

## Executive Director's Report

### CCC meeting

This year's Council Coordination Committee (CCC) was hosted by the Gulf of Mexico Council in New Orleans, where the Council Chairs, Vice-Chairs, and Executive Directors met with NOAA leadership to discuss a number of issues. Foremost among the topics of discussion were new MSA requirements (annual catch limits, rebuilding plans, NEPA revisions, limited access privilege programs, and recreational data collection), budget issues, regulatory streamlining, Council member training, and SOPPs revisions. A summary of the meeting is being prepared by the Gulf Council staff and I will distribute that when available. We were also privileged to participate in a National Guard helicopter tour of the region, and see firsthand the lingering results of the devastating hurricanes from two years ago. Several of the attendees also participated in a restoration workday, rebuilding soft-shell crab shedding tanks at a location outside New Orleans, where the operators lost all of their facilities and their home.

### NEPA status

On the subject of regulatory streamlining, at our CCC meeting the eight Councils reiterated their support for a revised NEPA process, along the lines of the strawman I presented at the April Council meeting. NOAA leadership, in consultation with CEQ, is considering this proposal and we are still waiting to see what they will unveil by the July 12 deadline for a proposed revised procedure to be published. I hope that they will propose something at least similar to the strawman proposal from the CCC subcommittee, but as of this writing I am uncertain what will be published by NOAA. We will have one more opportunity in October to comment on whatever procedure is published.

### SOPPs

We discussed several aspects of the SOPPs revisions, and learned that NOAA is still in the process of evaluating the new MSA requirements, as well as any other relevant laws or Executive Orders which have come to pass over the past several years. They will be providing more specific guidance sometime this summer in that regard, but we have taken an initial stab at incorporating changes based on the new MSA requirements, and there are a number of other changes that I am suggesting, or which came from the SOPPs workgroup that met with me two weeks ago (Madsen, Tweit, Krygier, and Hyder). Our SOPPs workgroup met with me in late May to review some of the administrative changes I am suggesting, and to provide some additional input relative to administrative issues and Council/AP operations. The Council could approve these changes at this time, and I will resubmit this version to NOAA HQ, recognizing that additional changes will likely be necessary when NOAA HQ provides additional direction this summer. Therefore, we can expect to review another version of the SOPPs in October. Because there are administrative and personnel issues to be discussed, we will review this in Executive Session on Friday. The revised SOPPs will then be made available to the public and posted on our website. We also have an Executive Session of the Finance Committee on Saturday.

Regarding the issue of stipends for the SSC or AP members, we were advised that NOAA is still grappling with development of a national policy on what this means (who gets it and how much it is), but that appropriations to support such a stipend are not authorized for 2007. Hopefully this issue will be resolved soon so everyone knows what to expect in 2008.

### Financial disclosure

Item B-1(a) is a correspondence I received last week relative to financial disclosure requirements under the reauthorized MSA. This includes revised disclosure forms which must be filled out by SSC members, and any new Council members (existing disclosure forms filed by current Council members are OK for the remainder of this year). The last page of this attachment contains proposed guidance for completion of the annual report to Congress. I do not have any problems with the proposed guidance but wanted to make sure that you had an opportunity to review it and comment as necessary.

### September conference/workshop

Dr. Hogarth informed us that the agency would like to proceed with some kind of workshop in September, focused on key MSA reauthorization issues. This would not be a full-fledged conference like the "Managing our Nation's Fisheries" series, but would be geared more towards Council member involvement in a series of issue-specific workshops. I think all Council members will be encouraged to attend, though it is certainly not 'mandatory'. The dates are set for September 25-27 and it will be in the Washington, DC area. I will provide you more details as soon as I have them.

### Council Training October 15

Per one of the requirements in the MSA reauthorization, NOAA Fisheries is planning a Council member training session for the week of October 15-19 (either two or three days), also in the Washington, DC area. Some of the new members will be required to attend this training, while others may choose to attend. As with the September workshop, I am hoping that NOAA will provide travel support for this training session, but again, I will provide you further details as soon as I can. For your reference, Item B-1(b) is a preliminary course outline put together by NOAA personnel.

### Plan Team Nomination

ADF&G has nominated Ms. Cleo Brylinksy to the Gulf of Alaska Groundfish Plan Team to replace Tory O'Connell who left the state last year. Ms. Brylinksy is the Southeast Groundfish Project Leader and has worked for the department for 17 years. The nomination letter and curriculum vitae are attached under Item B-1(c).

### FishWatch Website

I wanted to bring to your attention a great new public outreach website that is under development by NOAA Fisheries. It will not be unveiled publicly until August, but the agency has been coordinating development with Council staff input, and I believe it represents an aggressive initiative to do something that the collective Councils have been encouraging NOAA to do for some time-- that is, take the lead nationally in "telling the story of our fisheries", rather than let others tell that story (and often tell it badly). The site will contain detailed information on various, important fish stocks from every region, including consumer oriented information, as well as profiles of important persons in the fisheries, summaries of the management process, and links to Council and other relevant websites. They are building it to be "the place to go for information on marine fisheries". It is an excellent website already and when it is done I think you will agree it is a great overall resource for public information on our fisheries.

### Events this week

Tonight the Sitka Chamber of Commerce is hosting a reception for Council family from 6 to 9 pm at the Westmark Hotel. Make sure you bring the ticket we are distributing for admittance.

The USCG is holding a search and rescue (SAR) demonstration tomorrow (Thursday) evening in the harbor, around 5:30 or 6:00 pm. Commander Ragone may have additional details on that event.

On Friday night there will be a basketball game fundraiser at Sheldon-Jackson College gymnasium (just up the street), to provide entertainment and to raise funds for SJ. This basketball game will pit some of the SJ college team (and a coupla their ringers) against some of the would-be hoopsters (wheezers and geezers) from the fishing industry/fishery management arena (and a coupla their ringers). There will also be some free-throw competition at half time. A flyer for this event is under Item B-1(d).

Among the stars to shine (or implode) on Friday night are 'Pistol' Pete Jones, 'Jammin' John Iani (Fish team coach) Michael 'Laker' Lake, Glenn 'Willis' Reed, Chris 'MJ' Oliver, Simon 'Bambi' Kineen, Morgan 'Free throw' Crow, Trevor 'the Lever' McCabe, and maybe a very special guest (ex-NBA center and 3-time NBA champion James Edwards). Frank Kelty ('Coach K'), will assist in directing the fishery team. The game will start at 7:30 pm. Please attend and/or make a pledge to one of the stars who is risking his or her life, limb, and dignity.

On Saturday night, June 9<sup>th</sup>, there will be an open reception at the Centennial hall, sponsored by ALFA and other industry supporters, with food, drinks, and live music. We will be taking this opportunity to bid farewell to our two soon-to-be-departing Council members, so bring your best toasts and roasts.

All:

Alan Risenhoover has asked me to provide you this information towards meeting our commitments to implementing the MSRA. As you know, the MSRA has modified the financial disclosure requirements for Council members, added requirements for SSC members and required the Secretary (NOAA Fisheries Service) to make an annual report to Congress on our efforts to implement these and all the financial disclosure and conflict of interest requirements of the Act.

Attached is interim guidance regarding the requirements for financial disclosure forms, their public posting, and requirements for SSC members. Also attached is a revised financial disclosure form to be used for new members and SSC members (previously completed Council member disclosures for this year are still acceptable). You may have your Council members review their disclosure forms prior to their being posted on your web sites. Please note that the posting requirements do NOT apply to SSC members. These requirements will be eventually incorporated into revised regulations in 50 CFR Part 600, Subpart C. At this point we have received several inquiries from the public regarding posting of financial disclosure information. These inquiries are being addressed through FOIA (they ask for more than the current year), but we would like to be able to direct them to the Council web site for the current year. We do anticipate further inquiries.

