

MEMORANDUM

TO: Council Members

FROM: Jim H. Branson  
Executive Director

DATE: April 20, 1981

SUBJECT: Review and revise Council Statement of Operating Policies and Procedures (SOPPs)

*ACTION REQUIRED*

*Review current Council Statement of Operating Policies and Procedures and suggested staff revisions. Revise document as necessary and approve.*

*Review Council Policy Statements made since January 1977; revise as necessary and approve.*

BACKGROUND

The SOPPs developed and adopted by the Council in early 1977 are somewhat out of date and need to be revised to conform to the practices and procedures gradually developed by the Council over the past four years. Attachment D-2(a) is a revised SOPPs developed by the staff, incorporating most of the changes we feel are necessary. Attachment D-2(b) is a document which contains the current approved SOPPs and a draft SOPPs under development by the Pacific Council. The documents are mixed. Similar sections from each are placed together. The difference is shown by typestyles.

In addition to the material in the SOPPs, the Council has developed policy through motions or custom in the last four years which I have not tried to include in the re-written SOPPs. They are laid out, one subject to a page, as Attachment D-2(c) with a few notes as to their background and the actual operating method the Council seems to have developed in this area. We should review those, confirm them, revise them, and decide whether or not to incorporate them in the SOPPs or in a Council Operating Manual. Either system would work.

CRITERIA FOR JUDGING RESEARCH PROPOSALS

6/77

Proposed by the SSC and adopted by the Council, the following criteria were adopted for judging research proposals.

1. Must be responsive to Council needs.
2. Must be timely.
3. Heavily prioritized (not entirely clear as to context).
4. Clearly necessary for plan development.
5. Short-term (this has come to mean not more than two years).
6. Identified with some ongoing plan development.

Since these were adopted, we have shortened them to three for purposes of discussion and for explaining to those who are thinking of submitting research proposals:

1. Must be needed for a management plan under development or in place.
2. Short-term -- not more than two years.
3. No other agency or funding can be found for the project.

ALTERNATES FOR SSC MEMBERS

6/79

By motion the Council approved alternates for State and Federal members of the Scientific and Statistical Committee. Alternates are to be nominated by the SSC and confirmed by the Council *on a case by case basis*

This was a subject of discussion last February when John Burns, a member of the SSC employed by the State of Alaska, indicated that he would like to have an alternate since he would be unavailable for much of the summer field season. The Council debated the question and approved an alternate for him, but indicated that they would like to look at this question on a case by case basis. The policy adopted by the Council in May 1979 was not brought to your attention during the discussion in February.

PERMIT APPLICATION REVIEW

3/77

The Council established a Permit Review Workgroup (subcommittee) to do the preliminary screening of permit applications and make recommendations to the Council for approval or disapproval. The Workgroup has never been a fixed group, but is chaired by a Council member, and usually has at least two other Council members as well as members from the Advisory Panel, NMFS, and Coast Guard staff.

The Permit Review Subcommittee requested that they receive the permit applications for review prior to a Council meeting with a summary of the applications and any other pertinent information. The Council approved that request. Insofar as time has permitted, we have followed that policy.

10/79

The Council delegated permit application review authority to the Executive Director with the following stipulations:

Can review and routinely recommend for approval permit applications except for those from ships that:

1. Want to take part in joint ventures (i.e., operations in support of ships of another nation). Once a particular joint venture operation has been approved by the Council, the Executive Director can recommend approval for other ships wanting to work with the same venture.

2. Ships with violations in the past year with penalties exceeding or likely to exceed \$10,000 or involved in gear conflicts. The AP requested, and it was approved by the Council, a report on permit applications recommended for approval by the Executive Director from ships which had violations during the past year with penalties under \$10,000. (The \$10,000 limit on penalties was approved by the Council in April 1980).
3. Applications from ships belonging to nations that have not fished off Alaska before (I have taken that to mean fishing vessels only, since we do get requests from countries like the Netherlands to support ships from West Germany and the Soviet Union, strictly as cargo ships.)
4. Ships that want to start new fisheries or intend to use new gear types or for other reasons are unusual.

This policy appears to be working well and we handle a great number of permit applications fairly painlessly.

COUNCIL MEETING PROCEDURE

1/77

General Council procedure will be to introduce important matters at one session, act on them at a subsequent session.

The Council has not always followed this policy, but has tended to do so when time permitted.

3/77

*when*  
Council meetings *will* be scheduled for the 4th Thursday and Friday of each month.

This policy has generally been followed, except for the October-December period when holidays and the Board of Fisheries meetings conflict with the normal schedule.

8/79

SSC, AP, and public comments will be heard by agenda item, followed by Council discussion and action on that item. General public comment will be scheduled just prior to the meeting end.

Adopted to reduce confusion by extending testimony and debate on a single subject over the full course of the meeting, this policy has worked fairly well and is still being followed on most agenda items. We are drifting back to testimony and debate one day and a decision the next day, which does pose problems on some complicated agenda items.

FINANCE COMMITTEE STRUCTURE AND RESPONSIBILITIES

4/77

Five Council members are appointed to a Finance Committee (workgroup) to act on contracts and procurement as specified in the Council's procurement standards. Any three members can act on a contract proposal, but no action will be taken without consultation with the SSC on research contracts.

We have never considered the Finance Committee as a standing committee, preferring to call it a workgroup so we don't have to charter it under the Federal Advisory Committee Act. It has grown to include AP and SSC members as well as NMFS and ADF&G staff. While not as structured as inferred in the original policy statement, it does seem to work well and the flexibility in membership and role is valuable.

If we are to draft a formal policy for the Finance Workgroup, I would suggest something like the following:

The Finance Workgroup will be chaired by a Council member and include at least three Council members, representatives from the Advisory Panel and the Scientific and Statistical Committee, and appropriate federal and state staff. The Workgroup will review personnel matters, Council administrative budgets, travel policies, programmatic funding requests, contract payments, and such other financial and administrative matters as required. They will confer with the Scientific and Statistical Committee concerning research contracts and will develop recommendations for the full Council on all financial and administrative matters.

