

COUNCIL OPERATING PROCEDURE

Plan, Technical, and Management Teams

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Approved by Council: 07/20/83

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PURPOSE

To establish procedures for plan, technical, and management teams and workgroups (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 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, Endangered Species 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 12 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.
3. Teams shall be composed of state, federal, tribal, and non-governmental specialists, as necessary. Areas of expertise may include stock assessment, economics, observer programs, fishery analysis, etc. 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; 4) is reassigned by sponsoring agency; 5) their area of expertise is no longer required; 6) violates the *Rules of Conduct for Employees and Advisors and Contractors of Regional Fishery Management Councils, U. S. Department of Commerce*; or 7) the Council Chair, in consultation with the Executive Director, determines that a Team member should be removed for just cause (e.g., violation of marine resource regulation,

felony conviction, investigated reports of sexual harassment, etc.; these examples are not all-inclusive.). This also includes removal of a Team member who repeatedly fails to adhere to proper decorum and to show respect for other team members, or the Team itself, as evidenced by rude and disruptive behavior and/or an unwillingness to refrain from abusive treatment or harassment of other members and/or Council staff assigned to assist the Team in carrying out its business of providing recommendations to committees and the Council. Reports of such behavior should be made to the Executive Director or Council Chair so that the incidents(s) can be properly investigated.

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 should attend all meetings, but may request an alternate with appropriate expertise for the position if unable to attend a meeting. Members may request an alternate for a Team meeting no more than twice per calendar year under the following terms. All requests for alternates require prior approval of the Executive Director. The alternate is expected to fulfill the primary duties of the absent member and the Executive Director must be notified in advance in writing with the name of and contact information for the proposed alternate at least 30 days prior to the first day of the advisory body meeting, or the first day of the Council meeting held in conjunction with the Team meeting. Non-federal alternates will be reimbursed for travel expenses per the Council travel rules. Exceptions to these terms may be made at the discretion of the Executive Director for highly unusual occurrences.

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 has responsibility for guiding, assisting, and coordinating activities of Teams including ensuring that Council policy, schedules, guidelines, and direction are followed; preparing agendas and *Federal Register* notices; attending meetings; conducting supportive analyses of complex technical and policy matters; presenting briefings to these Teams on necessary matters; supporting preparation of Team reports, minutes, or recommendations for presentation to the Council; and facilitating discussion among Team members to achieve consensus and maintain decorum. Council staff also facilitates communication and coordination among the various Council advisory bodies to resolve issues and promote consistency.

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, which is not intended to prohibit Council members or their designees from serving on the Groundfish Endangered Species Work Group.

ADDITIONAL EXPERTISE

Teams are encouraged to invite individuals with specialized expertise to assist them as needed (e.g., when interpretation of observer program data is necessary). The Council Executive Director will consider reimbursing such experts for travel expenses on a case-by-case basis.

CURRENT REPRESENTATION ON TEAMS

<i>Team and Total Number of Members</i>	<i>Affiliation</i>
<i>Coastal Pelagic (9)</i>	<i>2 California Department of Fish and Wildlife Up to 4 National Marine Fisheries Service with at least one representing the Northwest Fisheries Science Center 1 Washington Department of Fish and Wildlife 1 Oregon Department of Fish and Wildlife 1 Tribal Representative</i>
<i>Groundfish (12)</i>	<i>6 State fish management agency (two each from Washington, Oregon, California) 1 NMFS Southwest Fisheries Science Center 2 NMFS Northwest Fisheries Science Center 2 NMFS West Coast Region 1 Tribal Representative One of the members should be an economist</i>
<i>Highly Migratory Species (8)</i>	<i>2 NMFS Southwest Fisheries Science Center 2 NMFS West Coast Region 3 State Fish Management Agency (one each from Washington, Oregon, California) 1 Tribal Representative</i>

Salmon
(8)
3 State Fish Management Agency (one each from Washington, Oregon, California)
3 NMFS
1 USFWS
1 Tribal Representative

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 representatives)

Groundfish Endangered Species Work Group
(11)
3 State Fish Management Agency (one each from Washington, Oregon, California)
1 NMFS West Coast Region
1 West Coast Groundfish Observer Program
1 Fish taxon expert
1 Marine mammal taxon expert
1 Seabird taxon expert
1 Sea turtle taxon expert
1 USFWS
1 Tribal Representative
Other representatives as necessary (may be short-term appointments)