

COUNCIL OPERATING PROCEDURES (COP)

In order to change a COP, the Council should observe the following procedures as indicated in the COP introduction:

“...revisions to a COP may occur through Council review (including advisory body and public input) and adoption. This may occur with proper notice before a Council meeting, or may occur over the course of two Council meetings, with preliminary action at the first meeting and final action at the second. After final Council action the revised COP would enter into effect.”

COP 7 lists membership in the Groundfish Allocation Committee (GAC) as the Council Chair, and one representative each from the state management agencies, National Marine Fisheries Service, and Pacific States Marine Fisheries Commission, with NOAA General Counsel providing legal advice. The Council also established and filled six non-voting seats to advise the GAC on intersector allocation issues relating to development of a trawl individual quota program. The non-voting seats were appointed on an ad hoc basis prior to establishing the GAC as a permanent committee, and the advisors were expected to serve as needed without specified appointment terms. However, when COP 7 was adopted in March 2005 establishing the GAC as a permanent committee, the non-voting advisors were not listed in the GAC membership.

At its September 2005 meeting, the Council proposed to modify COP 7 to give the non-voting members formal membership in the GAC, and to add another non-voting seat representing the whiting trawl sector. Council Staff has developed the following draft language to modify COP 7 for Council consideration:

COMPOSITION

The Groundfish Allocation Committee will be composed of voting members and non-voting members. Voting members will include the Council Chair, and one representative each from Washington, Oregon, and California ~~the state~~ management agencies, National Marine Fisheries Service, and Pacific States Marine Fisheries Commission. Non-voting members will include one advisor representing each of the following fishery sectors: non-whiting trawl, whiting trawl, open access, fixed gear, recreational, processor, and conservation. NOAA General Counsel will provide legal advice.

These changes would have non-voting members as well as voting members serve indefinite terms.

The Council is scheduled to fill the non-voting advisor representing the whiting sector at this meeting, pending approval of the proposed COP changes.

At the March 2005 Council meeting modifications or replacements for most COPs were adopted. One exception was COP 14, Documentation of Outside Agreements (Agenda Item B.1.a, Attachment 1). The Council requested more time to review the COP, in particular points 3 and 4 under the Required Documentation section.

Council Action:

1. Consider proposed changes to COP 7.
2. Consider changes to COP 14

Reference Materials:

1. Agenda Item B.1.a, Attachment 1: COP 14 Documentation of Outside Agreements.

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. **Council Action:** Adopt Changes to COP 7 (Groundfish Allocation Committee) and COP 14 (Documentation of Outside Agreements)

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10/17/05