FISH 'N CHIPS

5/80

The Council has asked for the following in the Department of Commerce/  
Department of State fish 'n chips policy:

1. Clear, open, and early discussion on allocations for trade concessions that in any way affect the Council's area.
2. They are opposed to fish/non-fish trades.
3. While not endorsing trades for allocations from one area for benefits to the fishing industry in another, they will examine each proposal on its merits, recognizing that if the resource was not being used any benefits the American industry could derive would obviously be useful.



CONTENTS OF FISHERY MANAGEMENT PLANS

6/77

FMP's should contain all editorial and non-controversial changes suggested by the Council review process. All substantive changes recommended by the AP or the SSC or the Council should be listed as appendix items showing their origin.

FMP's should not focus on one set of management alternatives and thus preclude public comment on all options. Appending all substantive changes to a plan for public review is the best method for soliciting comments on alternative options.

The earliest Council statement on not picking a "preferred alternative". We have never followed the process of showing changes recommended by the AP, SSC, or Council as appendix items indicating the origin of the recommendations. They have generally been debated by the Council and, if adopted, simply worked into the plan in the final document. Proposed changes which are not adopted are generally not shown unless there is an environmental impact statement developed for the amendment. Even in that case, they are not always identified as to origin.

COUNCIL REPRESENTATION AT FOREIGN NEGOTIATIONS

2/77

The Council will designate a minimum of two persons (or their alternates) to participate in all negotiations.

The Council will designate the Chairman as one of the Council's minimum of two persons to represent the North Pacific Council on all negotiations by the Department of State with foreign countries of fishery matters of interest to the North Pacific Council. The other, or others, will be selected by the Chairman based on their knowledge and expertise of matters to be negotiated, including an alternate for the Chairman himself whenever such a substitute is deemed necessary.

(All by Council motion.)

ADVISORY PANEL ATTENDANCE AT MEETINGS

1/77

All of the Advisory Panel should not have to attend all meetings. If the agenda is known far enough in advance, only those interested should attend.

(Proposed by the Advisory Panel, confirmed by the Council.)

2/78

The Council adopted the policy that Advisory Panel members having unexcused absences for more than six months would be automatically dropped from the Advisory Panel.

2/81

Council recommended that Advisory Panel members who had a particular interest in the agenda should attend, but that others who might not have a direct interest in the material to be considered at a meeting need not attend.

The latest action was taken in an attempt to reduce travel expenditures in this period of tight budgets. The assumption is that absences from AP meetings will not constitute an automatic resignation from the Advisory Panel. The Council may wish to adopt some policy that would allow removal of Advisory Panel members before their term expires (two years, beginning December of even years) for cause.

1/77

Advisory Panel reports directly to the Council rather than through the Executive Director.

This is the way it has worked and is working. Current policy has the Advisory Panel and the SSC reporting on non-agenda items early in the Council meeting directly to the Council and then on specific agenda items directly to the Council when those agenda items are taken up for Council consideration.

MISCELLANEOUS POLICY MATTERS

1/77

The SSC recommended a document identification system to the Council to code and identify all documents used by the SSC, the Council, and the Advisory Panel.

The SSC used this method through the first few meetings and then dropped it. There is a positive need to identify documents used by the Council family as to origin and date, but rather than numbering and cataloging in some system similar to that used by INPFC it seems to be sufficient to date the document and, where appropriate, identify its source. If we are careful to do that through the various editions of a paper it seems adequate.

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Through usage or workgroups

\_\_\_ Act on no more than 2 FMP's at any meeting.

\_\_\_ Group shellfish and finfish FMP amendments to meet with Board of Fisheries schedule.

\_\_\_ Establish amendment proposal cut-off date.

\_\_\_ No Council documents will be released to the public until received by all Council members.

\_\_\_ AP nominations requested in September of even years -- close in October. Appointments in December. Keep names of those not appointed on active list for one year for possible interim appointment. Canvas at the of one year to see if they are interested in staying on the list.

DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL  
Statement of Organization, Practices, and Procedures

Pursuant to section 302(f)(6) of the Magnuson Fishery Conservation and Management Act, each Regional Fishery Management Council is responsible for determining its organization and prescribing its practices and procedures for carrying out its functions under the Act in accordance with such uniform standards as are prescribed by the Secretary of Commerce. Further, each Council must publish and make available to the public a statement of its organization, practices, and procedures. The North Pacific Fishery Management Council has revised its Statement of Organization, Practices, and Procedures originally published in 42 FR, No. 40 on March 1, 1977. The revised document is published below.

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

\_\_\_\_\_  
Deputy Assistant Administrator for Fisheries  
National Marine Fisheries Service

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration  
North Pacific Fishery Management Council  
Statement of Organization, Practices, and Procedures

The North Pacific Fishery Management Council, created by section 302(a)(7) of the Magnuson Fishery Conservation and Management Act, hereby publishes a revised Statement of Organization, Practices, and Procedures (SOPP), as required by section 302(f)(6) of the Act. This is the first revision of the SOPP published in the Federal Register March 1, 1977 (11858-11862). This revised SOPP for carrying out the Council's functions under the Act was adopted by the Council during its public meeting held on \_\_\_\_\_ . Copies may be obtained by writing the Executive Director, North Pacific Fishery Management Council, P. O. Box 3136 DT, Anchorage, AK 99510. The Council's permanent offices are in Suite 32, Post Office Mall Building, 333 West Fourth Avenue, Anchorage, Alaska; telephone (907) 274-4563.

The Council's geographical area of authority includes the fisheries in the Arctic Ocean, Bering and Chukchi Seas, and Pacific Ocean seaward of Alaska. The Council consists of the states of Alaska, Washington, and Oregon.

PURPOSE

1. The Council will prepare and submit to the Secretary of Commerce or his delegate a fishery management plan with respect

to each fishery *in need of management* within its geographical area of authority and, from time to time, such amendments to each such plan as are necessary.

2. The Council will prepare comments on any application for foreign fishing transmitted to it under a governing international fishery agreement by the Secretary of State or his delegate under the terms of the Act.

