

COUNCIL OPERATING PROCEDURE

Advisory Subpanels

Approved by Council: 07/20/83

Revised: 11/17/89, 11/13/90, 04/06/95, 04/17/96, 10/25/96, 09/12/97, 09/18/98, 09/15/00,
11/01/02, **03/11/05**

PURPOSE

To establish procedures for advisory subpanels.

OBJECTIVES AND DUTIES

When requested by the Council Chair or Executive Director, the advisory subpanels shall:

1. Offer advice to the Council on the assessments, specifications, and management measures pertaining to each fishery management plan (FMP) with particular regard to; a) the capacity and the extent to which the U.S. commercial and recreational fisheries will harvest the resources managed under their respective FMPs, b) the effect of such management measures on local economies and social structures, c) potential conflicts among groups using a specific fishery resource, or d) enforcement problems peculiar to each fishery with emphasis on the expected need for enforcement resources.
2. Offer advice to the Council on; a) FMPs, FMP amendments, and regulatory amendments during preparation of such FMPs or amendments by the Council, b) FMPs prepared by the U.S. Secretary of Commerce and transmitted to the Council for review, and c) the effectiveness of the FMPs, amendments, regulations, and other measures which have been implemented.
3. Attend public hearings on FMPs or amendments.
4. Attend Council meetings at the request of the Council Chair or Executive Director to advise the Council on specific fisheries, with particular reference to the socioeconomic implications of managing those fisheries.
5. Keep the Council advised of current trends and developments in fishery matters.
6. Identify specific legal or enforcement questions on proposals and request response through the Executive Director from the appropriate parties. (Note: The Council staff will attempt to anticipate the need for enforcement and legal advice and arrange for the Enforcement Consultants and/or National Oceanic and Atmospheric Administration general counsel to attend subpanel meetings.)

7. Perform such other necessary and appropriate duties as may be required by the Council to carry out its functions under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), Sustainable Fisheries Act, and other applicable law.

COMPOSITION

1. Subpanels shall consist of not more than 20 members (unless additional members are deemed necessary by the Council), each concerned with carrying out the objectives and duties of the subpanel.
2. The Council may establish or abolish subpanels as it deems necessary to perform the Council's duties as specified under the Magnuson-Stevens Act and other applicable law.

MEMBERSHIP

Terms

All members shall be appointed by the Council for three-year terms commencing January 1 and expiring December 31 three years thereafter, and may be reappointed at the pleasure of the Council. Vacancy appointments shall be for the remainder of the unexpired term of the vacancy.

Termination of Members

A subpanel member will be replaced at the Council's discretion if the member; 1) transfers employment or moves to a different location, 2) is absent from two meetings in any 12-month period, or 3) appears unable to fulfill their obligations as a subpanel member.

Replacement of Members

Upon receipt of a letter of resignation, completion of three-year terms, or following Council action to remove a member, the Executive Director shall advertise for qualified nominees. Announcements will be distributed widely and be specific about the duties, responsibilities, and approximate time commitment involved.

Nominations must be accompanied by adequate information on the amount and kinds of experience which qualify the nominee for the particular position. Nominations should be received on or before a deadline published by the Council.

Alternates

If the Executive Director is notified in advance, in writing, a subpanel member may send an alternate to a subpanel meeting no more than twice per year when the official member is unable to attend. The alternate will be reimbursed for travel expenses per the Council travel rules. Exceptions may be made to exceed two alternates per year at the discretion of the Executive Director for highly unusual occurrences.

Officers

The Chair and Vice Chair of each subpanel shall be elected by majority vote of subpanel members present and voting. Such officers shall be confirmed by the Council Chair and shall serve one-year terms. There is no limit as to the number of terms that individuals may serve as officers. The presiding officer has the responsibility and authority to ensure that meetings are conducted in an orderly and business-like manner.

Subcommittees

The subpanels may establish such subcommittees as they deem necessary to facilitate their duties.

Public-at-large Position

For those Subpanels with a position for “Public-at-large,” the person selected for such a position should meet the following criteria:

1. Person has interest in and is knowledgeable about the fishery which is the subject of the subpanel’s deliberations.
2. Person is not an appointed, elected, or paid representative of a recreational, commercial, or environmental organization.
3. Priority consideration will be given to individuals who represent port districts, coastal community businesses, seafood safety experts, or individuals who have expertise not otherwise represented on the committee and would provide a valuable contribution to the advisory group.
4. Individual will not be considered solely on the basis of their participation in the sport or commercial fishery (including processing) or environmental activities.