Also attached is interim guidance regarding the annual report to Congress on Financial Disclosure and what information we will expect from the Regions/Councils and the anticipated timing of the report.

We would appreciate your comments on this interim guidance by the end of June so that we can make any modifications well before the end of the year. Please call if you have questions and provide comments to Lin Moon or myself.

Very respectfully,  
Bill C.

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William D. Chappell  
Acting Division Chief Regulatory Services Division (F/SF5)  
NOAA Fisheries Service  
1315 East-West Highway  
Silver Spring, MD 20910  
Phone: 301-713-2337x169  
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Outline of RTC Disclosure of Financial Interests.5-29-07.doc

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Council Executive Directors:

The Magnuson-Stevens Reauthorization Act amended Section 302(j) of the Magnuson-Stevens Act and the financial disclosure regulations at 50 C.F.R. 600.235 to include:

- Individuals appointed by a Council as a member of a Scientific and Statistical Committee (SSC) under Section 302(g)(1) will be required to disclose financial interests on NOAA Form 88-195, "Statement of Financial Interests." The "Statement of Financial Interests" will be kept on file by the Assistant Administrator for Fisheries, on behalf of the Secretary of Commerce.
- Financial Disclosure requirements have been modified to include disclosure of any lobbying or advocacy activity that is being, or will be undertaken within any fishery over which the Council concerned has jurisdiction, or with respect to an individual or organization with a financial interest in such activity.
- Public access to information requirements have been modified to include the "Statement of Financial Interests" completed by voting members of the Regional Fishery Management Councils (RFMCs) appointed by the Secretary be made available on Council Internet Sites.

Please have SSC members fill out the attached NOAA Form 88-195 "Statement of Financial Interests," and mail to William Chappell, National Marine Fisheries Service, 1315 East-West Highway, Station 13142, Silver Spring, MD, 20910.

Also place a copy of the "Statement of Financial Interests" completed by voting members of the RFMCs on your Council Internet Sites.

Please call William Chappell of my office at 301-713-2337, if you have questions.

<p align="center"><b>STATEMENT OF FINANCIAL INTERESTS</b></p> <p>For Use By Voting Members of, and Nominees to, the Regional Fishery Management Councils, and Members of the Scientific and Statistical Committee (SSC)</p>	<p>1) Name:</p>
	<p>2) Council</p> <p>3) Committee</p>
<p>3) Position:</p> <p>    ___ Member</p> <p>    ___ Nominee</p>	<p>4) Type of filing:</p> <p>    ___ Original filing [if nominee]</p> <p>    ___ Supplementary filing [if seated member]</p> <p>    ___ Annual filing [if seated member]</p> <p>    ___ Original filing [if SSC Committee member]</p> <p>    ___ Annual filing [if SSC Committee member]</p>

**GENERAL PROVISIONS AND INSTRUCTIONS**

**Authority to Require this Information**

Pursuant to Section 302(j) of the Magnuson-Stevens Fishery Conservation and Management (Magnuson-Stevens Act) and the financial disclosure regulations at 50 C.F.R. 600.235, you are required to disclose your financial interests if you are appointed by a Council as a member of a Scientific and Statistical Committee under Section 302(g)(1), or nominated by the Governor of a State for appointment as a voting member of a Regional Fishery Management Council (Council), or if you are a voting member of a Council appointed by the Secretary of Commerce under Section 302(b)(2) or (b)(5) of the Magnuson-Stevens Act.

**Disclosure Requirements**

On the attached form, list the financial interests held by yourself, your spouse, minor child, or partner, and any organization in which you are serving as an officer, director, trustee, general partner, or employee in any harvesting, processing, lobbying, advocacy, or marketing activity that is being, or will be undertaken within any fishery over which the Council concerned has jurisdiction, or with respect to an individual or organization with a financial interest in such activity. The nature of your participation in each financial interest, such as ownership (percentage), directorship, employee, or contractor, must be identified. The information to be listed does not require a showing of the amount of financial interest. You must include a description and the date acquired, for each such activity, of the fisheries participated in, the product type produced, and, where applicable, the gear type utilized. For example, if you own a one-third interest in a fishing vessel, your response might be: ABC Co., acquired 4/25/2000, 15 Main Street, Brunswick, Georgia 31521; commercial fishing vessel "Miss AMY," ID - 123456; South Atlantic swordfish fishery, fresh swordfish, rod and reel; one-third ownership; John and Mary Doe (self and spouse). In the event any of the required information, including holdings placed in trust, is not known to you but is known to another person, you should request that other person to submit the information on your behalf and should report such request in the section titled "Information Requested of Other Persons."

**Requests for Assistance or Additional Information**

Refer to the financial disclosure regulations at 50 C.F.R. 600.235 for additional information. If you have any questions regarding the Statement of Financial Interests or related issues, please contact the Office of the Assistant General Counsel for Administration, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Room 5882, Washington, D.C. 20230, or telephone (202) 482-5384.

**Paperwork Reduction Act**

Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The public reporting burden for this collection of information, on this NOAA Form 88-195, is estimated to average 35 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any aspect of this collection of information, including suggestions for reducing this burden to the National Marine Fisheries Service, Office of the Chief Information Officer (F/CIO), 1315 East-West Highway, SSMC #3, 3<sup>rd</sup> Floor, Silver Spring, Maryland 20910.

**Public Access to Information**

The Statement completed by voting members of the Regional Fishery Management Councils will be retained by the Council, made available

on the Council Internet Site, and made available for public review at reasonable hours at the Council Office, and at each public hearing or public meeting.

**FINANCIAL INTERESTS DISCLOSURE**

**NOTE: If you have no applicable financial interests to disclose, write "NONE" in the section below.**

Company/Organization and Address Date acquired:	Type of Company/Organization	Nature of Interest:
		In Whose Name Held:
Fisheries/Species Participated In	Gear Type Utilized	Product Type Produced
Company/Organization and Address Date acquired:	Type of Company/Organization	Nature of Interest:
		In Whose Name Held:
Fisheries/Species Participated In	Gear Type Utilized	Product Type Produced
Company/Organization and Address Date acquired:	Type of Company/Organization	Nature of Interest:
		In Whose Name Held:
Fisheries/Species Participated In	Gear Type Utilized	Product Type Produced

**NOTE: If none, write "NONE" in the section above.**

**PLEASE WRITE OR PRINT YOUR NAME, COUNCIL, OR COMMITTEE BELOW:**

NAME:

COUNCIL/COMMITTEE:

Information Requested of Other Persons. If any information is to be supplied by other persons, e.g., trustee, attorney, accountant, or relative, please indicate the name and address of such persons, the date upon which you requested that the information be supplied and the nature of the subject matter involved.

**IF YOU HAVE NO APPLICABLE INFORMATION TO DISCLOSE, WRITE "NONE" IN THE SECTION, BELOW.**

Name and Address	Date of Request	Nature of Subject Matter

**NOTE: If none, write "NONE" in the section above.**

**Certification**

I certify that the statements I have made are true complete and correct to the best of my knowledge and belief. I understand that if during the period of my appointment, I undertake new employment, I must promptly file an amended statement, and I must also report any new financial interests acquired during this period. I also certify that I am currently familiar with the statutes, regulations, and policies governing my responsibilities and conduct as applied to the duties I am assigned.