3. The Council will prepare comments on any fishery management plan or amendments thereto prepared by the Secretary or his delegate which are transmitted to it under section 304(c)(2) of the Act.

4. Conduct public hearings, at appropriate times and in appropriate locations in the Council's membership [geographic] area, so as to allow all interested persons an opportunity to be heard in the development of fishery management plans and amendments thereto, and with respect to the administration and implementation of the provisions of the Act;

5. Submit to the Secretary:

- a. *A report, before February 1 of each year, on the Council's activities during the immediately preceding calendar year.*



- b. *A report, before December 1 of each year, providing information about the activities, status, and changes in the composition of advisory committees in existence during the preceding calendar year.*
  
- c. *A report, before December 31 of each year, summarizing closed and partially closed meetings held during the preceding calendar year.*
  
- d. *Financial Status Reports and Cash Transaction Reports shall be submitted within 30 days after the completion of each quarter, beginning February 1 of each fiscal year.*
  
- e. *Semi-Annual Performance Progress Reports, outlining the progress on fishery management plan development during the preceding six months, shall be submitted before April 30 and October 31 each year.*

[The Council will submit to the Secretary a report before February 1 of each year on the Council's activities during the immediate preceding year, and shall submit such other periodic and relevant reports as the Council or the Secretary deem appropriate.]

6. The Council will review on a continuing basis, and revise as appropriate, the assessments and specifications contained in each fishery management plan for each fishery within its geographical area with regard to:

- a. the present and probable future condition of the fishery;
- b. the maximum sustainable yield from the fishery;
- c. the optimum yield from the fishery;
- d. the capacity and the extent to which fishing vessels of the United States will harvest the optimum yield on an annual basis;
- e. the portion of such optimum yield on an annual basis which will not be harvested by fishing vessels of the United States and can be made available for foreign fishing.

7. The Council will conduct any other activities which are required by or provided for in the Act or which are necessary and appropriate to the foregoing functions.

8. The Council expects to participate in international negotiations concerning any fishery matters under the cognizance of the Council. The Council also expects to be consulted during preliminary discussions leading to U.S. positions on international fishery matters, including the allocation of any fishery resources within its area of authority to other nations.

## COUNCIL COMPOSITION

The North Pacific Fishery Management Council shall consist of representatives of the States of Alaska, Oregon, and Washington, and shall have authority over the fisheries in the Arctic Ocean, Bering and Chukchi Seas, and Pacific Ocean seaward of Alaska. The North Pacific Council has 11 voting members, including five appointed by the Secretary from the State of Alaska and two from the State of Washington.

The voting members of the Council shall be:

1. The principal State officials with marine fishery management responsibility in the States of Alaska, Washington, and Oregon, *or the designee of such officials;*
2. The Regional Director, Alaska Region, of the National Marine Fisheries Service, *or his designee; and*
3. Seven appointed members from the States of Alaska, Washington, and Oregon (at least five of whom shall be appointed from Alaska).

The non-voting members of the Council shall be:

1. The Regional or Area Director of the U.S. Fish and Wildlife Service, Alaska Region, or his designee;

2. The Commander, Seventeenth Coast Guard District, or his designee;

C. The Executive Director of the Pacific Marine Fisheries Commission, or his designee;

4. The representative of the Department of State designated for such purpose.

#### OFFICERS AND TERMS OF OFFICE

[A Chairman and a Vice-Chairman are elected from the voting members of the North Pacific Council; both officers serve for a period of one year and may succeed themselves.] *The Council officers shall be a Chairman and a Vice-Chairman, with a term of office of one year each, and may succeed themselves.*

#### STAFF

1. Composition. *The staff of the Council shall be comprised of an Executive Director, Deputy Director, Administrative Officer, Staff Officers, Executive Secretary, and such other staff as are necessary to carry out Council activities.*

2. Function. *The staff is responsible for administration and execution of Council operations. Functions include coordination of fishery management plan development; preparation of Council*

*reports, statements, and correspondence; financial management, budget preparation, and procurement; record keeping; meeting logistics; and other administrative activities.*

[The permanent staff of the North Pacific Fishery Management Council shall consist of the following positions with duties as outlined:]

[1. Executive Director - The primary staff advisor to the North Pacific Council, must maintain full cognizance and a thorough understanding of all Council business and activities to assist the Council in planning, developing, implementing, and evaluating programs and courses of action for achieving prescribed objectives. Serves as the chief liaison officer for the Council in contacts with other governmental and private agencies. Assists in the development and coordination of internal policy as well as external policy, represents the Council to the public in matters assigned by the Council, and provides the Council with current information from public, industry, and government.]

[Develops, maintains, and directs internal systems for personnel management, fiscal control, budget analysis and preparation, property and space control procurements. Establishes, maintains, and supervises professional and non-professional administrative staff required to accomplish the Council's responsibilities, provides for assistance and service in other areas in support of Council activities, including arranging Council meetings, developing agenda, preparing reports, and promulgating Council policies and decisions.]

[2. Assistant Executive Director - Under the direction of the Executive Director is primarily responsible for coordination of the working teams developing management plans for the North Pacific Council, including arranging necessary support and coordinating the activities of the Scientific and Statistical Committee, the Advisory Panel, and the working teams, usually consisting of the members of two or more agencies, in the orderly development of Council management plans.]

[In the absence of the Executive Director, is responsible for personnel management and fiscal control, budget analysis and property and space control for the Council, representing the Council to the public in routine inquiries, etc.]

[Works closely with the Executive Director and the Council in assisting in the development and coordination of internal policy and external policy.]

[3. Administrative Officer - Assists the Executive Director on matters of administrative management services, including procurement and contract administration, grant administration, budget and financial management, personnel management, property management, space utilization and office services.]

[4. Secretary (Stenography) to the Executive Director - Performs work connected with the programs and procedures supporting all facets of Council activity, including functions which require exercise of tact, discretion, and judgment, serves as the personal assistant and secretary to the Executive Director.]

