

EXECUTIVE DIRECTOR'S REPORT

Meeting Schedule

The Chairmen's meeting is scheduled for June 21 - 24 in Homer. I wrote to all of the Councils and NMFS on April 1 asking for suggestions for agenda items, letter attached as B-1(a). The return so far has been light. The items suggested in my letter -- FCMA changes, Federal/Council/State interaction and management, Federal "enclaves" in state waters, and future funding -- apparently cover most of what people want to talk about.

The New England Council has taken the lead in working on FCMA amendments and has asked for a workshop on June 4 and 5 in Chicago with a couple of attendees from each Council. We have made reservations for four to Chicago. It would be helpful if the Council would choose who they wish to attend at this meeting. We can always get our money back on some of the tickets if we do not send four. We bought them early because there was a considerable saving in cost.

The next Council meeting is May 28 and 29 in Anchorage at the Hotel Captain Cook. There will not be a June meeting. We are scheduled to meet again on July 23 and 24 at Homer.

NMFS Workshops for Improving the Management Process

Terry Leitzell is suggesting that we meet in small workshops sometime in May or the first part of June to continue our work on improving the management of fisheries under the Magnuson Act. His letter is attached as B-1(b). We have not met since the new Executive Order 12291 was promulgated or since the American Fisheries Promotion Act was passed. Personally I think the workshops are a little premature and would probably be more useful if they were held after the Chairmen's meeting. By that time the Department of Commerce should be reorganized and we will have a better idea of how things will shake out for the next three years. The other Councils that I have talked to share my feeling. With your permission I will respond to Leitzell, suggesting that it would be more effective if we postponed workshops until August or September.

Miscellaneous Information

The additional allocation to Taiwan requested by the Council at the last meeting to assist the St. George Tanaq venture has been made. The State Department notified them on April 7 that they will be getting an additional 1,000 tons of Pacific cod, 200 tons of yellowfin sole, 400 tons of turbot, and 400 tons of other flounder.

The proposed venture between Cook Inlet Region, Inc. and a Norwegian company, presented to the Council by Cook Inlet Region representatives at the September meeting, has fallen through. As far as I know there are no current business arrangements with any Norwegian companies within Alaska under the new GIFA.

The Commercial Attache from the Portuguese Embassy called me early in April, wanting to attend this Council meeting to discuss a Portuguese allocation. I recommended that he wait until May since the April meeting would be devoted

primarily to administrative matters. I then called Washington to find out what was going on. NMFS has apparently worked up a trade agreement with the Portuguese following the approval of the GIFA that, if successful, would entitle them to an allocation. The State Department did not have any information on this. Bill Hannum, NMFS, has promised to send us a copy of the trade agreement and keep us advised on future developments in this area.

There is a transcript from some Canadian parliamentary debate in your book, B-1(c), indicating that salmon interceptions are a heated issue with them as well as with us.

North Pacific Fishery Management Council

AGENDA B-1(a)
April 1981

Clement V. Tillion, Chairman
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M E M O R A N D U M

TO: Council Chairmen
Terry Leitzell
NMFS, Alaska Region

FROM: Jim H. Branson
Executive Director

DATE: April 1, 1981

As agreed at the last Chairmen's meeting in San Juan, the chairmen and executive directors will meet next in Alaska. The latter part of June was generally agreed on at our last meeting and we have booked space in Homer, Alaska from June 21st through the 24th, expecting that the executive directors would be able to meet on the weekend with the chairmen's meeting starting on Monday, the 22nd.

Homer is 150 miles south of Anchorage, about 5 hours by car or a short hour by air (the road goes the long way around). Air fare between Anchorage and Homer is approximately \$80 round trip by commuter airline that leaves five or six times a day. There will be a number of people driving from Anchorage to Homer and we will be happy to take as many of you that way as want to go. It's a very scenic drive and worth the time.

Accommodations are at Lands End, a somewhat ramshackle hotel on the end of Homer Spit, surrounded on 3½ sides by water. It will be cool in the evening, so bring a warm jacket and walking shoes.

We will send brochures, reservation forms, and details on the area in the near future.

I would appreciate your suggestions for agenda items. Probably the number one priority will be a discussion of necessary changes to the Magnuson Act to make it work a little more efficiently, followed by discussions of Federal, Council, and State interaction in management including the consideration of other approaches to management in the FCZ than the standard FMP. Other possibilities are the treatment of Federal "enclaves" within State waters, and certainly discussion of our future funding under the Reagan administration. I will check with you by phone within the next two weeks and, using your recommendations, put out a formal agenda by the end of this month.

I hope that you can live with the dates I have chosen. Because Homer is small and a very popular resort area, we didn't have too many choices and once made, I'm afraid the schedule is inflexible.

cc: Executive Directors

Please also provide us with your views, by sending them to Bill Gordon by April 15. His staff, working with their Regional counterparts, will develop a proposed agenda by the end of April and send out packages of relevant information. Following the workshops, we will draft a full review of the alternative courses of action presented for further discussion with the Councils in an attempt to reach a common solution to our present difficulties.

I wish to reemphasize that my main concern is that the present management process is too cumbersome to be fully effective. It is essential that we find ways to simplify and accelerate it through changes in concepts or in present Council, Regional, or Central Office procedures. We are open to any ideas, and we solicit your help and that of the Councils.

PAGE TWO FIA1898 UNCLAS

THEY HAVE RECOGNIZED OUR EFFORTS TO CONSERVE CHINOOK AND GIVEN A POSITIVE ANSWER TO OUR REQUEST.

SIDON...THE MINISTER OF FISHERIES AND OCEANS HAS NOT ADDRESSED THE BASIC DISCREPANCY THAT THE FRASER RIVER GILL NETTERS ARE TAKING LESS THAN ONE-TENTH OF THOSE CANADIAN STOCKS OF WHAT THE US FLEET IS TAKING.HE HAS NOT TOLD US WHAT SPECIFIC INITIATIVES THE AMERICANS HAVE CONSENTED TO APPLY TO CONSERVE THOSE CHINOOK SALMON.

IS THE MINISTER PREPARED TO RESCIND THE CLOSURE OF THE UPPER PART OF THE FRASER RIVER KNOWN AS AREA 29 D AND TO ALLOW THE FRASER RIVER GILL NET FISHERMEN WHO HAVE BEEN MAKING STRONG REPRESENTATIONS TO HIM THIS WEEK AT LEAST ONE DAYS OPENING A WEEK,BEARING IN MIND THAT LAST YEAR THE CANADIAN FISHERMEN HAD ONLY NINE DAYS FISHING WHILE THEIR US COUNTERPARTS HAD AT LEAST 63 DAYS FISHING ON THE SAME CANADIAN SALMON STOCKS?

LEBLANC...I FAIL TO UNDERSTAND THE HON MEMBER.HE ASKS ME A FIRST QUESTION,AND I ANSWER SAYING TO HIM THAT THE AMERICAN AUTHORITIES HAVE RESPONDED POSITIVELY TO OUR APPROACH TO THEM.THEY WILL LIMIT THE EFFORT OF THEIR SEINER FLEET OFF POINT ROBERTS.