**NOTE: PLEASE SIGN AND DATE THIS FORM, BELOW:**

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_



Regional Administrators and RFMC Executive Directors:

1. The MSRA amended the MSA at Sec. 302(j)(9) to require that the Secretary submit an annual Report to Congress, beginning Jan. 1, 2008, "on action taken by the Secretary and the Councils to implement the disclosure of financial interest and recusal requirements of this subsection, including identification of any conflict of interest problems with respect to the Councils and scientific and statistical committees and recommendations for addressing any such problems."
2. In order to meet the requirements of the MSRA, SF requests that each Regional Administrator (RA) coordinate with their respective Council(s), to submit the following information not later than October 15, 2007 for the calendar year.
  - a. The action taken by each Council on implementing the requirements of the MSRA, including amendments to Sec. 302(g) COMMITTEES AND ADVISORY PANELS and Sec. 302(j) DISCLOSURE OF FINANCIAL INTEREST AND RECUSAL. Note that the MSRA expanded disclosable information to include lobbying and advocacy activities.
  - b. Documentation of any time a voting Council member recuses themselves from a vote, the reason given, and any other relevant circumstances, per 50 CFR 600.235(d).
  - c. Documentation of any Council member requests for determination for the need for a recusal by that Council member, and the results of that determination, per 50 CFR 600.235(f)(1).
  - d. Documentation of any requests for determination on recusals of a Council member based on information provided to a designated official and the results of that determination, per 50 CFR 600.235(f)(3).
  - e. Documentation of any requests for review of a determination and the results of that review per 50 CFR 600.235(g).
  - f. Any circumstances where a Council member's Statement of Financial Interests, NOAA Form 88-195, was found to be in error, the circumstances relevant to the error, and its resolution.
  - g. Any instances of Council member resignations or removal due to concerns about disclosure of financial interests or recusal and circumstances relevant to each occurrence.
  - h. Any similar instances to the above, regarding of SSC members, recognizing that the recusal provisions do not apply to the SSC.
3. SF expects have this report cleared and forwarded to Congress by January 1, 2008, as required by the MSRA. We expect to send out a data call for this information on or about September 1, 2007, with all information to be received by October 15, 2007. If you have any question on concerns regarding this report, please contact Bill Chappell <[William.Chappell@noaa.gov](mailto:William.Chappell@noaa.gov)> or Lin Moon <[Linda.Moon@noaa.gov](mailto:Linda.Moon@noaa.gov)> at 301-713-2337.

## Tab F, No. 1

### Section 302(k) re Council Training

(k) COUNCIL TRAINING PROGRAM.—

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(1) TRAINING COURSE.—Within 6 months after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, the Secretary, in consultation with the Councils and the National Sea Grant College Program, shall develop a training course for newly appointed Council members. The course may cover

a variety of topics relevant to matters before the Councils, including—

- (A) fishery science and basic stock assessment methods;
- (B) fishery management techniques, data needs, and Council procedures;
- (C) social science and fishery economics;
- (D) tribal treaty rights and native customs, access, and other rights related to Western Pacific indigenous communities;
- (E) legal requirements of this Act, including conflict of interest and disclosure provisions of this section and related policies;
- (F) other relevant legal and regulatory requirements, including the National Environmental Policy Act (42 U.S.C. 4321 et seq.);
- (G) public process for development of fishery management plans;
- (H) other topics suggested by the Council; and
- (I) recreational and commercial fishing information, including fish harvesting techniques, gear types, fishing vessel types, and economics for the fisheries within each Council's jurisdiction.

(2) MEMBER TRAINING.—The training course shall be available to both new and existing Council members, staff from the regional offices and regional science centers of the National Marine Fisheries Service, and may be made available to committee or advisory panel members as resources allow.

(3) REQUIRED TRAINING.—Council members appointed after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 shall complete a training course that meets the requirements of this section not later than 1 year after the date on which they were appointed. Any Council member who has completed a training course within 24 months before the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 shall be considered to have met the training requirement of this paragraph.

**DRAFT****New Member Council Training Agenda****Tentative Date: Week of October 15th, 2007****Day 1**

<u>Time</u>	<u>Min.</u>	<u>Subject</u>
8:00	30	Breakfast
8:30	15	Welcome, Opening Remarks
8:45	15	Goals and Purposes of Council Training; Review of Training manual
9:00	15	Introduction to NOAA, NOAA organizational structure, How Council fits in ( <i>Sec. 302 (k)(1)(H)</i> )
9:15	60	Overview of Magnuson-Stevens Act and 10 National Standards ( <i>Sec. 302 (k)(1)(E)</i> )
10:15	15	Break
10:30	45	Legal and Regulatory Requirements ( <i>Sec. 302 (k)(1)(F)</i> )
11:15	60	National Environmental Policy Act of 1969 (NEPA) ( <i>Sec. 302 (k)(1)(F)</i> ) and new guidelines if finalized)
12:15	90	Lunch w/ speaker
1:45	45	Ecosystem Approaches to Management ( <i>Sec. 302 (k)(1)(H)</i> )
2:30	30	Essential Fish Habitat ( <i>Sec. 302 (k)(1)(E)</i> )
3:00	15	Break
3:15	45	Overview of fish harvesting techniques, gear, vessels <i>Sec. 302 (k)(1)(I)</i> , and fishery management techniques ( <i>Sec. 302 (k)(1)(B)</i> )
4:00	45	Development of Fishery Management Plans ( <i>Sec. 302 (k)(1)(G)</i> ) & Council Procedure/Process ( <i>Sec. 302 (k)(1)(B)</i> )
4:45	15	Recap of day
5:00		Adjourn

**Day 2**

<u>Time</u>	<u>Min.</u>	<u>Subject</u>
8:00	25	Breakfast

8:25	5	Summary of day 1; Expectations for day 2
8:30	60	Fishery Science and Basic Stock Assessment Methods (Sec. 302 (k)(1)(A))
9:30	45	Annual Catch Limits (ACL) and Accountability Measures (Sec. 302 (k)(1)(B))
10:15	15	Break
10:30	60	Protected Resources <ul style="list-style-type: none"> <li>o Endangered Species Act (ESA) (Sec. 302 (k)(1)(F))</li> <li>o Marine Mammal Protection Act (MMPA) (Sec. 302 (k)(1)(F))</li> </ul>
11:30	45	Fishery Economics (Sec. 302 (k)(1)(C))
12:15	90	Lunch w/ Panel Discussion (TOPIC-TBA, possibly ACL)
1:45	60	Enforcement (Sec. 302 (k)(1)(E) and (H))
2:45	30	Social Science (Sec. 302 (k)(1)(C))
3:15	15	Break
3:30	90	Limited Access Privilege Programs (LAPPs) w/ panel discussion (Sec. 302 (k)(1)(B))
5:00	15	Recap of day
5:15		Adjourn

**Day 3**

<u>Time</u>	<u>Min.</u>	<u>Subject</u>
8:00	25	Breakfast
8:25	5	Summary of day 1; Expectations for day 2
8:30	30	Conflict of Interest and Disclosure Provision for all Council members (Sec. 302 (k)(1)(E)) and Rules of Conduct and other Legal Requirements (Sec. 302 (k)(1)(E))
9:00	30	International Fisheries Issues Impacting Councils (Sec. 302 (k)(1)(H))
9:30	30	Tribal Treaty Rights, Native Customs Access and Other Rights of Western Pacific Indigenous Communities (Sec. 302 (k)(1)(D))

10:00	15	Break
10:15	90	Working the Complete FMP Process w/ exercise ( <i>Sec. 302 (k)(1)(G)</i> ) and review of a fishery case study
11:45	15	Summary and Wrap up
12:00		Adjourn

## DRAFT Council Training Syllabus

### To Meet the Training Requirements (Section 302(k)) of the MAGNUSON-STEVENSON FISHERY CONSERVATION AND MANAGEMENT ACT Public Law 94-265

#### As amended by the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act (P.L. 109-479)

An annual national Training and Orientation program will be held for all newly appointed Council members during each fall (after appointments are made) and will be available to existing Council members, staff from the regional offices, and regional science centers of NMFS, as well as to Council committee and advisory panel members as resources will allow. Additional training sessions on topics of regional focus (i.e. fishing gears and vessels used in a region) or specific only to certain regions (i.e. tribal treaty rights and native customs of Western Pacific indigenous communities) are being prepared for presentation directly in the regions and may be facilitated by a local Sea Grant program where possible.