[5. Administrative Clerk - Provides miscellaneous clerical and administrative services for the Executive Director's office, including primary bookkeeping, under the supervision of the Administrative Officer, of Council funds including, but not limited to, daily entries of all expenditures, disbursements, and receipts, and monthly and quarterly financial reports.]

[6. Clerk-Receptionist - Acts as receptionist for the permanent headquarters of the North Pacific Fishery Management Council and provides miscellaneous clerical and administrative services for the Executive Director's office as required.]

[7. And other staff as required and authorized by the Council.]

#### EMPLOYMENT PRACTICES

*The Council is an equal opportunity employer in full compliance with federal requirements for non-discrimination. Council staff positions are filled solely on the basis of merit, fitness, competence, and qualifications.*

1. *In setting rates of pay for Council staff, the principle of equal pay for substantially equal work shall be followed. Variations in basic rates of pay should be in proportion to substantial differences in the difficulty and responsibilities of the work performed.*

2. *Employees of the Council shall be granted paid leave for holidays, vacations or exigencies, sickness, and civic duties (jury, military reserve obligations) as determined by the Council. Paid annual leave shall not exceed 26 days per year, and paid sick leave shall not exceed 13 days per year.*

3. *The Council shall provide its employees group health insurance, life insurance, and retirement plan under the State of Alaska Public Employee System.*

[1. Staffing Management - The Executive Director will ensure that all staffing needs and procedures are evaluated on a continuing basis and refined as necessary. This will include a periodic analysis of organizational requirements, identification of potential resources, and the efficient selections, placement, and management of these resources.]

[2. Recruitment - (a) Position identification will be achieved through a thorough and objective assessment of the required duties, without regard to any particular individual. Clear lines of responsibility and authority will be identified in any formal job description, and duplicative or overlapping duties will be avoided to the extent practicable. Position descriptions will be available to incumbents as well as candidates for vacancies.]

[(b) Recruitment actions will be effected through the most appropriate communications medium, to include locally distributed



notices, newspapers, and telephone contacts. Efforts will be made to interest and identify a reasonable number of candidates for each staff vacancy which arises.]

[(c) Each candidate's experience, education and particular qualifying factors will be thoroughly examined, and personal interviews will be conducted whenever possible.]

[(d) Final selection for a position will be based solely on merit, fitness, competence, and qualifications. Employment actions shall be free from discrimination based on race, religion, creed, color, national origin, sex, age, or physical handicap, and equal consideration will be given to veterans and all minorities.]

[3. Development - Employees will be entitled to promotions and other pay raises solely on the basis of merit and performance, in amounts recommended by the Executive Director and approved by the Council. Career development, including formal training, will be supported by the Council when directly beneficial to both the employee and the Council Staff.]

[4. Services and Relationships - (a) The Council will work with its employees to provide group medical insurance, life insurance, and retirement plans and will pay a reasonable proportion of the cost of such plans.]

[(b) Employees of the Council shall be granted paid leave for holidays, vacations, sickness, civic duties, etc. on the basis of the employee regulations currently in force for the State of Alaska. Temporary absences without pay may be approved by the Executive Director or his designate.]

[(c) Permanent employees desiring to terminate employment will be asked to give a minimum two-week advance notice.]

[5. Conditions of Employment - All staff employees of the Council serve at the pleasure of the Council. The Executive Director may be dismissed by the Council and other staff employees may be dismissed by the Executive Director acting for the Council.]

[6. Records - (a) Each employee will become party to a standard employment contract outlining general and specific conditions of employment.]

[(b) Records of all actions pertinent to an individual's employment will be maintained by the Administrative Officer of the Council staff. These records will be held under the strictest confidence, and will only be released to third parties when legal or regulatory basis for such action so allows.]

## STANDARDS OF CONDUCT

*The Council and its staff shall maintain high standards of ethical conduct. These standards include the following principles:*

1. *No [staff] employee of the Council shall use his or her official authority or act in the name of the Council for the purpose of influencing or affecting the result of an election to or a nomination for any national, state, county, or municipal elective office.*

2. *No employee of the Council shall be deprived of employment, position, work, compensation, or benefit provided for or made possible by the Act on account of any political activity or lack of such activity in support of or in opposition to any candidate or any political party in any national, state, county, or municipal election or on account of his or her political affiliation.*

3. *No Council member or employee shall pay, or offer, or promise, or solicit, or receive from any person, firm, or corporation, either as a political contribution or a personal emolument any money, or anything of value in consideration of either support, or the use of influence, or the promise of support, or influence in obtaining a Council decision or for any person, any appointive office, place or employment under the Council.*

4. No employee of the Council or member of the Council, Scientific and Statistical Committee, and Plan Development or Maintenance Teams shall have a direct or indirect financial interest that conflicts with the fair and impartial conduct of his or her Council duties.

5. No Council member or employee of the Council shall use or allow the use of, for other than official purposes, information obtained through or in connection with his or her Council employment which has not been made available to the general public.

6. No Council member or employee of the Council shall use Council property on other than official business. Such property shall be protected and preserved from improper or deleterious operation or use.

[7. Standards of Conduct - The Council requires a standard of ethical conduct for its staffs, as follows:]

[(a) No staff employee of the Council shall use his or her official authority or influence derived from his or her position with the Council for the purpose of interfering with or affecting the result of any election to or a nomination for any national, state, county, or municipal elective office.]

[(b) No staff employee shall pay or offer or promise or solicit or receive from any person, firm or corporation, either

as a political contribution or a personal emolument, any money or anything of value in consideration of either support or the use of influence in obtaining for any person any appointive office, place or employment under the Council.]

[(c) No staff employee of the Council shall have a direct or indirect financial interest that conflicts with a fair and impartial conduct of his or her Council duties.]

[(d) No staff employee of the Council shall use or allow the use for other than official purposes of information obtained through or in connection with his or her Council employment which has not been made available to the general public.]

[(e) No staff employee of the Council shall engage in criminal, infamous, dishonest, notoriously immoral, or disgraceful conduct prejudicial to the Council.]

