

Guidance for Council Committees 5/17/2018

As described in the Council Statement of Organization, Practices, and Procedures (SOPP, Section 2.3.4), the Council may appoint standing and ad hoc committees from among the voting and non-voting members and knowledgeable members of the public, as it deems necessary for the conduct of Council business. The purpose of this document is to provide guidance primarily about the operations of ad hoc Council Committees, which generally focus on specific, timely topics, and which are appointed to advise the Council on those issues. The Council has separate handbooks to address the operations of the Advisory Panel (AP) and the Scientific and Statistical Committee (SSC; in development), which are not addressed here. This guidance tangentially addresses Council Plan Teams in order to draw distinctions between Committees and Plan Teams.

In general, while the Council's committees have some organizational features in common, they also have differences resulting both from serving specific purposes and from the flexibility that is deferred to the Chair of each Committee to determine how s/he wants to run the meetings. This guidance is intended to identify elements that are required and common to all Committees, and also to provide options for a new Committee chair about how to best set up a Committee.

It is helpful to note, as context, that Section 3.11 of the SOPP also endorses the following seven core principles for stakeholder involvement in the Council process:

1. Use an open and clearly defined decision-making process.
2. Make key information readily available and understandable.
3. Actively conduct outreach and solicit stakeholder input.
4. Involve stakeholders early and throughout the decision-making process.
5. Foster responsive, interactive communication between stakeholders and decision-makers.
6. Use formal and informal participation methods.
7. Include all stakeholder interests.

Required Committee Elements

Type of advisory body

While these definitions are not set in stone, in general:

- A Committee is formed to advise on a specific issue. These can be standing committees, or ad-hoc committees that are established for a particular duration and which then disband. Most of the Council's current committees are standing committees – e.g., the Executive, Enforcement, and Charter Halibut Management Committees. The Council also creates issue-specific committees to review staff work and negotiate management changes on an issue under development. In the past, these have addressed the development of EFH closure areas, salmon bycatch measures, or crab binding arbitration. The degree of active participation needed from stakeholders on the Committee is a direct outcome of the Council's statement of purpose.
- A Workgroup is formed when the Council needs to bring together staff from different Federal or State agencies to develop a particular issue. Examples include the Salmon stock composition workgroup, or the staff workgroup developing halibut abundance-based PSC limits.
- A Plan Team is a standing advisory body whose membership consists of scientists and managers who review the status of the Council's Fishery Management Plans, Fishery Ecosystem Plans, and best available social science.

Statement of purpose	All committees should be established by the Council with a specific and clearly stated purpose. In most cases, committees are established with a Council motion that sets out the task of the Committee.
Membership	<p>Membership in the Committee or Workgroup should be determined by the statement of purpose, and should include a representative group of stakeholders to accomplish the given task. As described in the SOPP, the Council Chair has the authority to appoint standing or ad hoc Committees that include Council members and knowledgeable industry representatives or other participants to address specific management issues or programs. There is generally at least one Council member on each committee.</p> <p>There are two models in use to determine Committee membership: 1) the Chair can use his/her authority to determine who should be on the Committee. This model is more frequently used to appoint Council members to committees, or for replacement members on standing committees. 2) The Chair may call for nominations for a vacant seat or a new Committee. In that case, interested stakeholders can submit their name and letter of interest to the Council office by a deadline, and the Chair will appoint Committee members based on the list of nominees.</p>
Chair	In almost all cases, the Council Chair appoints the Chair of the committee or workgroup. Currently, the only exception is the Enforcement Committee, where the membership votes on a Chair (as is done with Plan Teams). It is preferable to have a Council member as Chair or Co-Chair so that the connection between Committee and Council is stronger and more consistent.
Notification and Access	All Council Committee and Workgroup meetings are open to the public. As per our SOPP, drafts of all public meeting notices must be published in the Federal Register at least 23 calendar days before the first day of the meeting ¹ . The Council will ensure that all public meetings are accessible to persons with disabilities, and the public can request special accommodation up to 14 days before the scheduled meeting.
Written public comment	The Magnuson-Stevens Act requires that all interested persons shall be permitted to present oral or written statements regarding the matters on the agenda at meetings, including Committee meetings. As such, the Council has determined that all committees will, at a minimum, accept written public comment. In consultation with the Committee Chair, written comment submitted to the Committee will be distributed by staff to Committee members. As per the Council's written comment policy, any such written comment will also be provided to the Council as an appendix to the Committee minutes.
Member roles and responsibilities	<p>Committee members serve at the will of the Council Chair. Committee members are expected to attend most meetings in person. Provision can be made for participating via teleconference if necessary. Repeated absence will be a cause for replacement on the committee. Compensation and travel expenses for non-Council participants on Committees will not be provided by the Council.</p> <p>Members are expected to read the materials in advance of the committee meeting, and come prepared to discuss issues on the agenda. Members are also expected to engage with their constituent group and bring their feedback to the meeting. During the meeting,</p>

¹ When the Committee meeting occurs during a Council meeting, a combined FR notice is issued.

members are expected to be collaborative and respectful of each other during committee discussions.