Particular course topics that are identified in Section 302 (k)(1) of the Magnuson-Stevens Fishery Conservation and Management Act, Public Law 94-265 have the section number listed next to the session title.

#### DAY 1

##### Goals and Purposes of Council Orientation

- General overview of the orientation program

##### NOAA Organizational Structure, Contacts (*Section 302 (k)(1)(H)*) and the Council Environment

- Organization of the Office of Sustainable Fisheries
- NOAA General Counsel
- NOAA Offices, Department of Commerce, Office of Management and Budget
- Introduction to the Council Environment and responsibilities

##### Magnuson-Stevens Act (*Section 302 (k)(1)(E)*)

- Fishery Management mission and key concepts
- Background and history of MSA (1976 FCMA, 1996 SFA, 2006 Reauthorization)
- Structure of MSA
  - Councils
    - Council Functions
    - Procedural Issues
  - Fishery Management Plans (FMPs) and National Standards
    - Achieve OY/prevent overfishing (NS1)
    - Other National Standards
      - NS2: Best available scientific information
      - NS3: Manage stocks as a unit
      - NS4: Allocations fair and equitable, promote conservation, and prevent excessive shares
      - NS5: Consider efficiency in utilization; not have economic allocation as sole purpose
      - NS6: Allow for variations and contingencies
      - NS7: Minimize costs, avoid duplication

- NS8: Consider fishing communities to provide for their sustained participation and to minimize adverse economic impacts
- NS9: Minimize bycatch and bycatch mortality (to extent practicable)
- NS10: Promote safety of human life at sea
- Lessons from Case Law
- Special Provisions of MSA
  - Secretarial FMPs/amendments
  - Ending Overfishing
  - Highly Migratory Species (HMS)
  - Essential Fish Habitat (*presented later*)
  - Emergency Actions
- New requirements in the 2006 Reauthorization (...to be added)

**Legal and Regulatory Requirements (Section 302 (k)(1)(F))**

- Laws and Executive Orders affecting fishery management
  - Regulatory Flexibility Act (RFA)
  - Endangered Species Act (ESA)
  - Marine Mammal Protection Act (MMPA)
  - Paper Reduction Act (PRA)
  - Coastal Zone Management Act (CZMA)
  - National Marine Sanctuary Act (NMSA)
  - Data Quality Act (DQA)
  - Administrative Procedures Act (APA)
  - National Environmental Protection Act (NEPA)
  - EOs 12866 (RIR), 13272
  - EO 13132
- Managing multiple mandates (or Integration of conflicting statutes)
- Reason, Rationale, and Physical Record
- Litigation

**National Environmental Policy Act of 1969 (NEPA) (Section 302 (k)(1)(F))**

- National Environmental Policy
- NEPA implementation requirements
  - Council on Environmental Quality (CEQ) regulations for procedural provisions
  - NOAA Administrative Order 216-6, Environmental Review Procedures For Implementing NEPA
- Definition of a 'Federal Action'
  - Categorical exclusion
  - Environmental Assessment (EA)
  - Environmental Impact Statement (EIS)
- CEQ Significant Impact Criteria
- Key concepts from CEQ's Implementation Regulations for required analyses
- Environmental 'Red Flags' for fisheries actions
- Role of the Environmental Protection Agency (EPA)
- Contacts for fisheries NEPA coordinators

**Ecosystem Approaches to Management (Section 302 (k)(1)(H))**

- Why there is more focus on ecosystems
- Managing ecosystem parts vs. ecosystem relationships, processes, and tradeoffs
- Definition of ecosystem approach to management (EAM)
- Elements of regional ecosystem governance
- Components supporting EAM
- Objectives of an Ecosystem Approach to Fisheries (EAF)
- Science support for EAM

- Regional examples
- Types of scale of various data components and assessments
- How Councils currently address and implement EAF - regional examples
- Trend to more ecosystem issues in fisheries management
  - Fisheries Ecosystem Pilot Projects (from FY04 funding)
  - Development of ecosystem guidelines
  - Ecosystem Goal: FY09-13 Program Plan

**Essential Fish Habitat (Section 302 (k)(1)(E))**

- Language in 1996 MSA reauthorization
- Definition of EFH and HAPC
- Regulation and its criteria
- Council responsibilities
  - Identify and Describe EFH (and HAPCs)
  - Minimize Adverse Effects of Fishing on EFH
  - Consultations
- Status of EFH amendments
- 5 year review

**Fish Harvesting and Fishery Management Techniques (Section 302 (k)(1)(B) and (I))**

- Managing fishing activities, not the fish
- Historical improvements in fishing efficiency and fish harvesting techniques
- Overview of types of fishing gear and fishing vessels
- Managing fisheries effort or efficiency
  - Limiting amount and type of gear
  - Area restrictions
  - Season or temporal restrictions
  - Size, strength, capacity or number of fishing vessels
  - Requiring permits, licenses, or quotas
  - Other Limited Access Programs (LAPPs) (more on this topic, Day 2)
- Monitoring and surveillance (enforcement, VMS) (more on this topic, Day 2)

**Development of Fishery Management Plans (FMPs) (Section 302 (k)(1)(G)) and the Council Procedures (Section 302 (k)(1)(B))**

- Process Overview
- FMP Components (mandatory and discretionary)
- Added Complexities
  - Multiple Mandates
  - Multiple Parties
- Secretarial Review and approval criteria
- Public input
- Planning a Timeline
  - Statutory and Regulatory Timelines (different trigger dates)
  - Logical Interactions
  - Clearance Requirements

**DAY 2**

**Fishery Science and Basic Stock Assessment Methods (Section 302 (k)(1)(A))**

- Mandate, long term, and short term goals (OY, catch levels)
- Foundations for fisheries management
  - Definition of a stock assessment
  - Definition of a stock and stock issues



- Stock assessment process and methods
  - Fishery data needs (*Section 302 (k)(1)(B)*)
    - Catch and effort data
    - Fishery observers
    - Abundance indexes
    - Advanced technologies
  - Methods and models
  - Limitations of stock assessment
- Setting OY, ABC and rebuilding rates
  - Management Strategy Evaluation (MSE)
  - Harvest Control Rule
  - Forecasts
  - Rebuilding
- Stock assessment – ecosystem connection

#### **Annual Catch Limits and Accountability Measures (*Section 302 (k)(1)(B)*)**

- New MSRA requirement- *to be filled in*

#### **Endangered Species Act (ESA) (*Section 302 (k)(1)(F)*)**

- Purposes and policy
  - Listing
  - Critical habitat
  - Recovery plans
- Listed species under NMFS' jurisdiction
- Overview of Consultation process - Section 7
  - Informal Consultation – Optional
  - Formal Consultation - Unavoidable adverse effects & thresholds
    - Sec.7(a)(1): Promote the purpose of the ESA
    - Sec.7(a)(2): Do not cause jeopardy Section
    - Sec.7(b)(4): Incidental Take Statement
  - Initiation Package - required written request for consultation
  - Duration of Consultation
- Fishery Management Plans and Section 7(a)(2)
  - Timing and structure of Consultation
  - Deconstruct and describe the action
  - Analyze the exposure and assess probable responses
  - Incidental Take Statements & Conservation Recommendations
  - Reinitiating a Consultation

#### **Marine Mammal Protection Act (MMPA) (*Section 302 (k)(1)(F)*)**

- Historical perspective to MMPA
  - Prohibits "take" of marine mammals, with limited exceptions
    - Incidental take
    - Direct take
  - Protects all marine mammals
  - Uses highly protective standard optimum sustainable population
- Fishing and the MMPA - Section 118
  - Stock Assessment Reports (SARs; Section 117)
  - Commercial fishery classifications (i.e., List of Fisheries)
  - Registration
  - Injury/mortality reports
  - Observers
  - Take Reduction Teams (TRTs)
  - Take Reduction Plans (TRPs)