AS TO THE SECOND ISSUE,THERE IS A FURTHER MEETING PLANNED WITH THE FISHERMEN AND REPRESENTATIVES OF MY DEPARTMENT. I BELIEVE IT WILL BE EITHER ON APRIL 20 OR APRIL 22.PROPCSALS
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PAGE THREE FIA1898 UNCLAS

HAVE BEEN MADE BY BOTH SIDES,AND I AM QUITE SURE WE CAN FIND AN AGREEMENT.THAT IS OUR INTENTION,AND THAT IS OUR APPROACH TO THIS PROBLEM.

SIDON...IN THE PAST SEVERAL WEEKS THE MINISTER HAS FAILED TO PRODUCE THE BREAKDOWN AS TO WHO IS CATCHING WHAT SHARE OF THAT RAPIDLY DEPLETING CANADIAN RESOURCE KNOWN AS THE CHINOOK SALMON STOCK.HE HAS FAILED TO TELL US AGAIN TODAY WHAT DEGREE OF CONCESSIONS THE AMERICANS ARE PREPARED TO MAKE,BEARING IN MIND THAT THEY ARE TAKING ALMOST 20 PERCENT OF THAT RESOURCE. THE MINISTER HAS FAILED ONCE AGAIN TO COMMIT HIMSELF TO ALLOWING THE FRASER RIVER GILLNET FISHERMEN TO CONTINUE TO ENJOY THE LIVELIHOOD THEY HAVE ENJOYED FOR MANY,MANY YEARS BY GRANTING THEM AT LEAST A ONE-DAY PER WEEK OPENING IN THE AREA OF 29 D ON THE FRASER RIVER.

IS THE MINISTER NOT PREPARED TO RECOGNIZE THAT HE WILL BANKRUPT AND DESTROY THE LIVELIHOOD OF MANY CANADIAN FISHERMEN IF HE DOES NOT ACT,NOT LATER THIS MONTH,BUT HERE TODAY.

LEBLANC...I HAVE BEEN LOBBIED BY EXACTLY THE SAME GROUP THAT THE HON MEMBER HAS MET WITH.I HAD A SESSION OF AN HOUR AND 45 MINUTE,A USEFUL,PRODUCTIVE SESSION WITH THEM YESTERDAY. IN FACT,THEY DID NOT ASK FOR A BREAKDOWN.I TOLD THEM,AS I TOLD THE HON MEMBER,THAT THE US AUTHORITIES HAVE RESPONDED
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PAGE FOUR FIA1898 UNCLAS

VERY POSITIVELY. THEY HAVE GONE A LONG WAY TO MEET OUR OBJECTIVES. I DO NOT THINK I SHOULD MAKE A DECISION HERE BEFORE CONSULTING THE GROUP WE ARE MEETING WITH, AS AGREED BY BOTH SIDES, ON APRIL 22. SURELY IF I DID THAT, THE HON MEMBER WOULD BE THE FIRST TO COMPLAIN.

FRIESEN... THE MINISTER SAYS HE HAS RECEIVED A POSITIVE RESPONSE FROM THE UNITED STATES. I SHOULD LIKE TO KNOW IF THAT RESPONSE WAS IN WRITING, AND TO WHAT EXTENT WILL THE UNITED STATES CORRECT THE PRESENT IMBALANCE?

LEBLANC... I SAID THE US AUTHORITIES HAVE RESPONDED VERY POSITIVELY TO OUR REQUEST. I DO NOT HAVE THE EXACT ARITHMETIC IN FRONT OF ME THIS AFTERNOON. WE ARE SATISFIED IT GOES A VERY LONG WAY TOWARD MEETING THE OBJECTIVE WHICH WAS TO REDUCE THE CATCH OF CANADIAN CHINOOK BY AMERICAN SEINERS. I AM SATISFIED THAT THIS WILL GO A LONG WAY TO BALANCE OUR EFFORTS AT CONSERVATION TOWARD WHICH SPORTS FISHERMEN, THE COMMERCIAL FISHERMEN OF CANADA AND THE COMMERCIAL FISHERMEN OF THE UNITED STATES MAKE SERIOUS EFFORTS TO RESTRICT THE PRESSURE ON THE DEPLETED CHINOOK STOCKS.

FRIESEN... IN THE PAST YEAR WHEN THE MINISTER HAS BEEN IN HIS PORTFOLIO HE HAS SUBJECTED THE WEST COAST FISHERIES BY LONG DISTANCE NEGOTIATION TO A SERIES OF CHANGES IN POLICY, MANAGEMENT AND REGULATION. DURING THAT TIME, I SUPPOSE BECAUSE
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PAGE FIVE FIA1898 UNCLAS

HE IS FROM THE EAST COAST, HE HAS BEEN TO THE EAST COAST AT LEAST ONCE, IF NOT TWICE A MONTH, BUT IN THAT SAME PERIOD OF TIME HE HAS BEEN TO THE WEST COAST ONLY ONCE FOR ONE DAY, AVOIDING MANAGEMENT AND ADVISORY BOARDS, NOT MEETING WITH THEM. I SHOULD LIKE TO ASK THE MINISTER IF HE SEES HIMSELF AS THE FISHERIES MINISTER FOR ALL OF CANADA OR FOR JUST THE EAST COAST.

LEBLANC... I REALLY DO NOT UNDERSTAND THE HON MEMBERS QUESTION BECAUSE THE GROUP I MET YESTERDAY WAS MUCH MORE GENEROUS THAN THE HON MEMBER. THEY RECOGNIZED THAT A MINISTER WHO HAPPENS TO COME FROM THE EAST COAST NEVERTHELESS PUT INTO OPERATION THE MOST DRAMATIC DEVELOPMENT PROGRAM CALLED THE SALMONID ENHANCEMENT PROGRAM-- THAT THIS MINISTER-- AS MY COLLEAGUE, THE MINISTER OF AGRICULTURE SOMETIMES REFERS TO HIMSELF-- PUT INTO EFFECT THE TOUGHEST HABITAT PROTECTION LEGISLATION, WITH THE APPROVAL OF ALL SIDES OF THE HOUSE, AT THE REQUEST OF THE WEST COAST FISHERY. I MIGHT SAY TO THE HON MEMBER THAT I HAD PLANNED A FAIRLY LENGTHY SESSION ON THE WEST COAST IN MARCH. UNHAPPILY, THE SORT OF FILIBUSTERING WE HAVE BEEN HAVING HAS TIED ALL OF US DOWN TO THIS HOUSE.
...END QUOTE.

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RESEARCH PROJECTS AND PRIORITIES

Jim Richardson, NPFMC Staff Economist

PRESENT PROJECTS - CURRENT

1. Blackcod - A study to investigate markets for blackcod products from fish caught in Alaskan waters.

This study will analyze the contribution of Alaskan processed fish to the world market. Some of the impediments to full domestic utilization will be discussed. Management alternatives for future development of the blackcod fishery and other fisheries under the MFCMA will be developed.