MEETINGS

The subpanels shall meet at the request of the Council Chair or Executive Director, as often as necessary to fulfill their responsibilities. The Council will reimburse travel costs for nonfederal advisory body members while on official Council travel as per the *Council Travel Rules* document.

Public Participation

The public will be permitted to comment on items relative to the agenda, but may be limited if deemed necessary by the subpanel Chair. Written statements also may be submitted prior to and during the meeting. The public may be permitted to interject comments during the meeting at the discretion of the Chair. Members of the public may be asked to leave the meeting at the Chair's discretion if their conduct is impeding the orderly progress of the meeting.

The granting of permission for the public to tape all or any part of the meeting is at the discretion of the subpanel Chair and such permission must be obtained in advance.

Upon request, copies of this operating procedure will be distributed to the public attending subpanel meetings.

Public Notification of Meetings

Timely public notice of each subpanel meeting, including the time, place, and agenda topics for the meeting, shall be widely distributed via facsimile machine, electronically (e-mail and Council website), and/or U.S. Postal Service to individuals on mailing lists maintained by the Council and to local media. The notice also may be announced by such other means as will result in wide publicity. For purposes of this notice, the term "timely" will be defined as two weeks prior to the actual meeting.

Timely notice of each regular meeting, emergency meeting, and hearing also shall be published in the *Federal Register*. Council staff shall prepare this notice in coordination with the appropriate National Marine Fisheries Service (NMFS) regional office. In this context, the term "timely" shall denote submission (at least 23 calendar days prior to the meeting) of the notice to NMFS for publication in the *Federal Register*.

MINUTES

As workload permits, Council staff shall attend and draft summary minutes of each subpanel meeting.

STAFF RESPONSIBILITIES

Council staff will assist the subpanels as assigned.

REPORTS TO COUNCIL

Subpanels shall report to the Council as directed by the Council Chair or Executive Director.

Reports will describe both areas of consensus and differences. If necessary, majority and minority reports may be drafted to present the divergent views of the subpanel. The subpanel Chair will present both majority and minority reports to the Council.

Draft reports or statements prepared and discussed at these meetings will be available to the public in final form after submission to the Council. They will not be distributed to the public during the meeting unless authorized by the Subpanel Chair.

NEW MEMBER ORIENTATION

Council staff will hold orientation sessions for new members, if necessary.

GROUND FISH PERMIT REVIEW

When requested by the Council Chair or Executive Director, the Groundfish Advisory Subpanel (GAP) has the responsibility to review and comment on the groundfish limited entry permit system, in accordance with Amendment 6.

Note: Responsibility for making reports to the Council on the progress of the groundfish license limitation program and need for adjustments was assigned to the GAP at the April, 1996 Council Meeting. If a subcommittee of the GAP is appointed to carry out this responsibility, membership on the subcommittee will be determined by the Council Chair in consultation with the GAP Chair.

Objectives and Duties

1. Review appeals related to issuance of permits and gear endorsements, make recommendations through the Council to the regional director as to whether the appeal should be granted, and explain how the recommendation is consistent with the implementing regulations.
1. Make recommendations to the Council on whether non-federal/non-state limited entry systems should be certified as being consistent with the goals and objectives of the limited entry program established by Amendment 6 to the groundfish FMP, as described in Section 14.3.1.4 of that amendment.

Meetings

1. The GAP-comprised review board shall meet at the request of the Council Chair or Executive Director as often as necessary to fulfill their responsibilities.
2. Notice of these meetings shall be published in the *Federal Register*, distributed to the news media, and via other means to ensure wide distribution.

Public Participation

Testimony on Appeals

The GAP-comprised review board shall receive testimony from appellants and members of the public on appeals under consideration. Testimony by the appellants shall be submitted to the limited entry office of NMFS in written form at least four weeks prior to the meeting.

Appellant written testimony will be made available to all interested persons in a timely manner prior to the meeting. At the meeting, the appellant may provide an oral summary of written testimony and additional oral testimony in response to questions by members of the GAP-comprised review board and public comment. Public comment shall be in written form and be provided to the NMFS Northwest Region limited entry office at least ten days in advance of the

meeting. Members of the public may present oral summaries of written testimony. Time for oral testimony by both the appellant and the public may be limited by the Council Chair.

Testimony on Other Issues Considered by the Review Board

The GAP-comprised review board shall receive comments from members of the public on issues under consideration not related to appeals at a time specified on the agenda. Time for such testimony may be limited by the Council Chair.