CCC Meeting, May 2007

- Short-term (6 months) goal: Potential Biological Removal (PRB)
- Long-term (5 years) goal: Zero Mortality Rate Goal (ZMRG)
- Accounting for economics of the fishery, existing technology, existing state/regional FMPs
- Future Initiatives in the MMPA Reauthorization

#### **Fishery Economics (Section 302 (k)(1)(C))**

- Legal Mandates for economic analysis
  - MSA Section 303 (a)(9): Fishery Impact Statement
  - E.O. 12866 (October 4, 1993): Regulatory Planning and Review
  - E.O. 13272 (August 13, 2002): Proper Consideration of Small Entities in Agency Rulemaking
  - Regulatory Flexibility Act (RFA), 1980 (prepare an IRFA)
  - Small Business Regulatory Enforcement Fairness Act (SBREFA), 1996
- Framework for Economic Analyses
  - Preliminary economic evaluation
  - Formal Regulatory Impact Review (RIR)
    - Description of the management objectives
    - Description of the fishery
    - Statement of the problem
    - Description of selected alternatives
    - Analysis of expected economic effects on fishery participants and fishing communities
- Process requirements for each legal mandate
- Analytical requirements for each management action

#### **Enforcement (Section 302 (k)(1)(E) and (H))**

- Fisheries Enforcement Components
  - NOAA Fisheries Office for Law Enforcement (OLE)
    - Overview
    - Jurisdiction (geographically)
    - Primary laws – 37 statutes
  - NOAA, General Counsel for Enforcement Litigation
  - USCG Law Enforcement
- NOAA (OLE) Mission/Responsibility
  - Investigations and patrols
  - Community Oriented Policing and Problem Solving (COPPS)
  - Technology and VMS
  - Partnerships
  - Regional Fisheries Training Centers
- USCG Mission/Responsibility
- Enforceability of Regulations

#### **Social Science (Section 302 (k)(1)(C))**

- Definitions, Social Impact Assessments (SIA)
- Legal authorities
  - NEPA [40 CFR 1508.14] "human environment"
  - MSA [MSA 303(a)(9)] "fishery impact statement"
  - MSA [MSA 301(a)(8)] "sustaining fishing communities" –NS8
  - MSA [MSA 303(b)(6)] "limited access programs"
- Conducting social analyses
  - Identifying issues
  - Categorizing social factors
    - Standards and criteria

- Baseline community profiles of fishery participants, communities and fishery-dependent service industries
- Analyzing social factors:
  - Descriptive statistics
  - Inferential analyses
  - Multivariate analyses
  - Longitudinal analyses
- Monitoring social change
- Improving fishery SIAs

**Limited Access Privilege Programs (Section 302 (k)(1)(B))**

- To be filled in....

**Day 3**

**Conflict of Interest and Disclosure Provision for all Council members (Section 302 (k)(1)(E))**

- Conflict of Interest statutes for Public Members of Councils
  - Reporting requirements on Statement of Financial Interests (NOAA Form 88-195)
  - What constitutes a 'financial interest'
  - Special exceptions
  - Lobbying restrictions
  - Limits on activities after leaving Council service
- Conflict of Interest of federal officials on Council
  - Same restrictions as other government duties
  - No special exceptions

**Rules of Conduct and other Legal Requirements (Section 302 (k)(1)(E))**

- State officials on Councils
  - State and Council rules
- Council staff
  - Federal and Council rules
  - Limits on activities after leaving Council service

**International Fisheries Issues Impacting Councils (Section 302 (k)(1)(H))**

*(....to be updated with NEW PROVISIONS)*

- International Affairs Office (FIA) structure & responsibilities
  - Challenges are contemporary to domestic fisheries
  - Review of top international priorities
- Mandated work
  - MSA
  - Marine Mammal Protection Act
  - Endangered Species Act
  - Implementing legislation for treaties and agreements (e.g. Pacific Salmon Treaty Act, Atlantic Tuna Convention Act, International Dolphin Conservation Program Act, others)
  - Bilateral agreements with other governments (Japan, Russia and others)
- Issues impacting Councils and their role
  - Regional Fishery Management Organizations
  - Other International Bodies and Arrangements
  - Pacific Islands Area Fishery Agreements (PIAFA) – permits DWFN fishing agreements

**Tribal Treaty Rights and Native Customs Access and Other Rights of Western Pacific Indigenous Communities (Section 302 (k)(1)(D))**

- Principles of Federal Indian Law and Native rights policy
  - Presidential documents
  - DOC's American Indian and Alaska Native Policy
- Federal Trust responsibilities
- Regions
  - North Pacific/Alaska
  - Pacific
    - Voting member on Pacific Council
  - Western Pacific
    - Western Pacific Community Development Program
    - Western Pacific Demonstration Projects

#### **Working the Complete FMP Process (*Section 302 (k)(1)(G)*)**

- Need for planning and balancing mandates, timelines and parties
- Regulatory streamlining
- Draft Operational Guidelines
  - A Philosophical Document
  - Suggested Approach for cooperation
  - Uses quality-based model
  - 16 Steps in 4 phases
  - Importance of frontloading
  - Regional Operating Agreements (ROAs)
  - Next steps
  - Limitations

#### **Regional Orientation and Training**

In consultation with the National Sea Grant Program and the Councils, NMFS will, where possible, design regional training sessions on topics relevant and/or of interest to particular regions and fishery management councils. For example, regional training will be more appropriate to provide new Council members with specific information regarding their *local* harvesting techniques, vessel types, fishing gear, recreational and commercial fishery information, and fishing community issues, rather than try to cover all the regional differences at a national training session.

Assistance in the development and delivery of regional trainings has been requested Sea Grant. It is anticipated that regional Sea Grant programs will be interested in providing topical materials (print, video, etc.) as well as individuals with specific expertise to present the sessions.

Additionally, several other topics that will be presented at the national level are ideal for more in-depth trainings or workshops to be given at the regional level. These include providing detailed information regarding international fisheries activities that are the responsibility of a particular Council and tribal treaty rights and native customs.

**DRAFT Council Training Requirements of  
MAGNUSON-STEVENSON FISHERY CONSERVATION AND MANAGEMENT ACT  
Public Law 94-265**

**As amended by the Magnuson-Stevens Fishery Conservation and  
Management**

**Reauthorization Act (P.L. 109-479)**

Section 302(k) MSRA Council Training Program	Link to NMFS Training Program Information and Syllabus
<p>“(1) TRAINING COURSE.— Within 6 months after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, the Secretary, in consultation with the Councils and the National Sea Grant College Program, shall develop a training course for newly appointed Council members. The course may cover a variety of topics relevant to matters before the Councils, including—</p>	<p>NMFS has developed a comprehensive national Training and Orientation course for newly appointed Fishery Management Council members, which is being scheduled during the fall after appointments are confirmed. The course is covering a variety of topics, as detailed below.</p> <p>NMFS has developed this training course in consultation with the Fishery Management Councils and National Sea Grant College Program. Specifically, relevant booklets and other print material developed by individual Sea Grant College programs are included in the curriculum or as supplemental educational material. Additionally, training sessions on topics of regional focus (i.e. fishing gears and vessels used in a region) or specific only to certain regions (i.e. tribal treaty rights and native customs of Western Pacific indigenous communities) are being prepared for presentation directly in the regions and may be facilitated by a local Sea Grant program where possible.</p>
<p>“(A) fishery science and basic stock assessment methods;</p>	<p><b>Fishery Science and Basic Stock Assessment Methods</b></p> <ul style="list-style-type: none"> <li>• Mandate, long and short term goals (OY, catch levels)</li> <li>• Definitions of stock and stock assessment</li> <li>• Review of stock issues</li> <li>• Stock assessment process and methods</li> <li>• Fishery data needs (<i>also covers (B) below</i>)                         <ul style="list-style-type: none"> <li>○ Catch and effort data</li> <li>○ Fishery observers</li> <li>○ Abundance indexes</li> <li>○ Advanced technologies</li> </ul> </li> <li>• Setting OY, ABC and rebuilding rates</li> <li>• Forecasts</li> <li>• Rebuilding</li> <li>• Stock assessment – ecosystem connection</li> </ul>
<p>“(B) fishery management techniques, data needs, and Council procedures;</p>	<p><b>Fish Harvesting &amp; Fishery Management Techniques (<i>also covers (I) below</i>)</b></p> <ul style="list-style-type: none"> <li>▪ Historical improvements in fishing efficiency and fish harvesting techniques</li> <li>▪ Overview of types of fishing gear and vessels</li> <li>▪ Methods for managing fisheries effort</li> </ul>