Estimated project completion - August 1981

2. Halibut - A workshop to consider the applicability of different measures for controlling effort in the Alaska fishery.

I have scheduled a workshop on May 14 and 15 in Seattle. This will be a small meeting of scientists having familiarity both with the economic theory of managing fishing effort and the halibut fishery. The goal of this workshop is to determine first, from a theoretical point of view, whether some sort of limited entry program for Alaska's halibut fishery is desirable, feasible or warranted, and then if so, which approaches to managing fishing effort would be best. If the members of the workshop can determine the most appropriate policy alternatives and the application of those alternatives to the halibut fishery, the Council and the Limited Entry Workgroup of the Council can further evaluate these alternatives in terms of costs and benefits to user groups and the Alaska resource owners.

Estimated project completion - April 1981

3. An Economic Profile of the Southeast Alaska Salmon Industry.

There will be a meeting April 27 and 28 between myself and economists with NMFS Juneau, NWAFC, and CFEC to complete a project proposal for the above study. This research will result in development of a computer simulation model which will provide information on impacts to fishermen and communities resulting from fishery management decisions. The project is directed specifically at the salmon fishery, however the model will be maintained to evaluate management decisions in other fisheries.

Estimated project starting date - July 1981

FUTURE PROJECTS

1. Herring - The Use of the Alaskan Resource as a Roe Fishery vs. a Food/Bait Fishery.

There have been several studies completed recently on the feasibility of processing and marketing Alaskan herring as a food rather than a roe product. This project will summarize the recent studies for the Council members and outline the resource utilization decision in terms of economic theory.

Estimated time required - approximately 3 weeks

2. Effects of Vessel Financing Programs on the Composition and Investment Decisions of Alaska's Commercial Fishing Fleet.

Status: I have contacted one of the Sea Grant Marine Advisory Agents who has been working with the various vessel financing programs. He indicated an interest in working with me on this project. When I have the time available, this project will be pursued.

Estimated time required - approximately 3 months

3. Joint Venture Analysis

This project will evaluate the concept of joint ventures in Alaskan waters as they were originally conceived and also how the concept is evolving in new applications. The types of questions to be answered include:

- a) Have joint ventures succeeded in increasing U.S. participation in previously unexploited fisheries?
- b) What is the performance record of the current joint ventures? Why or why not have they been successful?
- c) Where are joint ventures evolving as a concept or management tool for fishery development in Alaska?

Status: no action taken as yet
Estimated time required: 4-6 months

OTHER RELATED ACTIVITIES

Preparation of two articles to be submitted to professional journals. One is being co-authored by Jeff Povolny to be submitted to Ocean Development and International Law. Another article will be submitted to the Western Journal of Agricultural Economics. Both articles deal with the recent Council decisions on foreign Tanner crab fishing and how the development of the U.S. fishery is encouraged under the MFCMA.

SUMMARY MINUTES
REGIONAL FISHERY MANAGEMENT COUNCIL CHAIRMEN'S MEETING
OCTOBER 20-21, 1980

ATTENDANCE

The Council Chairmen met in San Juan, Puerto Rico, October 20-21, 1980. The meeting was chaired by Mr. Héctor Vega-Morera, Chairman of the Caribbean Fishery Management Council. The following persons were in attendance:

New England Fishery Management Council

Robert A. Jones, Chairman
Jacob J. Dykstra, Vice-Chairman
Douglas G. Marshall, Executive Director

Mid-Atlantic Fishery Management Council

David H. Hart, Chairman
Elliot J. Goldman, Vice-Chairman
John C. Bryson, Executive Director

South Atlantic Fishery Management Council

Margaret (Peggy) Stamey, Chairwoman
O. B. Lee, Vice-Chairman
David H. G. Gould, Executive Director

Gulf of Mexico Fishery Management Council

Bobby G. O'Barr, Chairman
Nicholas A. Mavar, Jr., Vice-Chairman
Wayne E. Swingle, Executive Director

North Pacific Fishery Management Council

Clement V. Tillion, Chairman
Jim H. Branson, Executive Director

Pacific Fishery Management Council

E. Charles Fullerton, Chairman
Lorry M. Nakatsu, Executive Director
Jeanne C. Mandvill, Operations Officer

Western Pacific Fishery Management Council

Wadsworth Y. H. Lee, Chairman
Paul Callaghan, Vice-Chairman
Sveign Fougner, Executive Director
Kitty M. Simonds, Assistant to the Executive Director

Caribbean Fishery Management Council

Héctor Vega-Morera, Chairman
Samuel E. Espinosa, Vice-Chairman
Omar Muñoz-Roure, Executive Director
Arthur E. Dammann, Chief Scientist
Fernando Castillo, Administrative Officer
Ignacio Morales, Economist
Hilda Ramírez, Secretary

Department of State

Morris D. Busby, Deputy Assistant Secretary,
Office of Oceans and Fisheries Affairs

Government of Puerto Rico

Francisco Pagán-Font, Executive Director
Marine Resources Development Corporation (CODREMAR)

Government of the U.S. Virgin Islands

Richard E. Dewey, Director
Bureau of Fish and Wildlife, DCCA

NOAA/NMFS

Terry L. Leitzell, Assistant Administrator for Fisheries, NOAA/NMFS
Jay S. Johnson, Assistant General Counsel for Fisheries NOAA
Craig O'Connor, Southeast Regional Counsel, NOAA
Martha Blaxall, Director, Office of Utilization and Development, NMFS
William G. Gordon, Director, Office of Resource Conservation and
Management, NMFS
Alan W. Ford, Southwest Regional Director, NMFS
Harold B. Allen, Southeast Regional Director, NMFS
Allen E. Peterson, Northeast Regional Director, NMFS
Joseph P. Clem, Office of Resource Conservation and Management, NMFS
Roland A. Finch, Office of Resource Conservation and Management, NMFS
Morton M. Miller, Office of Policy and Planning, NMFS
Thomas J. Billy, Office of Utilization and Development, NMFS
Sandra J. Lamer, Southeast Regional Office, NMFS

Observers

Shoji Ono, Japan Fisheries Association
Ted Nakamura, Japan Fisheries Association
Sally Campen, Tele-Press Associates
Gilberto Cintrón, Commonwealth of Puerto Rico, DNR

AGENDA

Chairman Vega opened the October 20th session of the meeting at 10:30 a.m.

A copy of the meeting agenda, as adopted, is attached.

WELCOME

Dr. Francisco Pagán-Font, Executive Director, Marine Resources Development Corporation (CODREMAR), on behalf of the Honorable Carlos Romero-Barceló, Governor of the Commonwealth of Puerto Rico and Dr. Richard E. Dewey, Director, Bureau of Fish and Wildlife, DCCA, on behalf of the Honorable Darlan Brin, Commissioner, Department of Conservation and Cultural Affairs, Government of the U.S. Virgin Islands, welcomed attendees at the meeting.

