

Council policy on written public comments 5/17/2018

The Council Standard Operating Policies and Procedures (SOPP) state that interested persons shall be permitted to present oral or written statements regarding the matters on the agenda at meetings. This document identifies the Council's current policy for accepting written public comments, and includes a draft guidance that will be posted on the Council website about how to write effective public comment.

Written comment period for an upcoming Council meeting

The comment period usually begins about 30 days before the Council meeting, once the agenda is settled and published. Currently, the comment period closes at noon on the Friday before the meeting, which provides a balance between maximizing the opportunity for the public to digest staff documents for the upcoming meeting and allowing an opportunity for Council members and the public to read through the comments before the meeting begins.

Written comments on an agenda item for an upcoming Council meeting are submitted through the Council's commenting site: comments.npfmc.org. All comments are reviewed by Council staff, primarily to ensure they are appropriately categorized by agenda item. If a member of the public submits a comment by mail, Council staff will input the comment through the online portal.

The only exception for public comments being funneled through the online portal is when a comment is received from a Federal, State, or international fishery agency. It is the practice of the Council to allow these agencies that are commenting on a specific agenda item an opportunity to make their comments outside of the specific constraints of the public testimony time limit. The same exception is provided for their written comments, and the comment is thus posted on the agenda as an individual attachment, rather than as part of the public comments.

Beginning in May 2018, the Council will begin a trial period where comments become publicly visible as soon as they are posted. The agenda will show an active link to the public comments under each agenda item. The link opens to the online portal, and for each agenda item, the user can scroll through all the comments that have been submitted. Comments are only available online (there is no paper reference book of comments), but staff can make copies of individual comments upon request.

Through the online portal, there is no option to submit online comments for an upcoming Council meeting once the deadline has passed.

Written comments during the Council meeting

During the Council meeting, if a member of the public wants to submit a written comment (or any written supplemental material), the policy is that they must do so during public testimony for that agenda item. They are also required to bring an electronic copy and/or 25 copies of their written comment to distribute to Council members.

If they will not be available to testify during the public comment period for that agenda item but they still wish to submit a written comment after the deadline for the online portal, it is an accepted practice to allow another member of the public who is testifying to distribute the person's written comment during their time slot. This is the only way for written comments for a Council agenda item to enter the public record after the written comment period has ended.

There could be occasions when the Council purposefully wants to allow a comment period during the course of a meeting, to allow some specific “in-meeting” comment window. An example is the recent Ecosystem Workshop in February, where the Council provided an opportunity for the public to submit written comments on the workshop for the Council’s consideration during staff tasking, in case there were people who came for the workshop but could not stay until the end of the meeting to testify in person. On such occasions, the Council will advertise the alternative commenting mechanism appropriately.

Comments outside the Council Agenda

At times, the Council receives written comments on topics outside the agenda items. If they are submitted during the public comment period on the upcoming agenda, these comments are usually filed under the Staff Tasking agenda item. If the comment is received by mail, it will either be uploaded under staff tasking or may be distributed to the Council in a Council mailing between meetings.

Comments sent to individual Council members are not included as part of the public record unless they are also submitted through formal channels, either through the online portal for an upcoming Council meeting, or to staff for a Committee meeting (see below). When individual staff members receive email comments from members of the public that appear to be intended for Council consideration, they respond by trying to help the commenter resubmit their comment to the appropriate venue, for example as a submission to the online comment portal, either under a particular agenda item or for staff tasking.

Committees

The Council has also established a policy that all Council committees will accept written comments. The instructions for submitting comments will be provided on the meeting agenda or in the Federal Register notice, and in most cases will likely be to submit comments directly to the Council staff member assigned to the committee. Staff will append all written comments submitted to the Committee to the minutes, so they can be reviewed by the Council.

The Council has also requested that out of cycle written comments submitted to the Council on IFQ and charter halibut management issues should be included for review under the staff tasking agenda item when they are submitted, but if the Council takes no action, these should automatically be compiled for review by the relevant committees at their next scheduled meeting. This also includes written comments that are submitted in person by testifiers during staff tasking.