Reports to the Council

The GAP-comprised review board shall report to the Council as directed by the Council Chair or Executive Director. Reports to the Council will be written and will describe both areas of consensus and differences. Both majority and minority positions will be presented.

Council's Role

The Council will consider GAP-comprised review board reports on appeals and forward recommendations to the NMFS Northwest Region director. This function is delegated to the Council Chair when prompt action is required for timely rulings by the NMFS Regional Administrator. All testimony to the Council on permit appeals will be in written form.

REPRESENTATION ON SUBPANELS

Subpanel and Total Number of Members	Affiliation or Representation
Coastal Pelagic (10)	<ul style="list-style-type: none"> 3 California Commercial Fisheries 1 Oregon Commercial Fisheries 1 Washington Commercial Fisheries 3 Processors (California, Washington, or Oregon) 1 California Charter/Sport Fisheries 1 Conservation Group
Groundfish (20)	<ul style="list-style-type: none"> 3 Fixed Gear Fisheries (at-large) 1 Washington Trawl Fisheries 1 Oregon Trawl Fisheries 1 California Trawl Fisheries 1 Open Access Fisheries north of Cape Mendocino 1 Open Access Fisheries south of Cape Mendocino 2 Processors (at-large) 1 At-Sea Processor 1 Washington Charter Boat Operator 1 Oregon Charter Boat Operator 1 California north of Pt. Conception Charter Boat

REPRESENTATION ON SUBPANELS

Subpanel and Total Number of Members	Affiliation or Representation
Highly Migratory Species (13)	Operator
	1 California south of Pt. Conception Charter Boat Operator
	3 Sport Fisheries (at-large)
	1 Tribal Fisheries (individual must be active in tribal fishery)
	1 Conservation Group
	1 Commercial Troll Fisheries
	1 Commercial Purse Seine Fisheries
	1 Commercial Gillnet Fisheries
	3 Commercial At-Large
	1 Processor north of Cape Mendocino
	1 Processor south of Cape Mendocino
	1 Charter Boat Operator
	1 Private Sport Fisheries
	1 Sport Fisheries At-Large
	1 Conservation Group
1 Public At-Large	
Salmon (15)	1 Washington Troll Fisheries
	1 Oregon Troll Fisheries
	1 California Troll Fisheries
	1 Gillnet Fisheries
	1 Processor
	1 Washington Charter Boat Operator
	1 Oregon Charter Boat Operator
	1 California Charter Boat Operator
	1 Washington Sport Fisheries
	1 Oregon Sport Fisheries
	1 Idaho Sport Fisheries
	1 California Sport Fisheries
	1 Tribal Fisheries (Washington Coast, individual must be active in tribal fishery)
	1 Tribal Representative (California)
	1 Conservation Group

COUNCIL OPERATING PROCEDURE

Plan, Technical, and Management Teams

Approved by Council: 07/20/83

Revised: 09/16/87, 11/13/90, 04/06/95, 6/17/03, 03/11/05, 04/07/06

PURPOSE

To establish procedures for plan, technical, and management teams (Teams).

OBJECTIVES AND DUTIES

When requested by the Council Chair or the Executive Director, the Teams shall:

1. Furnish objective, scientific appraisals of particular fisheries and associated biological resources as assigned by the Council (for example, fisheries for salmon, groundfish, coastal pelagic species, or highly migratory species). It will not be the Team's responsibility to recommend preferred management options to the Council. However, Teams have the discretion to note Team Preferred Alternatives and the rationale for the preferred alternative to facilitate Council decision making.
2. Contribute to the development of fishery management plans (FMP) and FMP amendments, and develop proposed changes to regulations when it is determined by the Council that such FMPs or amendments are required.
3. In preparing a draft FMP, present alternative management goals and objectives to the Council for adoption. Management goals and objectives should be operational and as specific as possible. Goals and objectives should be based on measurable criteria, which will provide a basis for evaluating if management programs are meeting stated goals and objectives.
4. Present analyses that examine short-term and long-term tradeoffs, particularly when policy decisions have long-term implications (e.g., rebuilding rates).
5. In drafting the FMP or amendment, make decisions with regard to what is included in the successive drafts to be presented to the Council. The Scientific and Statistical Committee (SSC) and other advisory bodies may advise the Teams and Council, but their advice is not binding on the Teams. The Council shall decide if the FMP is to be modified and Teams shall comply with Council directives.
6. When presenting successive drafts of FMPs or amendments, submit in writing a list of problems and alternative solutions which require resolution by the Council. An analysis of alternative management strategies shall be included prior to adoption of each FMP or amendment.