OVERVIEW OF THE CARIBBEAN COUNCIL AND THE CARIBBEAN FISHERIES

In order to familiarize all attendees with the peculiarities of the Caribbean Fishery Management Council's area of jurisdiction, Dr. Arthur E. Dammann, Chief Scientist, CFMC, gave a brief presentation on the Caribbean Council and the Caribbean fisheries.

ECONOMIC OVERVIEW OF THE FISHING INDUSTRY

Mr. Terry L. Leitzell, Assistant Administrator for Fisheries, NOAA, briefed the attendees on NMFS activities regarding current economic condition of the fishing industry. The rapid increase in the cost of diesel fuel during the past 18 months is one of the major problems identified as currently affecting the industry. Major impact of fuel costs appears to be on the shrimp industry.

A paper has been submitted by NMFS to the Secretary of Commerce with alternatives for methods to address the economic problems occurring in the various sectors of the fishing industry. It is expected that the Secretary will make a decision by the end of October with respect to the kind of actions that the Department will take in solving these problems.

Mr. Leitzell reviewed some of the issues that are being addressed in response to industry requests, such as looking into impact of imports, diesel fuel cost relief, and financial assistance to the industry. He indicated that many of the issues raise difficult policy concerns within the Government.

SECRETARY OF COMMERCE'S MEETING WITH FISHING INDUSTRY REPRESENTATIVES

Ms. Martha O. Blaxall, Director, Office of Utilization and Development, NMFS, briefed attendees on a meeting held by the Secretary of Commerce with representatives of the fishing industry to obtain comments from them on their major concerns. The topics discussed were federal regulations, research and development, market expansion for seafood in the United States, import protection needs and export promotion activities. The tuna-porpoise situation was also discussed. Ms. Blaxall considered the meeting "the beginning of a useful dialogue between the Secretary of Commerce and representatives of the the fishing industry".

Mr. Jacob J. Dykstra, Vice-Chairman of the New England Fishery Management Council, commented on the industry's problems and needs as discussed with the Secretary during this meeting. Serious problems brought by everyone's extension of jurisdiction are fish marketing, imports and fuel costs. He indicated that if no ways are found to get meaningful relief in these areas, the fishing industry will not continue to develop, and will probably decrease.

Mr. Leitzell expressed that it is critical for Councils to understand, when dealing with fishery management plans, the economics of the industry, its development potential, and some negative economic impacts that are present and how to deal with them in a management sense.

There was considerable discussion on various issues such as allocations, conditional fisheries, and Title XI Program.

PLAN DEVELOPMENT PROCESS AND MONITORING

Fish Policy Group

John Bryson, Executive Director of Mid-Atlantic Council, requested an explanation on the nature, composition, and responsibilities of the Fish Policy Group and suggested that Council representation be included in discussion meetings with NMFS staff before issues are taken to this body.

Terry Leitzell responded that the Policy Group is simply "a group of people put together to clear a document prior to submitting it to the Administrator". The Administrator, who has received from the Secretary delegated authority to approve FMPs, Work Plans and Regulatory Analyses, has, in turn, delegated to the Assistant Administrator for Fisheries authority for initial approval of such documents subject to his concurrence. Basically, the Administrator and the Assistant Administrator for Fisheries make the policy decisions. The Policy Group is the last review group before going to the Administrator.

John Bryson suggested that Councils should be involved in, or advised, of Fish Policy Group's discussions.

O. B. Lee commented that the type of review carried out by the Fish Policy Group could be done at the regional level. Mr. Leitzell indicated that it is his policy for Regions to be responsible for review and clearance of the FMPs for all matters except consistency with the National Standards.

Clement Tillion raised the point that with the regional attorneys not having the final decision, much time is taken unnecessarily in the process. There was considerable discussion on regional attorneys giving advice and being overridden at the Washington level. Jay Johnson explained that the procedure used is that the regional attorneys communicate with his office to maintain consistency in the decision making process.

A lengthy discussion followed on the improving of the FMP process, especially on inconsistencies between Regional and Washington reviews. Leitzell accepted the comments as good and asked Bill Gordon to look into ways to resolve some of the problems. He also indicated that there are many administrative and legal problems and requirements which take time to address, and there are problems that all must recognize.

Council Chairmen repeatedly brought to discussion the apparent slowness and inconsistencies in the FMP development process. As a specific example, the time required to publish regulations was mentioned. Jay Johnson indicated that if the Councils would prepare draft regulations before the Plan is submitted, a lot of what NMFS people have difficulty in understanding, for example, the plan intent, will become more evident. Bill Gordon expressed that clear articulation of what a Council is trying to achieve and early initiation of regulatory process could be one way to accelerate the FMP development.

The feasibility of having Council representatives involved in Washington review of plans was discussed as a method of improving many of the problems and increasing understanding among all involved parties.

Council Chairmen requested that action memorandums on FMPs be distributed to all Councils. Leitzell agreed this could be done.

RAs and EISs

Douglas G. Marshall addressed the issue of procedures for preparing RAs and EISs. He stated that in view of the fact that the preparation of RAs and EISs is not being handled in a uniform way, consideration should be given to Council staff needs where Councils are preparing all the documents.

Bill Gordon briefed attendees on the EIS Task Force report and recommendations to NMFS in relation to the preparation and issuance of EISs.

The requirements for preparing RAs and EISs was discussed. Mr. Marshall indicated that, although Councils have to look at the measures that are put into a plan and analyze them, these are not necessarily to be chosen on the basis of what is optimal or maximal in terms of economic benefits, or impacts, or results. He questioned the great concern about the rigorousness of the economic analysis.

Mr. Leitzell noted that neither NEPA, nor the new Regulatory Flexibility Act, nor Executive Order 12044, require that environmental or economic factors be the only aspects considered; but they all require that decision makers have a complete and full analysis pointing out those impacts prior to making a decision.

Mr. Marshall suggested the possibility of redefining and explaining from the beginning the entire process.

There was considerable discussion on the required length and content of Regulatory Analyses. Chairmen commented on the necessity of preparing understandable, short documents that fishermen will read and be able to get some basic understanding of which alternative was adopted and why. It transpired from the discussion that Councils are not willing to go into great detail and extensive paperwork in preparing the document. Mr. Leitzell expressed that what is really important is that both the decision makers and the people affected understand what the options are and how the decisions impact them.

Again, the question was raised concerning ultimate responsibility for preparing RAs and EISs. Douglas Marshall noted that if the Councils willingly take on these tasks, they may have to add to their staff. Lorry Makatsu noted that Northwest Region would need additional staff to prepare these documents in association with Pacific Council FMPs. It was ultimately agreed that Councils would work with Regional Directors to determine staff needs to prepare the documents. These staff needs would be discussed at the NMFS RD/CD/OD meeting in early November.