Guidelines for drafting an effective comment letter

Written comments on an agenda item for an upcoming Council meeting are collected through the Council's commenting site: comments.npfmc.org. The comment period, usually 30 days before the Council meeting, is provided to give the public time to review documents and agenda items discussed during the meeting. It is a chance for the public to identify issues important to them, provide relevant information relating to the issue, and to offer suggestions or solutions that will help the Council, AP and SSC make informed decisions.

Comments made through the online portal will be collected, reviewed, and available to the Council members as well as the public before the start of the meeting. Your comments can inform, educate, and advise decisionmakers to come up with the best possible solution. Familiarize yourself with the issue by reading the documents prepared for the meeting and researching the agenda item through information on the Council's website.

The guidelines below follow the format of the online e-comment portal. You can either type your comments directly into the comment box, or you can upload an attachment such as a comment letter on letterhead. Remember, the comments will be public and will be kept indefinitely as part of the meeting record.

If you are attending the meeting in person, feel free to simply refer to your written comments, and use your time to expand on what you wrote. Everyone will have a copy of your comments during the meeting.

To comment via the Council's online portal: *Need to add more screenshots/groundtruth instructions*

Select Agenda Item Choose which agenda item you would like to comment on. If you want to comment on something that is not specifically on the agenda, select E Staff Tasking. Once you have selected an agenda item, the following box open.

The screenshot displays the NPFMC online commenting portal. On the left, a sidebar lists various agenda items under the heading 'Agenda Items'. The main content area shows a modal window titled 'Agenda Item' with a 'Comment' tab selected. The form includes fields for 'Name', 'Organization', and 'Email Address', followed by a large 'Comments' text area. Below the comments area, there is an 'Attachments' section with a 'Choose Files' button and a note: '0/4000 characters. If your comment is longer than 4000 characters, please upload it as an attachment.' At the bottom of the form, there is a checkbox for 'I'm not a robot' and a 'Submit' button. The background of the portal shows a list of agenda items, including 'E1 Committees and tasking review', 'C1 Salmon FMP', 'C2 Scallop SAFE', 'C3 Charter halibut', 'C4 Mixing of guides', 'C5 Salmon bycatch as Necessary', 'C6 OGA CV Change', 'C7 Co-op reports', 'C8 Halibut retention', 'D1 Halibut abundance', and 'D2 Regulatory reform'.

Name	Your name
Organization	Are you representing yourself, or a company/organization/association?
Email address	Your email address
Comments	<ul style="list-style-type: none"> • Provide a brief background of your connection to the issue. If you have personal credentials that give you experience, be sure to identify those as well (example: “I have five years longlining, and before that I was a deckhand on...”). • Identify what you want to comment on: the whole agenda item, or a specific portion of a larger, complex issue? • Identify your major concerns or general comments. How does the issue impact your actions, interests, business, or plans? Use specifics to support your claims, and refer to and attach other documents if appropriate. • Clearly state what action you want the Council to take. Do you want the Council to select a particular alternative or option, or implement or repeal a program or management change? If you are commenting specifically on a document, it may help to refer to page numbers to help keep your comments organized.
Attachments	If you prefer, you may upload a comment letter rather than using the comment box on the online form, or upload supporting material for your comment.

Sample Comment letter

Name: Joe Public

Organization: Self

Email Address: Joe.Public@gmail.com

Comments: *(Comments can be added in the provided space, or attached as a separate document)*

Chairman and Council Members,

My name is Joe Public and I own a 58’ vessel that fishes in the Gulf of Alaska. I have been involved with the GOA trawl fisheries since 1990, and I am also involved in the halibut and sablefish fisheries and have been longlining since 1980. I would like to comment on Agenda item A2 – Halibut and Sablefish Fisheries.

My major concern is _____ *(state the major concern here)* _____. This decision would impact the way we do business. *(Add a few more sentences to explain to the Council how this affects you personally, or your crew. Use specifics!)*

I think the best solution would be to _____ *(list your solution and ideas, and why they would work)* _____.

1. Alternative 1 is the best choice because every stakeholder is equally invested.
2. Alternative 2 is only partly workable because of the limited restrictions.

I encourage the Council to consider the options of _____ *(briefly recap your ideas)* _____.

Sincerely,
Joe Public
F/V FishOn

Attachments: *The comment can be attached as a letter, and other supporting documentation can be uploaded here.*