[(f) No staff employee of the Council shall use Council property for other than official business. Such property shall be protected and preserved from improper or deleterious operation or use.]

[(g) Personnel files on Council employees shall be maintained in Council offices under the security and safeguard conditions required of files subject to the Privacy Act.]

[(h) No employee's children or spouse may obtain employment on the Council staff except in genuine emergencies, and then only for a short period of time.]

#### STANDING COMMITTEES OF COUNCIL MEMBERS

*The North Pacific Council has established one standing committee of Council members.*

Inter-Council Salmon Coordinating Committee. *The Inter-Council Salmon Coordinating Committee has been established to coordinate salmon management plan development in the North Pacific and Pacific Council areas of jurisdiction. It consists of three representatives from each Council with the members from the North Pacific Council appointed by the Chairman and serving at his pleasure. The Committee shall meet as required at the request of either Council Chairman.*

*In the event that additional standing committees are established in the future, the Council will file an amendment to this Statement.*

[There are no standing committees of Council members on the North Pacific Fishery Management Council.]

## MEETINGS

1. Frequency. *The Council shall meet as often as is necessary to discharge its duties, but shall meet at least once in each quarter of the fiscal year.*

2. Duration. *Council meetings shall vary in duration according to workload.*

[The North Pacific Council shall meet in the State of Alaska at the call of the chairman or upon the request of the majority of its voting members. Meetings will normally be held on the fourth week of the month, beginning on Wednesday and adjourning on Friday.]

3. Location. Council meetings will be held in various communities in Alaska and the locations and dates of meetings will be advertised well in advance in state-wide and local news media.

4. Agendas or orders of business for the Council will be published in the Federal Register. Draft agendas shall be furnished to all Council, Committee, and Panel members at least one week prior to regular meetings and will be available to the general public for one week prior to a regular meeting at the Council headquarters in Anchorage.

## MINUTES

Accurate and detailed minutes will be taken of all Council meetings and will include audio tape recordings of Council meetings and summary transcripts of Committee and Panel meetings. Summaries of business conducted at Council meetings will be available to the public at Council headquarters in Anchorage and copies may be obtained at the Council offices for the cost of reproduction. Verbatim audio tape recordings will be available for inspection and study at the Council offices. Minutes of Council meetings and hearings will include copies of all written material received or sent by the Council, its Panels, or Committees during the course of or as a result of the meetings. *The Council will distribute a newsletter summarizing Council action taken during each Council meeting as soon as possible after adjournment.*

## GENERAL RULES OF PROCEDURE

The Council will meet at the call of the Chairman or upon the request of a majority of the voting members. [Advisory bodies will meet with the approval of the Chairman of the Council.] Meetings will be conducted according to Robert's Rules of Order and in a manner to permit the greatest possible participation by all members of the Council and the public. [It will be the policy of the Council to set aside a specific period during each Council meeting to hear comments from the public on Council business.] *Decisions by consensus are permitted except where the*



*issue is Council approval or amendment of a Fishery Management Plan (including any proposed regulations) or comments for the Secretary on foreign fishing applications or Secretariially prepared management plans. In these cases, a vote is required.*

[Closed sessions of the Council will be held only when the Council is discussing personnel matters not properly conducted in public or discussing matters of a confidential nature requiring a formal security clearance.]

[Generally, parliamentary procedure will be used in the conduct of the meetings. Agreement among Council members can be reached by consensus and non-voting members are expected to take part in all discussions and indicate their opinions on all specific issues. Those matters pertaining to the approval or disapproval of a fishery management plan or amendment, including proposed regulations, or comments for the Secretary on foreign fishing applications, or Secretariially-prepared management plans, require a vote.]

- 1. A majority of the voting members of the Council shall constitute a quorum for Council meetings, but one or more such members designated by the Council Chairman may hold hearings.*
  
- 2. When there is a vote, the majority of the voting members present and voting shall rule. The use of proxy is not permitted.*

3. *The Council shall conduct all meetings within its geographic area of authority, except when inter-regional resources are concerned. Hearings may be held in any of the member states.*
  
4. *Voting members of the Council who dissent on any issue to be submitted to the Secretary are permitted to submit a statement of their reasons for dissent to the Secretary.*

#### AUTHORITY OF THE CHAIR

The Chairman of the North Pacific Council has authority to convene and adjourn meetings and public hearings and designate members of the Council, Scientific and Statistical Committee, and Advisory Panel to attend meetings and public hearings. He will control meetings and hearings by recognizing speakers, establishing the order of business, and designating members of the Council and its Advisory bodies as members of committees and working groups. The Chairman certifies the minutes of the meeting as complete and accurate before they are available to general distribution.

#### HEARINGS

*The Council shall hold public hearings in order to provide the opportunity for all interested persons to be heard with respect to the development of fishery management plans or plan*

amendments, and with respect to the administration and implementation of the Act. The Council may use its judgment regarding when and where such hearings should be held, provided they are in the particular geographic area concerned.

1. Conduct. When it is determined that a hearing is appropriate, the Chairman of the Council will designate at least one voting member of the Council to officiate. Conduct of the hearing, beyond the stipulation that all persons be afforded an opportunity to present their views, be given a chance for expression, is within the discretion of the hearing official under whatever instructions the Council may wish to provide.

2. Notice of hearings will be published in the Federal Register at least 20 days prior to the hearing. Advance notice also should be given in the local media where the hearing is to take place. Publicity should be sufficient to assure that all interested parties are aware of the opportunity to make their views known.

3. Record. An accurate record of the participants and their views, obtained by use of a tape recording, typewritten transcript, or detailed minutes, shall be available to the Council and the public and maintained as part of the Council's administrative record.

[Public hearings will be held in communities in Alaska at the discretion of the Council. They will be advertised in advance in

the FEDERAL REGISTER and local news media. Agenda and subject matter will be available at the Council office in Anchorage at least one week prior to the hearings.]