	<ul style="list-style-type: none"> <li>○ Amount/type of gear or fishing vessels</li> <li>○ Area, seasonal or temporal restrictions</li> <li>○ Permits, licenses, or quotas</li> <li>○ Marine protected or managed areas (MMAs &amp;MPAs)</li> <li>○ Other Limited Access Programs (LAPs)</li> <li>○ Etc.</li> <li>▪ Monitoring and surveillance (enforcement, VMS)</li> </ul> <p><b>Fishery Data Needs</b> <i>(also covered under Stock Assessment (A) above)</i></p> <ul style="list-style-type: none"> <li>• Catch and effort data</li> <li>• Fishery observers</li> <li>• Abundance indexes</li> <li>• Advanced technologies</li> </ul> <p><b>Development of Fishery Management Plans (FMPs)</b> <i>(also covers (G) below)</i> <b>and Council Procedures</b></p> <ul style="list-style-type: none"> <li>▪ Process Overview</li> <li>▪ FMP Components</li> <li>▪ Complexity of multiple mandates (National Standards, preventing overfishing, achieving OY, etc.)</li> <li>▪ Secretarial Review &amp; approval criteria</li> <li>▪ Public input</li> <li>▪ Planning a timeline (statutory &amp; regulatory triggers)</li> </ul> <p><b>Annual Catch Limits and Accountability Measures</b></p> <ul style="list-style-type: none"> <li>▪ New MSRA requirements – (TBD)</li> </ul> <p><b>Limited Access Privilege Programs</b></p>
<p>“(C) social science and fishery economics;</p>	<p><b>Social Science</b> <i>(also covers (I) below)</i></p> <ul style="list-style-type: none"> <li>▪ Definitions, Social Impact Assessments (SIA)</li> <li>▪ Legal authorities             <ul style="list-style-type: none"> <li>○ NEPA [40 CFR 1508.14] “human environment”</li> <li>○ MSA Section 303(a)(9): “fishery impact statement”</li> <li>○ MSA Section 301(a)(8): “sustaining fishing communities” (National Standard 8)</li> <li>○ MSA Section 303(b)(6): “limited access programs</li> </ul> </li> <li>▪ Conducting social analyses</li> <li>▪ Monitoring social change</li> <li>▪ Improving fishery SIAs</li> </ul> <p><b>Fishery Economics</b> <i>(also covers (I) below)</i></p> <ul style="list-style-type: none"> <li>▪ Legal Mandates for economic analysis             <ul style="list-style-type: none"> <li>○ MSA Section 303 (a)(9): “fishery impact statement”</li> <li>○ E.O. 12866: Regulatory Planning and Review</li> <li>○ E.O. 13272: Proper Consideration of Small Entities in Agency Rulemaking</li> <li>○ Regulatory Flexibility Act (RFA), 1980: “prepare an IRFA”</li> <li>○ Small Business Regulatory Enforcement Fairness</li> </ul> </li> </ul>

	<p>Act (SBREFA), 1996</p> <ul style="list-style-type: none"> <li>▪ Framework for Economic Analyses</li> <li>▪ Formal Regulatory Impact Review (RIR)</li> <li>▪ Process requirements for each legal mandate</li> <li>▪ Analytical requirements for each management action</li> </ul>
<p>“(D) tribal treaty rights and native customs, access, and other rights related to Western Pacific indigenous communities;</p>	<p><b>Tribal Treaty Rights and Native Customs Access and Other Rights of Western Pacific Indigenous Communities</b></p> <ul style="list-style-type: none"> <li>▪ Principles of Federal Indian Law and Native rights policy</li> <li>▪ Federal Trust responsibilities</li> <li>▪ Regional rights issues</li> </ul>
<p>“(E) legal requirements of this Act, including conflict of interest and disclosure provisions of this section and related policies;</p>	<p><b>Magnuson-Stevens Act (MSA)</b></p> <ul style="list-style-type: none"> <li>▪ Fishery management mission and key concepts</li> <li>▪ Background and history of MSA</li> <li>▪ Structure of MSA             <ul style="list-style-type: none"> <li>○ Councils</li> <li>○ FMPs</li> <li>○ MSA Provisions</li> </ul> </li> <li>▪ National Standards and their policy objectives</li> <li>▪ New requirements in the 2006 Reauthorization</li> </ul> <p><b>Essential Fish Habitat</b></p> <ul style="list-style-type: none"> <li>▪ Language in 1996 reauthorization</li> <li>▪ Definitions, regulation and criteria</li> <li>▪ Council responsibilities</li> <li>▪ Status of amendments and 5 yr review</li> </ul> <p><b>Enforcement (also part of (H) below)</b></p> <ul style="list-style-type: none"> <li>▪ Fisheries Enforcement Components             <ul style="list-style-type: none"> <li>○ NOAA Fisheries Office for Law Enforcement (OLE)</li> <li>○ NOAA, General Counsel for Enforcement Litigation</li> <li>○ USCG Law Enforcement</li> </ul> </li> <li>▪ NOAA (OLE) Mission/Responsibility             <ul style="list-style-type: none"> <li>○ Investigations and patrols</li> <li>○ Community Oriented Policing and Problem Solving (COPPS)</li> <li>○ Technology and VMS</li> <li>○ Partnerships</li> <li>○ Regional Fisheries Training Centers</li> </ul> </li> <li>▪ USCG Mission/Responsibility</li> <li>▪ Enforceability of Regulations</li> </ul> <p><b>Conflict of Interest and Disclosure Provision for all Council members</b></p> <ul style="list-style-type: none"> <li>▪ Statutes for Public Members of Councils</li> <li>▪ Reporting requirements on Statement of Financial Interests (NOAA Form 88-195)</li> <li>▪ What constitutes a ‘financial interest’</li> <li>▪ Special exceptions</li> <li>▪ Conflict of Interest of federal officials on Council</li> </ul>