Discretionary elements

All that is needed to establish a Committee is a statement of purpose, a representative membership, and a chair. The Executive Director will assign a staff member to assist the Committee in meeting its designated tasks. The Committee Chair, however, must consider and communicate how the Committee will function. These discretionary elements are intended to help guide that process.

Terms of Reference

In general, only Plan Teams and a few standing committees have formal Terms of Reference (e.g., the Enforcement Committee and PNCIAC). If a Committee is to have a Terms of Reference, it should be formally presented to and approved by the Council.

In some cases, however, in establishing the Committee, the Council will identify other specifics of how the Committee will function. This is especially useful when the topic is likely to be contentious, or when stakeholders unfamiliar with the usual Council process are involved. For example, organizing principles were referenced in the Council motion establishing the Cook Inlet Salmon Committee.

Scheduling a meeting

A committee meeting is usually initiated to review staff work that has been or is being developed for the Council. Some committees meet according to a specified calendar cycle (e.g., the Observer Advisory Committee or the Charter Halibut Management Committee), while other meetings are scheduled in response to something that is tasked on a specific Council agenda (e.g., the Ecosystem and Enforcement Committees generally meet when issues on the Council agenda require their expertise). In these cases, the meeting dates and location will be specified by the Committee chair, working with staff. When these circumstances do not apply, the Committee chair will generally propose the idea of convening a committee meeting to the Council during staff tasking.

Agenda

A draft agenda will be prepared in advance of the meeting by Council staff, in consultation with the Committee Chair. For some committees, the Council may request that agenda topics be formally approved by the Council before they are taken up by the Committee; in other cases, the Committee Chair may have ultimate discretion to set the agenda in order to meet the Council's stated purpose. For example, Committee chairs will often vet the proposed agenda topics for an upcoming meeting with the Council at staff tasking. Alternatively, the Committee membership may propose topics for a future meeting in their minutes, which can be reviewed and approved by the Council.

Rules of order and decision making

The running of the meeting is generally left to the Committee Chair's discretion, and is often based informally on Robert's Rules of Order. Some Chairs prefer recommendations to come through motions, others are less formal. Most Council Committees operate by consensus to develop recommendations for the Council. In others, for example, the Charter Halibut Management Committee, recommendations are made by majority vote of affected stakeholders. In all cases, the minutes should reflect the range of perspectives of all members.

Minutes	<p>A summary report of each meeting will be prepared by Council staff working with the Committee Chair, who maintains final approval of the minutes. At the Chair's discretion, Committee members may be given the opportunity to review and provide edits on the minutes before they are finalized. For example, the Enforcement and Ecosystem Committee members are generally given the opportunity to review minutes before they are finalized, but OAC minutes are prepared only by staff (Council and agency) working with the Committee Chair.</p>
Reporting	<p>The Committee minutes will be presented to the Council, generally at the Council meeting following the committee meeting, either by Council staff or the Committee Chair. In cases where the minutes address more than one topic on the Council agenda, they will be presented under the relevant agenda item as appropriate, or lacking that, under staff tasking.</p>
Oral public comment	<p>As described above, it is the Council's policy to accept written public comment for all committee meetings. According to the SOPP, public comment at committee meetings will be at the discretion of the Council Chair or Executive Director. In practice, this discretion is deferred to the Committee Chair. The Chair may choose to schedule discrete times on the agenda when the public may comment (for example, discrete times under each agenda topic, or a single time at the beginning or end of the meeting). The Chair could also allow informal participation in the discussion from members of the public (generally only feasible when there are very few public present and time management is not an acute issue), or the Chair may choose not to allow any oral public comment during the Committee meeting. Note that the public will have another opportunity to provide input when the Committee minutes are reported to the Council.</p> <p>Regardless of which choice is made, it is important for the Chair or staff to notify the public of whether and when there will be commenting opportunities. Ideally, this should be listed directly on the agenda, and announced at the beginning of the meeting. If time management is at issue, it is appropriate to impose time limits on individual testifiers.</p> <p>Practice differs among committees as to whether a summary of the issues raised in public comment, or the names of the commenters, are captured in the minutes.</p>
Broadcasting	<p>Meetings may be broadcast by listen-only teleconference or webcast to the public, depending the availability of those services and level of interest by the public. If teleconference, staff should make a concerted effort to ensure that meeting materials are available on the web or distributed by email. Even if a broadcast line is being used, the Chair may choose not to allow testimony from remote listeners, however s/he may also allow permit testimony during a designated public comment period.</p>