"Fish and Chips" Policy

John Bryson, from the Mid-Atlantic Council, raised four points in relation to the so called "fish and chips" policy: (1) involvement of affected Councils; (2) fish should not be given for research outside the Council's area; (3) pound per pound, dollar per dollar trade; (4) penalization of foreign nations convicted of violations.

Terry Leitzell explained the "fish and chips" policy as basically a decision to give allocations on a priority basis to countries that provide trade opportunities to the United States. He indicated that, initially, this use of foreign allocation was looked at as a means to create foreign market opportunities for U.S. products. They tried to identify the kind of opportunities available from countries already fishing in the U.S. zone and to determine, in a country by country basis, whether the benefits were most likely to come in terms of TALFF reductions, other type of trade barriers, or specific offers for specific species of fish.

Once policy was established, they tried very hard to work as quickly as possible to deal with a number of these issues prior to making all 1980 allocations. Because of time pressures, the activity was not adequately communicated to Councils.

Mr. Leitzell further explained that he feels this trade policy should be handled from an industry standpoint. Many people in the industry believe that the opportunity for immediate use of existing foreign markets will allow them to expand and diversify new fisheries more rapidly than if they were simply dependant upon developing a domestic market. He supports continuing this policy that gives flexibility to deal with foreign fishing allocations and to improve communications with industry and Councils.

Mr. Leitzell was asked if he sees this as an effective replacement for TALFF. He responded that, as a matter of policy, he does not view "fish and chips" as a method of displacing market opportunities brought by level of OY and Council's level of TALFF on individual fisheries as a method of dealing with foreign fishing allocations. One or the other may be the more effective way to deal with a particular problem. That is something that will require very early consultation between NMFS and the affected Councils. A very good analysis will have to be done on how the foreign countries are likely to react to different kinds of effort in the market. Asked if Councils should reserve for "fish and chips" he responded that although that could be an interesting strategy there are a lot of questions to be answered prior to taking a decision.

He explained that in the pound per pound, dollar per dollar trade, the ratios have some subjectivity in them. In case of dealing with legal trade barriers such as TALFF, quotas, licensing systems, etc., it is difficult to put a dollar value on the effect that the removal of some of these barriers would have on the U.S. industry.

Regarding research, Mr. Leitzell explained that there was one specific situation in the Gulf of Mexico that was very badly handled. He feels that in many cases, negotiating the research is going to be just as important for developing a fishery as the immediate availability for foreign market. He would prefer not to rule out the flexibility of trading an allocation for getting research in a particular fishery, in consultation with the affected Council, as to the importance of that particular opportunity. It is a sensitive point but, in some cases, worth using.

Mr. Leitzell agreed that NMFS would prepare and distribute to Councils a policy statement on the relationships between foreign research and allocation and report on "fish and chips" 1980 results and 1981 outlook.

Work Plans

Sveign Fougner commented on the NMFS "Proposal for Improving the FCMA Process" and the draft criteria for determining whether a fishery is in need of management. He indicated that the Chairpersons and Executive Directors were unanimous in their view that the Councils are charged with that determination and with the responsibility for establishing priorities for FMP development. Councils would view the NMFS list as suggestions for factors to consider in exercising that responsibility, but would not view the list as being inclusive of relevant factors for all fisheries. Clem Tillion emphasized that the FCMA clearly directs Councils to make decisions on management plan needs and priorities.

Council Chairmen raised the issue of who decides whether a plan is to be developed after the scoping process and work plan is prepared. Councils' interpretation is that it is Councils' responsibility.

Mr. Leitzell indicated that it is a matter of interpretation of FCMA and Executive Order 12044, as to where the authority is. Answering this question involves an entire set of legal issues. The Executive Order is clear, in his opinion, in that the decision prerogative is of the Head of the Agency. Mr. Leitzell commented that he was not aware of any basis for an Executive Order to supersede legislation. Mr. Leitzell agreed to send all Councils additional views on this issue as raised by the Gulf Council.

Jay Johnson said that, at the time a plan is already approved, it is too late for any federal executive to exercise discretion to tailor the regulations to do something else other than what the plan states. NEPA requires that alternatives be looked at the earliest point in the process before decisions are made.

Omar Muñoz stated that, in his view, the present NMFS policy regarding scoping meeting and work plans defeats the purpose of the Executive Order and NEPA requirements, as their intention is to simplify the regulatory process and to avoid duplication of regulations. The scoping process' intention is to give an opportunity to other federal and state agencies, and other interested groups and individuals, to express their views on any contemplated regulations.

Under the present NMFS policy, scoping meetings are held at a stage of development of a plan when there is not even certainty that a regulation will be promulgated. According to Mr. Muñoz, the scoping process should be held after the FMP has been developed and some regulatory measures are proposed.

A question was asked as to the effect of the new Regulatory Flexibility Act. Mr. Johnson explained that NMFS has not addressed this issue as yet but, they will probably rewrite NOAA directives to comply with the new Act, NEPA directives and the Executive Order 12044.

Joint Council Plans

Omar Muñoz, from the Caribbean Council, raised the issue of Council's prerogative to withdraw from joint plan development. Bill Gordon explained that according to FCMA, fisheries are to be managed throughout their range. He indicated that although geographic and utilization aspects may be different, Councils should be able to work out these differences.

There was considerable discussion on this subject, but no change in current designation was agreed to. Mr. Leitzell deferred comments until he is able to examine the situation.

Revision of National Standards

Bill Gordon explained NMFS is in the process of reviewing the present guidelines for the application of the National Standards after the suggestions of the Environmental Defense Fund. The majority of comments received by NMFS on the Federal Register notice for proposed changes to the guidelines favored some of the changes. The re-drafted guidelines are currently undergoing internal review after which they will be published for comments. Next draft will probably be ready by December, 1980. Council will be given the opportunity to review and comment on it.

Jay Johnson explained that as fisheries resources go up and down during the course of time, the real objective of the Act is to make sure that the amount of fish that we harvest, in any given segment of that time, is the best level of utilization of that stock at that point and time. What we have been trying to do through building flexibility into management plans is come closer to that safe level of harvest. We will go up and down depending upon the biological condition of the resource through a period of years. There are two features that are being incorporated into the plans to achieve this:

- (1) An effort to arrive at a safe formula for assessing the stocks on a real time basis which could, then, be translated into a set of management measures, to prevent the stocks from being jeopardized by the level of harvest and/or achieve the other objectives of the plan. (The stock assessment methodology should not to be changed without examining the need for changes in management measures that go along with it.)
- (2) The OY in any given year will be a given kind of harvest (estimated particular level of harvest). The OY will go up and down depending on the stocks. Estimates should not be interpreted as a quota. The approval of the plan, then, will depend upon the biological certainty of providing the safeguards that the Act requires against overfishing.

Which Fisheries Should be Managed

Bill Gordon asked Councils to work with MMFS in developing criteria for deciding which fisheries should be managed. As a discussion point, he presented some general factors that could be considered.