	<p><b>Rules of Conduct and other Legal Requirements</b></p> <ul style="list-style-type: none"> <li>▪ State officials on Councils</li> <li>▪ Council staff</li> </ul>
<p>“(F) other relevant legal and regulatory requirements, including the National Environmental Policy Act (42 U.S.C. 4321 et seq.);</p>	<p><b>Legal and Regulatory Requirements</b></p> <ul style="list-style-type: none"> <li>▪ Laws and Executive Orders affecting fishery management             <ul style="list-style-type: none"> <li>○ Regulatory Flexibility Act (RFA)</li> <li>○ Endangered Species Act (ESA)</li> <li>○ Marine Mammal Protection Act (MMPA)</li> <li>○ Paper Reduction Act (PRA)</li> <li>○ Coastal Zone Management Act (CZMA)</li> <li>○ National Marine Sanctuary Act (NMSA)</li> <li>○ Data Quality Act (DQA)</li> <li>○ Administrative Procedures Act (APA)</li> <li>○ National Environmental Protection Act (NEPA)</li> <li>○ EOs 12866 (RIR), 13272</li> <li>○ EO 13132</li> </ul> </li> <li>▪ Managing multiple mandates</li> <li>▪ Reason, Rationale, and Physical Record</li> <li>▪ Litigation</li> </ul> <p><b>National Environmental Policy Act of 1969 (NEPA)</b></p> <ul style="list-style-type: none"> <li>▪ National Environmental Policy</li> <li>▪ Implementation requirements             <ul style="list-style-type: none"> <li>○ Council on Environmental Quality (CEQ) regulations for procedural provisions</li> <li>○ NOAA Administrative Order 216-6, Environmental Review Procedures For Implementing NEPA</li> </ul> </li> <li>▪ Definition of a ‘Federal Action,’ EAs and EISs</li> <li>▪ CEQ Significant Impact Criteria</li> <li>▪ Environmental ‘Red Flags’ for fisheries actions</li> <li>▪ Role of EPA</li> <li>▪ Contacts for fisheries NEPA coordinators</li> </ul> <p><b>Endangered Species Act (ESA)</b></p> <ul style="list-style-type: none"> <li>▪ Purposes and policy</li> <li>▪ Listed species under NMFS’ jurisdiction</li> <li>▪ Overview of Consultation process - Section 7: informal and Formal Consultations</li> <li>▪ Fishery Management Plans and Section 7(a)(2)</li> </ul> <p><b>Marine Mammal Protection Act (MMPA)</b></p> <ul style="list-style-type: none"> <li>▪ Historical perspective to MMPA: limited exceptions for incidental and direct take</li> <li>▪ Fishing and the MMPA - Section 118             <ul style="list-style-type: none"> <li>○ Stock Assessment Reports Commercial fishery classifications (i.e., List of Fisheries)</li> <li>○ Take Reduction Teams (TRTs) and Take Reduction Plans (TRPs)</li> </ul> </li> <li>▪ Future Initiatives in the MMPA Reauthorization</li> </ul>



<p>“(G) public process for development of fishery management plans;</p>	<p><b>Development of Fishery Management Plans (FMPs) and Council Procedures</b> <i>(also covers (B) above)</i></p> <ul style="list-style-type: none"> <li>▪ Process Overview</li> <li>▪ FMP Components</li> <li>▪ Complexity of multiple mandates (National Standards, preventing overfishing, achieving OY, etc.)</li> <li>▪ Secretarial Review &amp; approval criteria</li> <li>▪ Public input</li> <li>▪ Planning a timeline (statutory &amp; regulatory triggers)</li> </ul> <p><b>Working the Complete FMP Process</b></p> <ul style="list-style-type: none"> <li>▪ Need for planning and balancing mandates, timelines and parties</li> <li>▪ Regulatory streamlining</li> <li>▪ Draft Operational Guidelines and Regional Operating Agreements (ROAs)</li> </ul>
<p>“(H) other topics suggested by the Council; and</p>	<p><b>NOAA and Dept. of Commerce Organizational Structure and Contacts</b></p> <p><b>Ecosystem Approaches to Management</b></p> <ul style="list-style-type: none"> <li>▪ Definitions and objectives</li> <li>▪ Managing ecosystem parts vs. ecosystem relationships, processes, and tradeoffs</li> <li>▪ Elements of regional ecosystem governance</li> <li>▪ Components and science supporting ecosystem approaches to management (EAM)</li> <li>▪ How Councils currently address and implement ecosystem approaches to fisheries - regional examples</li> <li>▪ Pilot Projects</li> <li>▪ Ecosystem Goal: FY09-13 Program Plan</li> </ul> <p><b>International Fisheries Issues Impacting Councils</b></p> <ul style="list-style-type: none"> <li>▪ International Affairs Office (F/IA) structure &amp; responsibilities</li> <li>▪ Review of top international priorities</li> <li>▪ Mandated work             <ul style="list-style-type: none"> <li>○ MSA, MMPA, ESA</li> <li>○ Implementing legislation for treaties and agreements</li> <li>○ Bilateral agreements with other governments</li> </ul> </li> <li>▪ Issues impacting Councils and their role</li> </ul>
<p>“(I) recreational and commercial fishing information, including fish harvesting techniques, gear types, fishing vessel types, and economics for the fisheries within each Council's jurisdiction.</p>	<p><b>Fish Harvesting &amp; Fishery Management Techniques</b> <i>(also covered by (B) above)</i></p> <ul style="list-style-type: none"> <li>▪ Historical improvements in fishing efficiency and fish harvesting techniques</li> <li>▪ Overview of types of fishing gear and vessels</li> <li>▪ Methods for managing fisheries effort             <ul style="list-style-type: none"> <li>○ Amount/type of gear or fishing vessels</li> <li>○ Area, seasonal or temporal restrictions</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ Permits, licenses, or quotas</li> <li>○ Other Limited Access Programs (LAPs)</li> <li>○ Etc.</li> <li>▪ Monitoring and surveillance (enforcement, VMS)</li> </ul> <p><b>Social Science (also covered by (C) above)</b></p> <ul style="list-style-type: none"> <li>▪ Social Impact Assessments (SIA) on communities, participants, and industries</li> <li>▪ Conducting social analyses</li> <li>▪ Monitoring social change</li> </ul> <p><b>Fishery Economics (also covered by (C) above)</b></p> <ul style="list-style-type: none"> <li>▪ Legal mandates</li> <li>▪ Preliminary economic evaluation</li> <li>▪ Formal Regulatory Impact Review (RIR)</li> <li>▪ Analytical requirements for each management action</li> </ul>
<p><b>“(2) MEMBER TRAINING.—</b> The training course shall be available to both new and existing Council members, staff from the regional offices and regional science centers of the National Marine Fisheries Service, and may be made available to committee or advisory panel members as resources allow.</p>	<p>The national Training and Orientation course is being designed and planned to allow participation of existing Council members, Council committee and advisory panel members, and staff from the regional offices and science centers of NMFS. The schedule of the 2007 training will be advertised well in advance of the training, tentatively by end of May 2007. Participation by these additional individuals will be limited to allowable resources, though precedence will be given to new Council members to meet the other requirements of this Act (see response to (3) below).</p>
<p><b>“(3) REQUIRED TRAINING.—</b>Council members appointed after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 shall complete a training course that meets the requirements of this section not later than 1 year after the date on which they were appointed. Any Council member who has completed a training course within 24 months before the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 shall be considered to have met the training requirement of this paragraph.”</p>	<p>The comprehensive national Training and Orientation course is being scheduled during the fall of each year <i>after</i> annual new appointments are confirmed. This provides all newly appointed Council members the opportunity to complete a training course that meets the requirements of this section within a few months after the date on which they were appointed.</p> <p>NMFS will maintain attendance records and monitor participation of all new or re-appointed Council members to ensure the training requirements of this paragraph are met. All Council members who complete a training course will receive a Certificate of Completion.</p>

# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

### DIVISION OF COMMERCIAL FISHERIES

AGENDA B-1(c)  
JUNE 2007  
SARAH PALIN, GOVERNOR

333 RASPBERRY ROAD  
ANCHORAGE, ALASKA 99518-1599  
PHONE: (907) 267-2105  
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May 11, 2007

Ms. Stephanie Madsen, Chair  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501

**RECEIVED**  
MAY 17 2007

**N.P.F.M.C.**

Dear Chairperson Madsen:

The Department wishes to nominate Ms. Cleo Brylinsky to the Gulf of Alaska (GOA) Groundfish Plan Team to replace Tory O'Connell who resigned from state service last May. Ms. Brylinsky has assumed Tory's position as the department's Southeast Groundfish Project Leader for the Division of Commercial Fisheries. Cleo has oversight for Southeast groundfish research and management related issues. She has worked for the department for 17 years as a groundfish biologist and technician. Ms. Brylinssky has extensive experience with marine fishery stock assessment issues in Southeast. I am sure that she will be a valuable asset to the GOA groundfish plan team.

I have attached Cleo's Curriculum Vitae for your edification. Thank you for your consideration of this request.