7. Contribute to documents and reports required by an FMP or the Council, such as Stock Assessment and Fishery Evaluation (SAFE) documents. In particular:
 - The Salmon Technical Team will compile annual abundance forecasts.
 - Council staff will prepare groundfish rebuilding plans, as required.
8. Evaluate, validate, document, and recommend changes to models used to estimate impacts of Council management proposals.
9. Assist the Council and National Marine Fisheries Service (NMFS) staff in the preparation of the necessary documentation required for Secretarial approval of a Council action by providing and reviewing appropriate written work elements from the duties described in items 1 - 9 above. This documentation may include an Environmental Assessment, Environmental Impact Statement, or other documents required under the National Environmental Policy Act, Regulatory Impact Reviews, Regulatory Flexibility Analyses, and all other documents required by applicable law. Except as directed by the Council, the Council staff shall be responsible for coordination of materials provided by the Teams into the necessary federal documents and final submission to the NMFS for Secretarial approval consideration.
10. Attend Council meetings at the request of the Council Chair or the Executive Director to advise the Council on specific fisheries, with particular reference to the biological and socioeconomic implications of managing those fisheries.
11. Be represented at meetings of the relevant advisory subpanel to provide technical information as requested by the subpanel, with number of Team members present dependent on expertise, necessity, and competing workload assigned by the Council.
12. Attend public hearings on the FMPs or amendments, with number of Team members present dependent on expertise, necessity, and competing workload assigned by the Council.
13. Present models, stock assessments, or fishery analyses of elevated scientific complexity for review by the SSC. When possible, the documents should be provided accordance with COP 4, SSC Objective and Duty 10.
14. Perform such other necessary and appropriate Team duties as may be required by the Council to carry out its functions under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), National Environmental Policy Act, and other applicable law.
15. Offer advice to the Council on the assessments, specifications, and management measures pertaining to each FMP with particular regard to (a) the capacity and the extent to which U.S. commercial and recreational fisheries will harvest the resources managed under their respective FMPs, (b) the economic and social effects of such management measures, (c)

potential conflicts among groups using a specific fishery resource, or (d) enforcement problems peculiar to each fishery with emphasis on the expected need for enforcement resources.

16. Offer advice to the Council on (a) FMPs, FMP amendments, and regulatory amendments during preparation of such FMPs or amendments by the Council, (b) FMPs prepared by the Secretary of Commerce and transmitted to the Council for review, and (c) the effectiveness of the FMPs, amendments, regulations, and other measures which have been implemented.
17. Identify specific legal or enforcement questions on proposals and request response through the Executive Director from the appropriate parties. (Note: The Council staff will attempt to anticipate the need for enforcement and legal advice and arrange for the Enforcement Consultants and/or National Oceanic and Atmospheric Administration General Counsel to attend subpanel meetings.)

COMPOSITION

1. Teams shall consist of not more than eight members (unless additional members are deemed necessary by the Council), each concerned with carrying out the objectives and duties of their appointed Team.
2. The Council may establish or abolish such Teams as it deems necessary to perform Council duties as specified under the Magnuson-Stevens Act and other applicable laws.
2. Teams shall be composed of state, federal, tribal, and non-governmental specialists, as necessary. Members are nominated by their agencies or organizations, qualifications of the members are reviewed by the SSC and Council members, and are appointed by the Council.

MEMBERSHIP

Term of Members

Members shall be appointed by the Council and serve indefinite terms unless terminated by the Council per the procedure described below or the member resigns.

Termination of Membership

A Team member may be replaced at the Council's discretion if the member; 1) transfers employment or moves to a different location, 2) is absent from two or more consecutive meetings without giving adequate notification to the Team Chair or Council Executive Director, 3) appears unable to fulfill their obligations as a Team member, or 4) is reassigned by sponsoring agency.

Replacement of Members

Upon receipt of a letter of resignation or following Council action to remove a member, the Executive Director shall contact the agency or organization the former member represented for a replacement nominee.

Alternates

A Team member may send an alternate to a Team meeting when the official member is unable to attend. The alternate is expected to fulfill the primary duties of the absent member. The alternate may be reimbursed for travel expenses per the Council travel rules.

Officers

The Chair and Vice Chair of each Team shall be elected by majority vote of Team members present and voting. Such officers shall be confirmed by the Council Chair and shall serve one-year terms. There is no limit as to the number of terms that individuals may serve as officers. The presiding officer has the responsibility and authority to ensure that meetings are conducted in an orderly and business-like manner.