- 1) Will the resource be threatened in the absence of a fishery management plan?
- 2) Is a fishery management plan needed to determine the total allowable level of foreign fishing?
- 3) Is a fishery management plan needed to resolve controversy between different users of the fishery or between users and users of other fisheries?
- 4) Is a FMP needed to identify environmental needs of a fishery?
- 5) Could a fishery be managed under some other authority other than the FCMA?

- 6) Will a fishery management plan manage the fishery directly throughout its range? If not, could it include arrangements which would help?
- 7) Will the benefits of managing the fishery justify the cost?

Regulatory Process

Roland Finch discussed ways in which the regulatory process could be more effective, workable, and flexible. He indicated that a NEPA Task Force has been established in NOAA to provide clear guidance. He described various ongoing efforts by NMFS intended to improve the process and make it more flexible, including the possibility of accomplishing changes without going through the amendment process. He asked Councils to provide their comments and suggestions.

OCTOBER 21 SESSION OF THE MEETING

Chairman Héctor Vega-Morera opened the October 21 session of the meeting at 8:30 a.m.

Summary of October 20 Meeting Discussions

Terry Leitzell summarized the October 20, 1980 meeting discussions of the following issues and explained the actions that his office is contemplating on each one of them, as follows:

- ° Fish Policy Group Issue - Mr. Leitzell has asked NMFS Conservation and Management Office to address methods to include Councils in decision meetings during FMP review, either by sending Washington staff to Councils or Council representatives to Washington. The alternatives for meeting Council needs will be put in writing.
- ° Regulatory Analyses and Economic Impact Statements - Mr. Leitzell explained that the policy on the requirements to do RAs and EISs is clear. If there is something that has to be re-drafted in terms of the overall FMP approval process, then, we will have to consider whether we want to go back for legislation. There is a difficult problem to understand which has to be resolved; what the content has to be. The EIS has requirements for content analysis very similar to what FCMA requires for FMPs. If RAs and EISs are done with the same kind of care, attention and detail as the FMPs, and the alternatives that are considered in the FMP process are specified in EISs, there should not be any problems in getting them through the system.

- "Fish and Chips" - There will be a report coming out on what was done in FY'80 in the area of allocation as they relate to the "Fish and Chips" policy. Hopefully, the report will include recommendations within NMFS, State Department and Councils. NMFS also will try to send out the plan for FY'81, listing countries to be visited, the time frames, and general outlines of the kind of issues expected to be discussed.
- Resources to get the job done - Terry Leitzell has asked Regional Directors to contact Councils and come to the Regional and Center Directors' meeting in November, 1980 with recommendations for both Regional and Council staff needs to get the job done. He will make decisions on staffing very soon after that meeting. Mr. Leitzell indicated that personnel ceilings within the agency are extremely tight and it will get even worse.
- Work Plan - Terry Leitzell indicated that he will be sending a letter to all Councils in response to the issue raised by the Gulf Council as to the authority to approve plan development based on work plans.
- Joint Plan Development - Terry Leitzell indicated he will work with the General Counsel and the Conservation and Management Office to address the problem raised by the Caribbean Council on joint plan development.

The Implementation and Monitoring of Management Plans

Joe Clem, NMFS, Washington, briefed attendees on plan monitoring. NMFS needs early identification of what resources and data will be required to implement and monitor plans. This should be identified prior to plan approval, as funding requirements have to be included in budget projections. Research needs identification must be improved.

Confidentiality of Data

Bill Gordon, NMFS, Washington, addressed the issue of the confidentiality of statistics. Access to raw data is very limited. Councils do not have access to raw data. Depending on outcome of decisions regarding Council staff working with NMFS on plan monitoring, NMFS may have to make adjustment to this confidentiality policy.

Council Chairmen suggested establishing a method that will make possible to provide specific raw data needed for plan development to an individual Council staff member. Other alternatives suggested were to find ways by which Councils could get certain technical personnel that will meet the requirements of NMFS present policy and hire them under contract.

LEGAL CONSIDERATIONS

Effect of Approved FMPs on State Laws

Jay Johnson, NOAA Assistant General Counsel, Washington, briefed attendees on the effect of approved FMPs on state regulations. He indicated that Section 306 of the FCMA consists of two parts: on addressing fishing in the FCZ, the other, addressing fishing in the territorial waters. In absence of an FMP, a state registered vessel must comply in the FCZ with state regulations. When an FMP is in effect, and in conflict with a state regulation, the FMP prevails in the FCZ. A State in such a situation would have to be able to show that its regulations were violated by a vessel in State waters.

Mr. Johnson went into some detail explaining the California Supreme Court's decision in the case of "People vs. Weeren". In this case, the fisherman was arrested for using a spotter aircraft to fish for swordfish in the FCZ, in violation of a Fish and Game Department Code. There was no plan that covered domestic fishing for swordfish. The Court determined that, as the vessel was registered under the laws of the State of California, existing jurisdiction to regulate that vessel continues in the FCZ and the State had adequate authority to require him to comply with the State law.

Mr. Johnson also expressed his views on the interpretation of the Act when the fishery is predominantly in territorial waters as compared to the situation when it is predominantly in the FCZ.

The issue of licensing and registration of vessels by coastal states was discussed with ample participation of the attendees. Mr. Johnson explained that Section 306 (a) states that..."No State may directly or indirectly regulate any fishing which is engaged in by any fishing vessel outside its boundaries, unless such vessel is registered under the laws of such State".

The prerogative of any State to indirectly regulate fishing activities in the FCZ by imposing requirements on the landing of fish taken in the FCZ was also addressed. The State of Alaska is actually enforcing this system. This State requires a registration fee. Once the fisherman has paid the registration fee (which is small), he can buy a license for a fishery. Each fishery has its own license and a fisherman can buy any number of licenses he wishes to buy. This system has proved convenient for the State of Alaska. Mr. Johnson raised some questions as to the legality of this approach as it indirectly regulates fisheries in the FCZ.

Litigation Authority of Regional Fishery Management Councils

Jay Johnson, NOAA Assistant General Counsel, Washington, discussed the recent opinion on "Litigation Authority of Regional Fishery Management Councils" issued by the Department of Justice, dated September 17, 1980. Among other things the opinion states that the Councils cannot sue the Secretary.

Mr. Johnson, indicated that Councils can hire attorneys to assist in the preparation of FMPs and for specific issues, decided on a case by case basis, with approval through the budget process and approval of NOAA General Counsel.

He further informed that there is now an agreement between NOAA General Counsel and the Department of Justice to allow NOAA General Counsel to represent the Agency (including Councils) in litigation, on a case by case basis, as special assistants to the U.S. Attorney General.

He emphasized that Regional Attorneys are the focal point for legal advice and it is their responsibility to coordinate with the General Counsel's Office to assure consistency on legal advice given.

