diverse input to decision makers, including through public comment processes.	The Atlantic Highly Migratory Species Management Division actively considers diversity (ethnic, geographic, fishery, etc.) in the review of nominations to the HMS Advisory Panel with the goal of achieving diverse input and advice on HMS fishery issues and management. Recently, they have increased U.S. Caribbean participation on the HMS Advisory Panel, particularly from Puerto Rico.
	Support Community Decision-Making - Activities designed to increase access to decision-making for underserved communities.	The Southeast Regional Office worked with the Gulf of Maine Research Institute to expand the Marine Resource Education Program to Puerto Rico and the U.S. Virgin Islands. Nationally, MREP creates avenues for scientists and managers to learn from fishers and for fishers to improve understanding and engagement in the federal fishery science and management process.
	Cooperative Management Processes - Activities that include management collaboration with underserved communities.	Under the Marine Mammal Protection Act, NOAA Fisheries and Alaska Native organizations co-manage marine mammal populations in Alaska . 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 Alaska marine mammal populations.

Appendix 2: NOAA Fisheries' Mandates and EEJ

NOAA Fisheries issues 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](#)⁷ (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 a constituent-based development of management measures through open public forums called fisheries management councils. It contains a number of references to specific communities, including Tribal governments, native Hawaiian, Alaskan Native, and Western Pacific indigenous communities. The MSA describes national standards for the development of fishery management plans, and NOAA fisheries provides regulatory guidance on implementation of the ten national standards for this management.

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 which 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 C.F.R. 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 C.F.R. 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 C.F.R. 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

⁷ Formerly the Fisheries Conservation and Management Act (1976).

vessel owners, operators, and crew, and fish processors that are based in such community” (16 U.S.C. 1802(17); see also 50 C.F.R. 600.345(b)(3)). The NS8 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 C.F.R. 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 mandate and the Executive Orders.

As noted in the [2012 Department of Commerce Environmental Justice Strategy](#), the Magnuson-Stevens Fishery Conservation and Management Act 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, will include 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, Hawaii 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 native Hawaiian, Alaskan Native, 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 indigenous Pacific islanders, Native Hawaiians, Alaskan Natives, and other underrepresented groups in the region. 16 U.S.C. 1855(j).

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 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 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 U.S., 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 establishes the national environmental 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 EJ IWG 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, fishery management actions go through the environmental review process. The [2012 Department of Commerce 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, the guidance 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.

[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.