Subcommittees

The Teams may establish such subcommittees as they deem necessary to facilitate their duties.

MEETINGS

The Teams shall meet at the request of Council Chair or Executive Director, or their respective Team Chair with the approval of the Council Chair or the Executive Director, as often as necessary to fulfill their responsibilities.

Public Participation

Scheduled meetings of Teams and Team subcommittees shall be announced in advance in the *Federal Register* and by other means to ensure wide distribution (described below). Meeting notices will describe the purpose of the meeting and topics to be discussed. Unless otherwise announced, a scheduled Team meeting shall be of the same duration as the Council meeting during which it is held. These scheduled meetings shall be open to the public. Public comments will be accepted by the Team during a public comment period or at the discretion of the Team Chair. Public comments shall be limited to items on the Team agenda. Policy issues and decisions concerning final choices among options are the province of Council deliberations. Therefore, it is in the Council forum that public comments on such matters shall be received, not in Team meetings.

Minutes reporting major Team actions, and records and documents prepared for the Council, shall be filed in the Council office, where they will be available for public review.

Because Team meetings are essentially working sessions for drafting materials for Council review, public taping of those proceedings shall be permitted only as specifically authorized by the Council Chair. Draft work product, reports, or statements prepared and discussed at these meetings will be available to the public in final form after submission to the Council. They will not be distributed to the public during the meeting unless authorized by the Team Chair.

Copies of this operating procedure will be distributed on request to the public attending Team meetings.

Public Notification of Meetings

Timely public notice of each Team meeting, including the time, place, and agenda topics for the meeting, shall be widely distributed via facsimile machine, electronically (e-mail and Council website), and/or U.S. Postal Service to individuals on mailing lists maintained by the Council and to local media. The notice also may be announced by such other means as will result in wide publicity. For purposes of this notice, the term "timely" will be defined as two weeks prior to the actual meeting. However, the Council recognizes that due to the expediency of some Council actions and/or other reasons deemed valid, such two-week advance notice may not always be possible.

Timely notice of each regular meeting, emergency meeting, and hearing also shall be published in the *Federal Register*. Council staff shall prepare this notice in coordination with the appropriate NMFS regional office. In this context, the term "timely" shall denote submission (at least 23 calendar days prior to the meeting) of the notice to NMFS for publication in the *Federal Register*.

MINUTES

If practicable, Council staff or a Team member shall draft summary minutes of each Team meeting

STAFF RESPONSIBILITIES

Council staff members will assist the Teams as required.

AGENCY OR ORGANIZATION POLICY POSITION ADVOCATES

Team members will not act as official policy advocates of agency or organization positions while acting in their capacity as Team members.

ADDITIONAL EXPERTISE

Teams are encouraged to invite individuals with specialized expertise to assist them as needed. The Council Executive Director will consider reimbursing such experts for travel expenses on a case-by-case basis.

CURRENT REPRESENTATION ON TEAMS

Team and Total Number of Members	Affiliation
Coastal Pelagic (6)	2 California Department of Fish and Game 2 National Marine Fisheries Service 1 Washington Department of Fish and Wildlife 1 Oregon Department of Fish and Wildlife
Groundfish (11)	6 State fish management agency (two each from Washington, Oregon, California) 1 NMFS Southwest Fisheries Science Center 1 NMFS Northwest Fisheries Science Center 2 NMFS Northwest Region 1 Tribal Agency One of the members should be an economist
Highly Migratory Species (8)	3 NMFS Southwest Fisheries Science Center 2 NMFS Southwest Region 3 State Fish Management Agency (one each from Washington, Oregon, California)
Salmon (8)	3 State Fish Management Agency (one each from Washington, Oregon, California) 3 NMFS 1 USFWS 1 Tribal Governments
Model Evaluation Workgroup (7-9)	3 State Fish Management Agency (one each from Washington, Oregon, California) 1 NMFS 1 Northwest Indian Fisheries Commission 1 Columbia River Inter-Tribal Fish Commission 1 USFWS 1 SSC (may be filled by one of the state or tribal agency representatives) 1 STT (may be filled by one of the state or tribal agency representatives)

COUNCIL OPERATING PROCEDURE

Scientific and Statistical Committee

Approved by Council: 07/20/83

Revised: 07/10/85, 09/16/87, 04/06/95, 09/18/98, 09/15/00, 06/18/02, 03/11/05

PURPOSE

To establish procedures for the Scientific and Statistical Committee (SSC).