Sincerely,



Earl E. Krygier  
Extended Jurisdiction

## CURRICULUM VITAE

### **CLEO K. BRYLINSKY**

Alaska Department of Fish and Game  
304 Lake St. Rm. 103  
Sitka, Alaska, 99835

PHONE: 907-747-2683

FAX: 907-747-4326

[cleo\\_brylinsky@fishgame.state.ak.us](mailto:cleo_brylinsky@fishgame.state.ak.us)

### **Education**

B.S. Fisheries Science, 1995, Sheldon Jackson College

A.S. Salmonid Aquaculture, 1978, Sheldon Jackson College

### **Positions Held**

6/2006 to present: Groundfish Project Leader for the Alaska Department of Fish and Game Southeast Groundfish Project.

1995 to 05/2006: Fisheries Biologist for the Alaska Department of Fish and Game Southeast Groundfish Project.

1990-1995: Fish and Wildlife Technician for the Alaska Department of Fish and Game.

1978-1980: Hatchery Supervisor for the Sheldon Jackson College Hatchery.

### **Oceanographic Expeditions**

2005: CCGS John P. Tully - manned submersible, Aquarius, rockfish research cruise with Department of Fisheries and Oceans, Canada.

R/V Velero/Delta Submersible- manned submersible research cruise to enumerate demersal shelf rockfish in situ, and identify habitat associations in SSEO.

2003: R/V Medeia/Delta Submersible - June, manned submersible research cruise to enumerate demersal shelf rockfish in situ, and identify habitat associations in CSEO.

R/V Velero/Delta Submersible- July, manned submersible research cruise to enumerate rockfish, identify habitat associations and ground truth previously collected MBES data at the Fairweather Grounds.

2002: R/V Davidson- multibeam sonar survey at the Fairweather Grounds and Yakutat Bay in Southeast Alaska.

2001: R/V Davidson- multibeam sonar survey off Cape Ommaney and the Hazy Islands in Southeast Alaska. R/V Medeia/Delta Submersible-manned submersible research cruise to enumerate demersal shelf rockfish in situ, and identify habitat associations in CSEO and NSEO.

1999: R/V Medeia/Delta Submersible-manned submersible research cruise to enumerate demersal shelf rockfish in situ, and identify habitat associations in SSEO and EYKT.

1998: R/V Medeia- collection of sidescan sonar data off Kruzof Island near Sitka, Alaska.

1997: M/V Cavalier/Delta Submersible- manned submersible research cruise to enumerate demersal shelf rockfish in situ, and identify habitat associations as well as ground truth previously collected side scan data in CSEO.

1995: R/V Medeia/Delta Submersible-manned submersible research cruise to enumerate demersal shelf rockfish in situ, and identify habitat associations in CSEO and EYKT.

### **Professional Organizations**

American Fisheries Society

## References

Victoria O'Connell  
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## Publications

O'Connell, Victoria M., David W. Carlile, and Cleo K. Brylinsky, Alaska Department of Fish and Game, November, 1998. Demersal Shelf Rockfish IN "Stock Assessment and Fishery Evaluation Report for Groundfish Resources of the Gulf of Alaska". Gulf of Alaska groundfish plan team to North Pacific Fishery Management Council.

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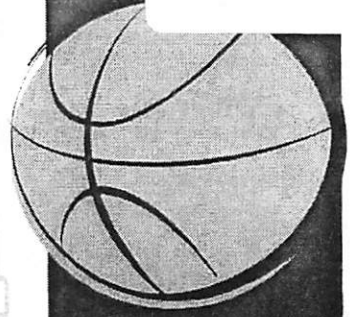
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# SHELDON JACKSON COLLEGE FUNDRAISER BASKETBALL

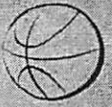


**North Pacific Flounders  
VS**

**Sheldon Jackson Golden Seals**



**Meet NBA Star James Edwards**



**Free Throw Contest at Half-Time**



**Master of Ceremonies Glenn Reed**



**Friday  
June 8**

**7:30 pm**

**Hames  
P.E. Center**

**\$5.00**

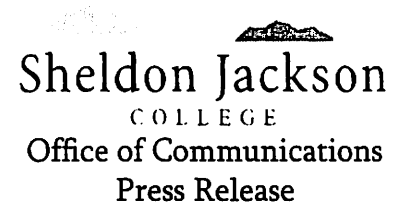
**For more information call 907-747-5220**

**For Immediate Release**

Date: May 29, 2007

**Contact**

Holly Keen  
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**SHELDON JACKSON COLLEGE HOSTS BASKETBALL FUNDRAISER**

[SITKA]— Sheldon Jackson College invites the Sitka community to its basketball fundraiser featuring the North Pacific Flounders vs. the Sheldon Jackson Golden Seals. The event will be held Friday, June 8 at 7:30 p.m. in the Hames Physical Education Center. Admission for this all ages event is \$5.00. Event highlights include Master of Ceremonies, Glenn Reed (President of the Pacific Seafood Processors Association), a free throw contest at half time, and NBA star James Edwards playing with The Flounders.

James Edwards, a former 19 year veteran of the NBA has played for the Los Angeles Lakers and earned two championship rings with the Detroit Pistons and his third ring with the Chicago Bulls. James continues to be one of the top five longest playing athletes in the history of the NBA.

For more information regarding this event or sponsorship opportunities, contact Andy Lee at 747-5208 or alee@sj-alaska.edu.

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*Sheldon Jackson College celebrates 129 years of service.*

Sheldon Jackson College · 801 Lincoln Street · Sitka, Alaska 99835  
Phone (907) 747-5265 · FAX (907) 747-2594  
[www.sheldonjackson.edu](http://www.sheldonjackson.edu)



# North Pacific Fishery Management Council

Stephanie Madsen, Chair  
Chris Oliver, Executive Director



605 W. 4th Avenue, Suite 306  
Anchorage, AK 99501-2252

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Fax (907) 271-2817

Visit our website: <http://www.fakr.noaa.gov/npfmc>

May 31, 2007

Leo Erwin  
Chief, Financial Services Division  
United States Department of Commerce  
NOAA, NMFS  
1315 East-West Highway  
Silver Springs, MD 20810

Re: Industry fee system for fishing capacity reduction loan Bering Sea/Aleutian Islands king and Tanner crab fisheries.

Dear Mr. Erwin:

At its March/April meeting, the Council received testimony from holders of captain and crew shares (C shares) in the Bering Sea/Aleutian Islands crab fisheries. These share holders expressed concern over their inclusion in the fee system for repayment of the fishing capacity reduction loan. Specifically, the share holders believe that their inclusion in the repayment is not justified, since they receive no benefit from the removal of vessels, and licenses from the fishery. The initial issuance of C shares was based on permit holder history, calculated independently of the vessel histories (and unaffected by the buyback of histories under capacity reduction program). Removal of vessels and licenses under the buyback did not affect the allocations to C share holders because C share IFQ are fixed at 3 percent of the non-CDQ TAC. C share holders were not permitted to vote in the buyback referendum. The upshot seems to be that license holders who received proportionally larger 'vessel owner' allocations because of the buyback are receiving a windfall, since C share holders are paying a portion of their loan through the fee system. Under these circumstances, C share holders believe charging a buyback fee on their landings is not justified.

Given the concern of these fishermen, we hope that you can provide us with your rationale for the inclusion of C share holders in the buyback fee system. Also, we respectfully request that you consider taking action to remove C share holders from that fee system, if you find that your rationale is not justified after considering their circumstances, or inform us what would be necessary to accomplish that removal. Please contact myself or Dr. Mark Fina on our staff if you questions regarding this letter.

Sincerely

A handwritten signature in cursive script that reads "Chris Oliver". The signature is written in black ink and is positioned above the printed name.

Chris Oliver  
Executive Director

Cc: Jessie Gharrett  
Sue Salvesson  
Council members