#### [ADVISORY BODIES]

[The North Pacific Fishery Management Council has established a Scientific and Statistical Committee comprised of ten members from the fields of biology, economics, statistics, and the social sciences, and an Advisory Panel of twenty-five members from the full spectrum of the fisheries field including fishermen and others based on a diversity of interests from the standpoint of geography, association with specific fisheries, etc.]

#### SCIENTIFIC AND STATISTICAL COMMITTEE

[Function. At the direction and with the approval of the Council designates the members and structure of management plan development teams, reviews management plans and other material at the request of the Council and advises the Council on them, identifies areas for the Council where further data is needed to complete or improve management plans. Advises the Council on ways to proceed in areas relevant to the scientific and statistical matters or in areas in the bio-socio-economic fields, prepares specific statements for the Council in response to questions or requests from them.]

*The North Pacific Council shall have a Scientific and Statistical Committee made up of scientists of national reputation from State and Federal agencies, academic institutions, and other sources. Members shall represent a wide range of disciplines required for preparation and review of management plans. The Committee shall meet at the call of the Council Chairman, a majority of the voting members of the Council, or the Executive Director.*

*1. The Committee shall provide expert scientific and technical advice to the Council on the development of fishery management policy, on establishing the goals and objectives of fishery management plans or amendments thereto, and on the preparation of such plans or amendments thereto.*

*2. The Committee shall assist the Council in the development, collection, and evaluation of such statistical, biological, economic, social, and other scientific information as is relevant to the Council's development and amendment of any fishery management plan.*

*3. The Committee shall assist the Council in determining what statistical, biological, economic, social, or other scientific information is needed for the development of a management plan that meets the requirements of the Act; and shall advise the Council as to the best way of obtaining this information, including identifying entities with ongoing research programs that may be able to develop the needed information.*

4. *The Committee shall advise the Council on preparing comments on any application for foreign fishing transmitted to the Council by the Secretary of State pursuant to subsection 204(b) of the Act.*

5. *The Committee shall advise the Council on preparing comments on any fishery management plan or amendments thereto prepared by the Secretary which are transmitted to the Council pursuant to Section 304(c)(2) of the Act.*

6. *The Committee shall draft, or comment on, if required by the Council, any proposed regulations which the Council deems necessary to implement any fishery management plan or any amendment to a fishery management plan which is prepared by the Council.*

7. *The Committee shall assist the Council in establishing criteria for judging plan effectiveness.*

8. *The Committee shall submit to the Council:*

a. *an annual report on the Committee's activities during the immediately preceding calendar year;*

b. *such reports as the Committee deems appropriate; and*

c. *such reports as are requested by the Council.*

9. *The Committee shall perform such other necessary and appropriate duties as may be required by the Council to carry out its functions under the Act.*

*The Council approved an Organization and Operations Policy and Procedures for the Scientific and Statistical Committee at the April 23-24, 1981 meeting. Copies may be obtained at the Council Headquarters.*

#### ADVISORY PANEL

The Advisory Panel offers to the Council on a continuing basis advice on the assessments and specifications contained in each fishery management plan for each fishery within the Council's geographic area of concern. The Panel's major expertise concerns the capacity and the extent to which the fishing vessels of the United States will harvest the resources considered in fishery management plans, the effect of such fishery plans on local economies and social structures, and potential conflicts between user groups of a given fishery resource. Panel members may attend all public hearings on fishery management plans and amendments in which they have an interest. If possible the Chairman or the Executive Director should be contacted prior to travel to attend a public hearing in order to coordinate attendance. The Council will reimburse Advisory Panel members for expenses incurred by attendance at such hearings to the

normal limit for official travel. Panel members may attend Council meetings to advise the Council with particular reference to the socioeconomic implications of management plans. The Panel will set up such subcommittees as the Chairman of the Panel and the Council deem necessary to carry out the Panel's duties. All members of such subcommittees will be appointed from the membership of the parent Panel.

Policy and Procedures for selecting Advisory Panel members was adopted at the December 8-12, 1980 Council meeting. Copies may be obtained at the Council headquarters.

#### PLAN DEVELOPMENT TEAMS (PDT)

A planning team shall be established by the Council for each management unit which will be the subject of a planning effort. Plan Development Teams shall be working teams of State, Federal, and non-government specialists. The Plan Development Teams will report to the Council through the Executive Director.

1. Work Plans/Scoping. The Council staff shall be responsible for work plans and the scoping process, with assistance from the Teams, if it is determined that these activities are necessary.

2. Teams' Responsibility in Drafting of Plans (FMP's). The Teams are responsible for drafting the management plans and, in that capacity, make the decisions with regard to what is included in the successive drafts to be presented to the Council. The SSC



and Advisory Panel shall advise the Teams and the Council, but their advice is not binding on the Teams. The Council shall decide if the plan is to be modified and Teams shall comply with Council directives.

Plan Development Team members shall remain objective in the drafting of management plans. They should not be subject to pressure from their employers; rather they should be able to develop management plans independently without regard to agency policy. The Council should be assured that the product received from the Team represents the best objective, scientific appraisal of the fishery and the resource. Policy considerations are in the exclusive purview of the Council.

Plan Development Teams shall conduct their planning and evaluation efforts in such a way as to satisfy the Magnuson Fishery Conservation and Management Act.

The Council shall seek strong commitments to plan development activities. Plan development should be high priority for all Team members. This time commitment may be formalized in a contract between the agency and the Council. Compensation for agency personnel should be arranged on a case by case basis.

Council staff members may be assigned to assist Plan Development Teams.

Council staff members working as Plan Coordinators will be members of the PDT's for Plans assigned as their responsibility.

3. Plan Objectives. The Council shall adopt objectives as early as possible in the plan development process. The objectives shall be operational and as specific as possible.

4. Alternative Management Measures. The Teams shall develop and present all viable alternative management measures which would attain the objectives. It shall not be the Team's responsibility to recommend preferred options to the Council, unless such preferences can be made on technical grounds without regard to policy considerations or unless the Council solicits the Team's opinion. It is the duty of the Council to narrow the list of options.