OBJECTIVES AND DUTIES

When requested by the Council Chair or Executive Director, the SSC shall:

1. Provide expert scientific and technical advice to the Council on the development of fishery management policy, establishing the goals and objectives of fishery management plans (FMP) and amendments, and the preparation of such FMPs and amendments.
2. Assist the Council in the evaluation of such statistical, biological, economic, social, and other scientific information as is relevant to the Council's development and amendment of any FMP.
3. Assist the Council in determining what statistical, biological, economic, social, or other scientific information is needed for the development of an FMP or amendment that meets the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and advise the Council as to the best way of obtaining this information, including identifying research needs and entities with ongoing research programs that may be able to develop the needed information. (See Council Operating Procedure Number 12 entitled Update and Communication of Research and Data Needs and West Coast Economic Data Plan.)
4. Advise the Council on preparing comments on any application for foreign fishing transmitted to the Council by the U.S. Department of State.
5. Review and evaluate FMPs and amendments to determine if they meet the National Standards of the Magnuson-Stevens Act and other applicable laws.
6. Advise the Council on preparing comments on any FMP or amendment prepared by the U.S. Secretary of Commerce (Secretary) or the Secretary's delegate which are transmitted to the Council pursuant to Section 304(c) of the Magnuson-Stevens Act.
7. Provide advice on the scientific basis of any proposed regulations under consideration by the Council to implement any FMP or amendment.

8. Assist the Council in establishing criteria for judging the effectiveness of an FMP or amendment.
9. Attempt to resolve scientific or technical disputes within or between Plan, Technical, or Management Teams, assessment review bodies (e.g., groundfish Stock Assessment Review, salmon Methodology Evaluation Workgroup), or organization perspectives before the issues come before the Council.
10. Review, evaluate, recommend improvements, and provide findings of scientific quality, soundness, uncertainty of stock assessments, fishery or habitat models and analysis of fishery ecosystems or marine protected areas under consideration by the Council.

SSC Reviews for Scientific Merit

The SSC requires good documentation and ample review time in order to provide the best possible scientific advice to the Council on scientific merit. Analysis or report authors should be responsible for ensuring materials submitted to the SSC are technically comprehensive, clearly documented, and complete. If there is any uncertainty on the part of authors regarding SSC expectations, authors should clarify assignments and expectations of materials to be reviewed with the SSC Chair. In order that there be adequate time for careful review, documents and materials destined for review by the SSC or any of its subcommittees must be received at the Council office at least two weeks prior to the meeting at which they will be discussed and reviewed, unless otherwise approved by the Executive Director. The Council will staff then provide copies to appropriate SSC members. If this deadline cannot be met, it is the responsibility of the author to contact the SSC Chair prior to the two-week deadline, so appropriate arrangements, rescheduling, and cancellations can be made in a timely and cost-effective manner. This deadline applies to all official SSC activities and meetings.

11. Review qualifications of Plan Team and SSC nominees and present recommendations to the Council.
12. Perform such other necessary and appropriate duties as may be required by the Council to carry out its functions under the Magnuson-Stevens Act and other applicable laws.

COMPOSITION

Committee members shall be appointed for each category listed below (16 members). The Council shall strive to include on the committee three social scientists, of which at least two shall have economic sciences expertise.

1. State fishery management agencies (4)
 - X Washington Department of Fish and Wildlife
 - X Oregon Department of Fish and Wildlife
 - X California Department of Fish and Game
 - X Idaho Department of Fish and Game

2. National Marine Fisheries Service (5)
 - X Alaska Fisheries Science Center (1)
 - X Northwest Fisheries Science Center (2—one with expertise in groundfish stock assessment)
 - X Southwest Fisheries Science Center (2)
3. West Coast Indian tribal agency with fishery management responsibility (1)
4. At-large positions (6)

MEMBERSHIP

Term of Members

Non at-large federal, state, and tribal agency members shall be appointed by the Council to serve indefinite terms. At-large members shall be appointed by the Council for three-year terms commencing on January 1 and expiring December 31 three years thereafter, and may be reappointed at the pleasure of the Council. At-large vacancy appointments shall be for the remainder of the unexpired term of the vacancy. All members shall serve without compensation. However, non-federal employees will be reimbursed for expenses while traveling to and participating at meetings of official Council business, as per the *Council Travel Rules* document.

Termination of Membership

An SSC member may be replaced at the Council's discretion if a member; 1) transfers employment or moves to a different location, 2) is absent from two or more consecutive meetings without giving adequate notification to the SSC Chair or Council Executive Director, or 3) appears unable to fulfill their obligations as an SSC member.