Talks With Japanese Longlining Industry

Mr. Morris D. Busby, Deputy Assistant Secretary, Office of Oceans and Fisheries Affairs, U.S. Department of State, briefed attendees on a meeting held by U.S. representatives with Japanese industry representatives on Japanese longlining within United States FCZ. At the meeting, it was discussed how a set of voluntary measures adopted by the Japanese in 1977 are working. A revised set of voluntary measures was proposed for 1981 season in the Atlantic FCZ and the Gulf of Mexico. There will be no longline fishing by the Japanese in the Caribbean for 1981. A new communication system will be implemented in the Gulf of Mexico to avoid gear conflict.

Negotiations in other areas were also discussed. The Regional Council will be kept informed of final agreements and decisions.

ADMINISTRATIVE ISSUES

Operations Handbook and SOPPs

Joe Clem, NMFS, Washington, briefed attendees on the system followed to review the "Operations Handbook". The manual will be completed by October 24, 1980. Notice of Availability will be published in the Federal Register on October 31, 1980. Immediately thereafter, copies of the published document will be made available to all Councils.

It was discussed that Council SOPPs need to be revised to be consistent with the Operations Handbook. It would be convenient if they are revised soon after the manual becomes official.

It was stressed that the Operations Handbook is intended for Councils' guidance. Although it is not a set of regulations, it provides guidance on many issues which are covered by regulations.

In response to a question by Mr. Muñoz, NMFS representatives reiterated that all sub-committees, including those composed of SSC and AP members, must comply with FACA requirements.

Programmatic Funding

Bill Gordon, NMFS, Washington, discussed funding availability for Councils for FY'81, the use of programmatic funds and, especially, the increased funding to support state activities. He indicated that there are some problem areas. OMB and NOAA budget officers have considered the adoption of an administrative policy by which NMFS provides all data and analysis to satisfy Council needs and Councils will only receive operational funds. Regular budget requests should include what are the data needs of the Councils.

Mr. Gordon further explained that some Councils appear to be using programmatic funds for state support on a continued basis rather than following a policy of a one-time deal to satisfy the needs of a plan. If continuous state support is needed, then, it could be provided through State/Federal process. Other alternative solutions that could be offered are: (1) NMFS use fund within NMFS Centers to provide data needs; (2) keep a small programmatic emergency fund; (3) use programmatic funds to provide additional resource (people) to the Councils and cover the inflationary costs; (4) continue the present system and fund the programmatic requests on a as needed as requested basis.

Mr. Gordon agreed to continue handling FY'81 Programmatic Funds as presently being used, but continue to look at other ways to handle them in the future.

Breaux Bill

Terry Leitzell made a short presentation on the status of the Breaux Bill.

Fees on Foreign Fishing Permits

Bill Gordon explained the foreign fee schedules and requirements under foreign permits. He indicated that a new fee schedule is being published in the Federal Register. This has a varying scale by

species. It was commented that this varying scale by species, although necessary in some cases, poses a real problem in mixed species fisheries. Final regulation should go in effect in December 1980.

The Role of Councils in Fisheries Development

Martha Blaxall, MMFS, Washington, discussed fisheries development and utilization issues which are directly related to fisheries management and plan development. There are some utilization issues that have to be understood by Councils, and addressed, such as mercury levels in species for which a plan is being developed.

Dr. Blaxall offered some suggestions to improve communication and transmittal of information. She indicated that this probably could be achieved through fisheries development foundations or by designating an individual who can be a sort of a fishery development information person. It is important that when fisheries development opportunities are identified in the development of a plan for any given fishery, there should be some effort made to transmit that information back in fisheries development activities in the Region.

Review of S/K Proposals and Awards

Martha Blaxall, MMFS, Washington, briefed attendees on the new system adopted by MMFS to be followed in considering S/K proposals for FY'81. It will be an open system by which proposals which meet the minimum requirements and are to be considered for funding will be made available for public review and comment.

The appropriate Regional Fishery Management Council will be asked to review the proposal summaries and advise of real or potential conflicts with the activities of the Council.

Dr. Blaxall explained also the process to be followed in the evaluation of the proposals and in the final selection of proposals for funding.

OTHER BUSINESS

Next Chairmen's Meeting

Clement Tillion, Chairman, North Pacific Council, invited the Chairmen to hold the next Chairmen and Executive Directors' meeting in Alaska, in June, 1981. His invitation was unanimously accepted by the group.

Meeting adjourned at 3:00 p.m.

REGIONAL FISHERY MANAGEMENT COUNCIL CHAIRMEN'S MEETING
CARIBE HILTON HOTEL, SAN JUAN, PUERTO RICO
OCTOBER 20-21, 1980

THIRD TENTATIVE AGENDA

Monday, October 20 (10:30 A.M.):

10:30 a.m. Opening

- * Welcome
- * Adoption of Agenda

Economic Overview of the Fishing Industry - Mr. Terry L. Leitzell

12:00 noon Lunch Break

1:30 p.m. The Plan Development Process and Monitoring

- * Overview of Improving the FCMA Process (Leitzell/Councils)
 - Fish Policy Group
 - RAs and EISs
 - "Fish and Chips" Policy
 - Regional Relationships
 - Work Plans

Coffee Break

- Alternative Management Measures
- Joint Council Plans
- Revision of National Standards
- The OY Concept: Three Basic Forms to Describe Its Practical Consequences
- Which Fisheries Should be Managed? (Gordon)
- The Regulatory Process: Problems and Improvements (Finch/Johnson)

Tuesday, October 21 (8:30 a.m.)

8:30 a.m. The Plan Development Process and Monitoring (Continuation)

- The Implementation and Monitoring of Management Plans (Clem)
- Confidentiality of Data (Gordon)

Coffee Break

Legal Considerations (Johnson/Councils)

- * Territorial Sea Management
- * Effect of Approved FMPs and Implemented Regulations on State Laws Which Directly or Indirectly Attempt to Regulate Fisheries in the FCZ
- * The Department of Justice's Opinion on Litigation Authority of Fishery Management Councils
- * Policy on the Retention of Legal Counsels by Councils
- * Provision of Legal Services to the Councils by NOAA GC and the Department of Justice

12:00 noon Lunch Break

1:30 p.m. Administrative Issues

- * Operations Handbook and SOPPs
- * Programatic Funding (Gordon)

Fisheries Development and Utilization

- * The Breaux Bill and NMFS Programs and Policies (Leitzell/Blaxall)
- * Fees on Foreign Fishing Permits (Gordon)
- * The Role of Councils in Fishery Development (Blaxall)
- * NMFS Expectations Regarding Councils Involvement in the Review of S/K Proposals and Awards (Blaxall)

Other Business

- o Discontinue using the following phrases:

- prior to (use before)
- subject matter
- I would hope (use I hope)
- very much
- bottom line
- best wishes
- at the present time
- share (as in share your concern or share your views)
- as you know, as I am sure you know, as you are aware
- I would like to express my appreciation (use I appreciate)
- interface (unless referring to communications systems)
- more importantly (use more important)
- needless to say
- it is my intention

- o Avoid redundancies, such as:

- serious crisis
- untimely death (Has there ever been a timely death?)
- personally reviewed
- new initiatives
- enclosed herewith
- great majority

- o Do not use a split infinitive (placing an adverb between to and the verb).