5. Plan Drafts. When Teams present successive drafts of management plans to the Council, they shall submit in writing to the Council a list of problems and alternative solutions which require resolution by the Council. The Council shall respond to each item, at that time if possible, and the Executive Director shall submit to the respective team(s) a written response from the Council as soon after the meeting as possible.

Upon completion of each draft of a plan, it shall be transmitted to the Council through the Executive Director. Copies will be transmitted to the Scientific and Statistical Committee and the

Advisory Panel for review and comment to the Council. The Council shall evaluate these comments and, if necessary, refer the plan back to the Plan Development Team for further work.

6. Attendant Documents. The Teams shall have responsibility for drafting the plan, while the National Marine Fisheries Service and Council staff shall take the lead in preparing the Environmental Impact Statement (EIS), Regulatory Analysis (RA), and proposed regulations. The Teams, however, must assist in the preparation of these related documents to ensure that correct interpretations of the plan have been made. In some cases, individual team members may be assigned to these activities. Insofar as possible, preparation of the EIS, RA, and proposed regulations shall occur concurrently with plan development.

7. Notice of Availability. When the Council is satisfied with the plan, it together with a draft Environmental Impact Statement (DEIS), Draft Regulatory Analysis (DRA), and draft proposed regulations will be transmitted to the Department of Commerce through the Regional Director of the National Marine Fisheries Service. A notice of availability will be published according to NEPA requirements.

8. Hearings. Following publication of the notice of availability of the DEIS, the Council shall sponsor public hearings to solicit input and comments from those groups or individuals who might be affected by future regulatory action. Prior to holding public hearings on the DEIS/FMP, the Council

shall distribute copies widely so that all interests have an opportunity to review and consider the proposed action.

After consideration of public comments, the Plan Development Team shall make such revision of the FMP as the Council deems necessary and assist in revision of the DEIS, DRA and proposed regulations as appropriate.

9. Transmittal to Secretary. Upon final adoption of the fishery management plan, the Council shall transmit the final EIS/FMP, final Regulatory Analysis, and proposed regulations, through the NMFS Regional Director to the Secretary of Commerce for final approval and promulgation of implementing regulations.

[ORGANIZATION OF MANAGEMENT PLAN DEVELOPMENT TEAMS]

[Management plan teams will be organized for each fishery management unit identified by the Council. Team members will be selected from State and Federal conservation agencies, universities, and private institutions or individuals known to possess specific knowledge or expertise considered desirable in the preparation of management plans. The Scientific and Statistical Committee will submit to the Council a list of recommended members, participating agencies or institutions and suggest a lead agency to direct plan preparation. The Council will confirm the composition of the team and will identify the lead agency. Following formation of the management team and guidance from the

Council concerning the general objectives and scheduling of plan preparation, the team will organize the plan and its contents in accordance with a standard outline. Scientific inputs to the plan will be drawn from published reports and papers of participating State and Federal agencies, universities, and any other relevant data source, including information derived from oral testimonies. It will be the responsibility of the team chairman to insure that the best available data is analyzed and used in drawing up draft plans.]

[Lead agencies (chairman) will be responsible for scheduling meetings, typing and reproducing preliminary drafts, coordinating the activities of the team and distributing tasks among its members. The draft plan, however, should as much as possible reflect a consensus view of the team members. During the development of the drafts, the team should seek assistance from other expertise to insure an adequate review of the scientific and technical content of the plan. The Scientific and Statistical Committee will propose a list of specialists the management team may contact for outside review or assistance and the team manager is also free to contact any other outside sources that may be helpful in plan preparation.]

[The team is responsible for comments from outside experts and making the final judgment on changes in the plan. The draft plan is submitted to the Council for review by its advisory bodies. Procedures for interaction between the management plan team, Council, and Council advisory groups during plan preparation and review will follow the flow diagram as shown below:]

## PLAN MAINTENANCE AND MANAGEMENT TEAMS

Actual plan maintenance and management will be accomplished through the agencies, Council advisory bodies, the Council, and Board of Fisheries with input from the affected public. A Plan Maintenance Team (PMT) will be formed primarily to identify individuals responsible for coordinating the needed input to the Council at the appropriate times. One member will be designated as leader to provide a primary contact.

The PMT will accept responsibility for coordinating the FMP process once the Plan has been implemented. This Team will be smaller and consist primarily of NMFS and ADF&G resource managers and extended jurisdiction related staffs.

The PMT will, for example, coordinate the following tasks: fishery and resource status updates; reviews of management objectives; appraisals of management regimes' effectiveness in achieving the objectives; FMP amendments; introduction of agency-proposed management changes with rationales and potential impacts; evaluation of proposals introduced by the public; screening of proposals and documents for relevance to appropriate bodies; and so on.

The PMT is a coordinating body which cannot be expected to actually perform all of the tasks associated with FMP maintenance. The PMT will be dependent on agencies' commitments of resources to accomplish their tasks, often on a case by case basis.

## MANAGEMENT TEAMS

When necessary, the Council shall appoint a Management Team (MT) to conduct a continuing review of the status of the fishery and resources once an FMP is implemented. One member of the MT will be designated as Chairman. The MT will report to the Council through the Executive Director. The MT will accept responsibility for coordinating the fishery monitoring and plan maintenance process. This Team shall consist of State, Federal, and non-governmental specialists in the area of concern.

The activities of the MT may include: fishery and resource status updates; in-season and between-season management activities as defined by respective FMP's; review of management objectives; appraisal of the management regime's effectiveness in achieving the objectives; impact of management measures; FMP amendments; fine-tuning FMP's (without amendment); special analyses; and other duties.

The MT cannot be expected to actually perform all of the tasks associated with FMP maintenance. The MT will be dependent on agencies' commitments of resources to accomplish their tasks.

## ADMINISTRATIVE MANAGEMENT SYSTEM

Office of Management and Budget Circular No. A-110 provides uniform administrative requirements applicable to the North Pacific Fishery Management Council, including standards for

financial management, financial reporting, property management, and procurement. The Council will operate in full compliance with these standards.