Replacement of Members

Upon receipt of a letter of resignation, from either the individual in an at-large position or the sponsoring fishery management agency for an agency seat, expiration of three-year terms, or after Council action to remove a member, the Executive Director shall; 1) contact the agency which the former member represented for a nominee or 2) for an at-large member, advertise for a replacement. Announcements for nominations for at-large members shall be distributed widely and be specific about the duties and responsibilities.

Alternate Members

When an appointed member representing a federal, state, or tribal agency (categories 1, 2, and 3) will not be able to attend a meeting, a designee may be appointed if the Executive Director is notified in advance and in writing. Such designees may participate in committee deliberations as a regular member and shall be reimbursed for expenses per the Council travel rules. Designees for at-large committee members are not authorized.

Officers

The Chair and Vice Chair of the SSC shall be elected by majority vote of SSC members present and voting. Such officers shall be confirmed by the Council Chair and shall serve one-year terms. There is no limit as to the number of terms that individuals may serve as officers. However, general practice has been for officers to serve two consecutive one-year terms. The presiding officer has the responsibility and authority to ensure that meetings are conducted in an orderly and business-like manner.

Subcommittees

The committee may establish such subcommittees as it deems necessary to facilitate its duties. In addition, a socioeconomic subcommittee will be formed to work closely with team/staff economists and sociologists. Subcommittee reports will not be considered final until approved by the full SSC.

MEETINGS

The committee shall meet at the request of the committee Chair, with the approval of the Council Executive Director, as often as necessary to fulfill its responsibilities. Generally, the SSC will meet Monday and Tuesday during the week of each Council meeting.

Public Participation

The public will be permitted to comment on items relative to the agenda at a time to be announced in the *Federal Register* and in a Council news release. Comments may be limited if deemed necessary by the committee Chair. Written statements also may be submitted during the public comment period. The public will not be permitted to interject comments during the meeting at any time other than the established comment period unless asked to do so by the Chair or a committee member. Members of the public may be asked to leave the meeting at the Chair's discretion if their conduct is impeding the orderly progress of the meeting.

The granting of permission for the public to tape all or any part of the meeting is at the discretion of the committee Chair and such permission must be obtained in advance.

Draft work products, reports, or statements prepared and discussed at these meetings will be available in final form after submission to the Council. Distribution prior to submission to the Council will be limited to SSC members, unless authorized by the Chair.

Copies of this operating procedure shall be available upon request from the Council office.

Public Notification of Meetings

Timely public notice of each SSC meeting, including the time, place, and agenda topics for the meeting, shall be widely distributed via facsimile machine, electronically (e-mail and Council website), and/or U.S. Postal Service to individuals on mailing lists maintained by the Council

and to local media. The notice also may be announced by such other means as will result in wide publicity. For purposes of this notice, the term "timely" will be defined as two weeks prior to the actual meeting. However, the Council recognizes that due to the expediency of some Council actions and/or other reasons deemed valid, such two-week advance notice may not always be possible.

Timely notice of each regular meeting, emergency meeting, and hearing also shall be published in the *Federal Register*. Council staff shall prepare this notice in coordination with the appropriate National Marine Fisheries Service (NMFS) regional office. In this context, the term "timely" shall denote submission (at least 23 calendar days prior to the meeting) of the notice to NMFS for publication in the *Federal Register*.

MINUTES

As workload permits, a Council staff member shall attend and draft minutes of each committee meeting. Such minutes shall be submitted for approval by a majority of committee members at the next committee meeting.

STAFF RESPONSIBILITIES

In addition to drafting meeting minutes, a Council staff member shall be assigned to assist the committee with coordination, organization, and meeting logistics, and to provide other expertise needed by the committee on a case-by-case basis.

COUNCIL OPERATING PROCEDURE

6

Habitat Committee

Approved by Council: 04/06/95

Revised: 04/12/96, 03/05/97, 04/08/97, 09/18/98, 09/15/00, 11/01/02, 10/17/03, 03/11/05

PURPOSE

To establish procedures for the Habitat Committee (HC).

OBJECTIVES AND DUTIES

When requested by the Council Chair or Executive Director, the HC shall:

1. Facilitate communication and coordinated action on important habitat issues which have regional significance to fisheries managed by the Council.
2. Work with key agency and public representatives to develop strategies to resolve present habitat problems and avoid future habitat conflicts.
3. Make recommendations to the Council for actions which help achieve the Council's habitat objectives as defined in its fishery management plans.
4. Make recommendations to the Council for actions which help achieve the Essential Fish Habitat mandates in the Magnuson-Stevens Fishery Conservation and Management Act.