- o Do not use a first name in the body of letter.

The following quote from Strunk & White seems to be in the Secretary's style:

Vigorous writing is concise. A sentence should contain no unnecessary words, a paragraph no unnecessary sentences for the same reason that a drawing should have no unnecessary lines and a machine no unnecessary parts. This requires not that the writer make all sentences short, or that he or she avoid all detail and treat subjects only in outline, but that every word tell.

Secretary Baldrige says, "In short, halfway between Ernest Hemingway and Zane Grey with no bureaucratese."

Please distribute these instructions throughout your organization.

Thank you.

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
SCIENTIFIC AND STATISTICAL COMMITTEE
ORGANIZATION
AND
OPERATIONS POLICY AND PROCEDURES
December 8, 1980

The Fishery and Conservation and Management Act of 1976 specifically established Scientific and Statistical Committees to assist in the development collection and evaluation of scientific information relevant to Council responsibilities.

The Operations Policy and Procedures set forth below were developed to assist the SSC of the North Pacific Fishery Management Council to provide the Council with timely, accurate and complete scientific advice.

This Committee will address all scientific issues submitted to it by the Council or the Executive Director. For the purposes of this document "scientific information" refers essentially to biological information, environmental data, fishery statistics, and technical socioeconomic information.

Scientific advice to the Council will, as much as possible, be objective and unbiased. It is the explicit intent of the SSC to disassociate itself with nonscientific issues and issues which are clearly of a political nature. Documents and issues not requiring objective scientific findings will not be considered by the committee.

ORGANIZATION

Membership

Members of the SSC are appointed by the Council. The Committee is composed of fishery scientists and economists from state and federal agencies, academic institutions and the private sector. Although there is no official policy on government agency representation, scientists from the National Marine Fisheries Service and the fisheries management agencies of Oregon, Washington and Alaska have served on the committee since its inception.

The Committee should remain small (10-15 members). Expertise of members should cover the range of most species and disciplines which are normally considered by the committee. Specific expertise not available within the committee can be obtained on a case by case basis.

The Committee shall review membership at least once each year relative to the mix of disciplines represented on the committee which are required to fulfill its responsibilities. Recommendations on membership will be submitted to the Council whenever appropriate.

Meetings

Meetings will be scheduled by the chairman of the SSC with concurrence of the Executive Director of the Council, and may be scheduled at any location approved by the Executive Director. Meetings of the SSC as a whole are called to:

1. Review fishery management plans
2. Review reports of subcommittees
3. Consider scientific and technical reports submitted for review
4. Review proposed amendments to FMP's and supporting data
5. Consider special requests from the Council
6. Consider any other issues which are within the purview of the charter

Committee meetings will be open to the public. All documents, unless specifically identified as confidential, will be considered public documents and will be available to the public.

Committee meetings may be closed to the public for discussions relating to recommendations on membership and procedures. Results of such closed sessions shall be reported during the next open meeting.

Notice of meeting schedules and agenda items will be published far enough in advance to allow full public attendance. The committee will be open to public input regarding specific agenda items or other issues which relate to SSC responsibilities.

A report summarizing the results of the meeting, specifically addressing each topic discussed, will be prepared and submitted to the council. The chairman of the SSC or his designee will attend all Council meetings and will be available to answer questions relative to the SSC report.

Subcommittees

A. Fishery Resource Subcommittees

A subcommittee of at least three SSC members shall be established for each of the resources which form a management unit. Subcommittee members shall be appointed by the chairman of the SSC on the basis of resource and fishery expertise.

The purpose of the subcommittees is to provide initial comprehensive review of major documents and to provide written recommendations and guidance to the SSC and to the plan development teams. Responsibilities specifically include review of:

1. FMP's
2. Proposed FMP amendments
3. Status of stock documents
4. Survey reports
5. Other documents assigned by the chairman of the SSC or the Council.

Subcommittees are also charged with evaluating the adequacy of data, with requesting new or additional data, and with proposing research to acquire needed scientific information.

B. Ad Hoc Committees

Ad hoc subcommittees shall be appointed by the chairman of the SSC whenever appropriate. For example, subcommittees have been appointed to develop procedures to determine DAH, to evaluate coordination of state ADF&G and NPFMC management systems and to determine socioeconomic data needs for FMP's.

Subcommittees will meet independently of the SSC to conduct their business. Reports of their findings and recommendations shall be submitted in writing to the entire SSC.

Staff Support

The Executive Director is requested to assign a staff member as SSC coordinator. The coordinator will be present at all SSC meetings to advise the Committee on administrative matters. It will also be the responsibility of this person to coordinate SSC reports, requests for data, initiate communication with plan development teams, draft routine correspondence on behalf of the SSC, and generally coordinate the activities of the committee.

OPERATION POLICY AND PROCEDURES

Policy on Review of Scientific and Technical Documents

It is essential, in order to provide the best possible scientific advice, to maintain scientific integrity and to retain and enhance the credibility of the Committee with the Council, the public and the scientific community, the full and complete consideration to be given each document under review. Accordingly, the following review procedure is established:

Major Documents

- A. Each major document must be submitted to the SSC at least thirty (30) days prior to scheduled consideration by the Committee. Major documents are:
 1. FMP's
 2. Major FMP amendments
 3. Final contract reports
 4. Status of stock reports
 5. Scientific reports
 6. Any other document which the Committee feels warrants comprehensive scientific review and/or analysis.
- B. Major documents will be reviewed by a Fishery Resource Subcommittee and by the entire SSC.

Major documents will be automatically scheduled for review at the first regularly scheduled SSC meeting following the thirty day review period.

The chairman of the Fishery Resource Subcommittee is responsible for scheduling a comprehensive review of major documents by the Subcommittee prior to the SSC review. A written report of findings will be submitted to the SSC at or prior to the scheduled SSC review.

- C. Major documents which address issues of an emergency nature will be reviewed on an expedited basis only upon request of the Council or the Executive Director. The Committee specifically discourages the emergency review procedure.

Other Documents

- A. Documents of less substance or significance must be received at least fifteen (15) days prior to a regularly scheduled Committee meeting. These include:

1. Minor FMP amendments
2. Project proposals
3. Interim project reports
4. Regulation proposals
5. Data requests
6. Other minor documents submitted by the Council or the Executive Director.

- B. These documents will be placed on the agenda of the first regularly scheduled SSC meeting after the 15 day review period. Fishery Resource Subcommittees have the option to conduct a separate review of these documents prior to SSC review.

- C. The SSC will be flexible in the prosecution of this procedure. Whenever possible, documents in this category which are received late will be considered if the nature of the document is considered high priority or if time permits.

Public Hearings

Whenever practicable, at least one member of a Fishery Review Subcommittee will participate in public hearings conducted by the Council.