

**Enforcement Committee Agenda**  
**June 7, 2016**  
**1pm – 4pm**  
**Stellar Room, Kodiak Harbor Convention Center**  
**Kodiak, Alaska**

**I. Review EM Integration Alternatives and Options for October 2016 initial review**

The North Pacific Fishery Management Council (Council) has initiated an analysis to integrate electronic monitoring (EM) tools into the Observer Program for vessels using fixed gear, and an initial review draft is being prepared for October 2016. This is a high priority project for the Council, and the target date for implementation is 2018. The EM program design is being developed through the Council's Fixed Gear EM Workgroup. Diana Evans will provide the Committee with an overview of progress with EM development to date and the draft analysis (overview discussion paper is posted on the Council's agenda under D-2). Nathan Lagerwey will discuss the enforcement considerations that have been raised with respect to using EM for monitoring in the fixed gear fisheries (handout provided).

**II. Review the Compliance and Enforcement Chapter of the North Pacific Groundfish and Halibut Observer Program 2015 Annual Report**

Chapter 5 of the North Pacific Groundfish and Halibut Observer Program 2015 Annual Report provides information about observer reported compliance data and the cooperative relationship between the NOAA Office of Law Enforcement's (OLE), Alaska Division (AKD), and the North Pacific Groundfish and Halibut Observer Program.

**III. Commingling of Guided Halibut with Unguided Halibut on the same Charter Vessel**

Possessing charter harvested and non-charter harvested halibut on the same vessel at the same time presents challenges for accountability that cannot be overcome with the current regulatory tools. This occurs on multi-day and "mothership" charter fishing vessels and to a lesser extent, vessels that are owned by self-guided fishing operations that also provide sport fishing guide services to their clients that request them.

**IV. Review NPFMC Enforcement Committee Terms of Reference**

Below are the terms of reference for the Enforcement Committee. The last time the terms of reference have been reviewed was April 2009.

**NPFMC Enforcement Committee**  
**TERMS OF REFERENCE**

1. **Establishment and Statement of Purpose.** The North Pacific Fishery Management Council (Council) may establish and maintain an Enforcement Committee to advise it on matters related to enforceability of fishery plans and regulations. The Committee's primary function is to review proposed plans, regulations, or other management actions and provide their assessment of enforcement issues as early as possible in the development process. The Committee would not be limited to purely enforcement aspects, but would also consider part of its role to be discussion and development of monitoring and compliance approaches that facilitate implementation of, and compliance with, management program regulations.

2. **Membership.** The Committee will be Chaired by a member of the Council, as appointed by the Council Chair, and additional Committee members will be appointed by the Council Chair from governmental agencies and organizations having expertise relating to the enforcement and monitoring of North Pacific groundfish and crab fisheries of the BS/AI and GOA. At a minimum these agencies would include NOAA Fisheries Enforcement, NOAA Office of Sustainable Fisheries, U.S. Coast Guard, Alaska State Fish and Wildlife Protection, Alaska Department of Fish and Game, NOAA Fisheries Observer Program, and NOAA Office of General Counsel. All appointments will be subject to approval by the Council and should reflect the Committee's responsibility to provide advice in the areas of enforcement and monitoring. Staff for each meeting will be designated by the NPFMC Executive Director as appropriate, depending on availability and issues on the agenda.
3. **Organization.** The Committee will be directed by the Chairperson, and may divide some of its responsibilities among work groups organized according to subject matter.
  - a) **Rules of order.** In general, rules of order will be informal. Committee advice will be reached by consensus, whenever possible. Committee minutes will reflect the range of perspectives of all members.
  - b) **Meetings.** Committee meetings will be held on a regular basis, typically in conjunction with regular Council meetings. Notice of these meetings would be accomplished through the Council agenda notice process. Additional meetings during the week of the Council meeting will be held as necessary, and announced at the Council meeting. Meetings will be open to the public, but public testimony will **not** be taken. Note that the public has the opportunity to provide comments to the Council during public testimony.
  - c) **Development of Agenda.** A draft agenda will be prepared in advance of each meeting by the Council staff in consultation with the respective Chairperson and Executive Director. The Committee would be assigned issues for consideration on its agenda by (1) identification of future agenda items at the current Committee meeting, subject to approval by the Council; (2) identification and assignment of issues by the Council as identified during the course of a Council meeting; (3) identification of critical, time-sensitive issues between Committee/Council meetings from Council staff, agency staff, or Committee members and vetted through the Executive Director. In these instances, the Executive Director will confer with the Council Chair and Committee Chair as necessary, and determine whether the additional issue warrants inclusion on the agenda.
  - d) **Meeting Record and Distribution.** A summary report of each meeting will be prepared by the Council staff, distributed to Committee members for review, and revised as necessary before the Committee report to the Council. The Committee Chair will maintain final approval of the minutes. The Committee report will be provided to the Council on an issue-by-issue basis, similar to the AP and SSC reports, as the relevant issue is addressed on the Council agenda.
4. **Additional Function.** While the primary function of the Committee is to provide advice directly to the Council on relevant issues, it is also recognized that the Committee, or its subgroups, may provide information directly to Council staff or other agency staff for inclusion in analytical documents ultimately destined for Council review. Such activities will be coordinated between the Committee Chair and Council Executive Director.