COMPOSITION

The HC shall consist of 15 members as specified from each entity or category below. The representatives selected for the HC should have experience in habitat issues and/or expertise in strategic planning.

- One member from NMFS Northwest or Southwest Fisheries Science Center.
- One member from National Marine Fisheries Service (NMFS) Northwest or Southwest Region.
- One member from U.S. Fish and Wildlife Service (USFWS).
- One member from Pacific States Marine Fisheries Commission (PSMFC).
- Four members from among the four state fishery agencies (Washington, Idaho, Oregon, and California).
- Two tribal representatives (one Klamath, one Northwest or Columbia River).
- Two members representing the fishing industry - one commercial and one sport.
- One member representing a conservation group.
- One member from National Marine Sanctuaries (NMS).
- One member at-large.

MEMBERSHIP

Terms

The HC members representing NMFS, USFWS, PSMFC, NMS, and the state agencies will be appointed for indefinite terms and replaced only as needed or at the pleasure of the Council Chair. The other HC members (tribal, industry, conservation, and public at-large) will be appointed for three-year terms. The Council Chair may select members that best serve the needs of the HC and Council rather than adhering to a strict rotation among the entities represented by each position.

Termination of Membership

A committee member may be replaced at the Council's discretion if a member; 1) transfers employment or moves to a different location, 2) is absent from two or more consecutive meetings without giving adequate notification to the committee Chair or Council executive director, or 3) appears unable to fulfill their obligations as a committee member.

Replacement of Members

Upon receipt of a letter of resignation, expiration of three-year terms, or after Council action to remove a member, the Executive Director shall, depending on the member's position, do one of the following; 1) contact the agency which the former member represented for a nominee or 2) advertise for replacement of the industry, conservation, or public at-large members. Announcements for nominations shall be distributed widely and be specific about the duties and responsibilities.

Alternates

If the executive director is notified in advance, in writing, an HC member may send an alternate to an HC meeting when unable to attend such meeting or when it would better serve the HC. Nonfederal alternates will be reimbursed for travel expenses per Council travel rules.

Officers

A Chair (or co-chairs) will be recommended by the HC to be appointed by the Council Chair from among the HC members for a one year term. Officers will rotate to ensure sharing of the workload and diverse representation.

MEETINGS

With the approval of the Executive Director, the HC will meet in conjunction with each Council meeting or as determined by the HC Chair to achieve Council habitat objectives. The Council will reimburse travel costs for nonfederal HC members while on official Council travel as per the *Council Travel Rules* document.

Public Notification of Meetings

Timely public notice of each HC meeting, including the time, place, and agenda topics for the meeting, shall be widely distributed via facsimile machine, electronically (e-mail and Council website), and/or U.S. Postal Service to individuals on mailing lists maintained by the Council and to local media. The notice also may be announced by such other means as will result in wide publicity. For purposes of this notice, the term "timely" will be defined as two weeks prior to the actual meeting. However, the Council recognizes that due to the expediency of some Council actions and/or other reasons deemed valid, such two-week advance notice may not always be possible.

Timely notice of each regular meeting, emergency meeting, and hearing also shall be published in the *Federal Register*. Council staff shall prepare this notice in coordination with the appropriate NMFS regional office. In this context, the term "timely" shall denote submission (at least 23 calendar days prior to the meeting) of the notice to NMFS for publication in the *Federal Register*.

STAFF RESPONSIBILITIES

Council staff members will assist the committee as requested and as work priorities allow.

REPORTS TO COUNCIL

The HC Chair or designee will report to the Council on all HC actions.

ISSUE SCREENING AND REVIEW PROCEDURES

The following criteria will guide HC and Council procedures:

- All issues must have a significant impact on Council managed fisheries. This may include habitat policy issues of regional or national scope as well as effects of specific projects or resource developments.
- Direct presentation of issues to the HC should be at the request of the Council or the HC Chair and coordinated with the appropriate individual fishery management entities.
- Private individuals or organizations may submit requests for Council action directly to the HC.
- Direction and assignments to the HC shall originate from the Council.
- Habitat Committee-related, Council action will require approval of a majority of Council members when a quorum is present (except as noted under the "Quick Response Procedures" in Council Operating Procedure 1).

All issues submitted to the HC should include the HC Proposed Action Form and have sufficient supporting information to allow clear identification of the issue(s) and evaluation of the need for Council action and/or support.