A. Conflict of Interest. Appointed public Council members and administrative employees are subject to Federal laws and regulations concerning bribery and conflicts of interest. Council members drawn from the fishing industry will not be precluded from voting on fishery management plans which might directly or indirectly affect their income.

B. Procurement Procedures. The Council will contract for services to be provided by other government agencies, educational institutions, profit and non-profit organizations. Detailed procurement procedures were approved on June 26, 1977 by the Council and are available for review at the Council's office. These procurement procedures provide for agreements and orders for procurement of supplies and services; includes awards and notices of award: fixed-price, cost, cost-plus-a-fixed-fee, negotiated, or incentive type contracts; letter contracts; and purchase orders. Topics covered are formal advertising; sole source procurements; award; contract types; contract administrations; protests, contract disputes, and appeals; and code of conduct.

C. Property Management System. A perpetual inventory system will be maintained of all Council nonexpendable tangible personal property having a useful life of more than one year and an



acquisition cost of \$300 or more. All such items will be marked "NPFMC" with an assigned property control number. All personal property acquired by the Council shall be safeguarded under conditions which a prudent person would follow. Only Council staff or individuals or entities under contract shall have access to Council property. Procedures for disposal of any surplus property shall be submitted to and approved by the Alaska Regional office of NMFS. A listing of federally-owned property will be submitted to the Chief of Administrative Operations Division for the NOAA Northwest Administrative Service Office within 60 days after the close of each fiscal year.

D. Accounting and Budgetary Control Procedures. The accounting and budgetary control system will be maintained in compliance with the U.S. Department of Commerce/NOAA General Provisions and Special Conditions which are included in the cooperative agreements for funding the Council's administrative and programmatic needs. A summary of the financial system ingredients follows:

1. Formal Books of Accounts. A cash receipts and disbursements journal, a payroll register journal, a general journal and a general ledger will be maintained to record financial transactions.
2. Chart of Accounts. The following general account number structure will be followed in recording financial transactions of the Council:

Assets (1000); Liabilities (2000); Fund Balances  
(3000); Revenues (4000); Expenses (5000-9000)

The detailed chart of accounts which provides line-item fiscal control over expenditures for monthly reporting to the Council and quarterly reporting to NOAA is available for inspection at the Council's office.

3. Obligations. The following guidelines are followed in charging obligations against the proper fiscal year:

Compensation and Benefits:	Month in which pay period ends.
Purchase of Supplies and Equipment:	Date purchase order is signed.
Transportation:	Fiscal period when travel is begun.
Travel Expense:	Fiscal period when expense occurred.
Communications, Utilities and Rent:	On 1st day of billing period.
Contracts - operational:	Fiscal period when expense occurred.
Contracts - programmatic:	Fiscal period when item is budgeted.

E. Travel Reimbursement Procedures. Detailed procedures covering the processing of travel claims are available for inspection at the Council's office. The guidelines for reimbursing individuals are as follows:

1. All non-federal members of the Council, Scientific and Statistical Committee, Advisory Panel, Plan Development Teams, Plan Maintenance and Management Teams,

staff and special consultants performing authorized services for the Council shall be entitled to reimbursement for actual meals and lodging expenses up to a limit set by the Council.

2. Claims for reimbursement must be supported with hotel bills.
3. Official telephone calls, taxis, privately-owned vehicle mileage, common carrier fares, parking, baggage handling, etc. will be reimbursed in the amount of actual expenditure and are not included in meal and lodging limits set by the Council.

F. Standards for Compensation and Other Personnel Actions.

Salary and wage administration, fringe benefits, hours of work, etc., for the Council staff are detailed in the Personnel Rules approved by the Council which are available at the Council's office.

Council Member Pay. Council members whose eligibility for compensation has been established in accordance with NOAA guidelines will be paid on a daily basis with deductions being made for Social Security and federal taxes. A report of compensation will be furnished each year as required by the Internal Revenue Service. Such compensation is paid on a full day's basis whether in excess of eight hours a day or less than eight hours a day. The time is compensable where the individual member is required to

expend a significant private effort which substantially disrupts the employee's daily routine to the extent that a day is lost to the member. "Homework" time in preparation for formal Council meetings is not compensable.

Non-government Council members receive compensation for:

1. Days spent in actual attendance at a meeting of the Council or jointly with another Council.
2. Travel on the day preceding or following a scheduled meeting that precluded the member from conducting his normal business on the day in question if travel time for additional days is necessary.
3. Meetings of standing committees of the Council if approved in advance by the Chairman.
4. Individual member meeting with scientific and technical advisors where approved in advance by the Chairman and a substantial portion of any day is needed.
5. Conducting or attending hearings when authorized in advance by the Chairman.

6. *Other meetings involving Council business when approved in advance by the Chairman.*

RELATIONSHIP TO MAGNUSON FISHERY CONSERVATION AND MANAGEMENT ACT  
(MFCMA) OPERATIONS HANDBOOK

*This Statement of Organization, Practices, and Procedures is intended to be in general conformance with the guidelines set forth in the FCMA Operations Handbook distributed by the National Marine Fisheries Service in November, 1980. In the event of any change in the future, the Council shall file an amendment of this statement with the required information.*

[FINANCIAL MANAGEMENT SYSTEM]

[Procurement/Property Management System - Management of this system will be a direct responsibility of the Staff Administrative Officer.]

[1. Contracts - Negotiated and advertised contracts will be administered under the same principles of equality and integrity outlined under the section "Employment Practices," and will generally follow the specifications normally characteristic of contracts with public entities, (e.g., public announcement, emphasis on competition, change orders, etc.)]

[2. Purchases - Commodities and services will be procured by means of a document-oriented system, with a receipt, check, or purchase order type document maintained on all transactions.

Typical suspense systems will be maintained for any partial and undelivered procurements. Equipment and supplies available in the General Services Administration will usually be given primary consideration, except where cost-effectiveness and efficiency dictate otherwise. A petty cash fund for over-the-counter purchases will be maintained as necessary in the Council staff office.]

[3. Property - An accountability system of all durable or capitalized personal property will be maintained by means of an inventory system.]

[4. Real Property - The leasing, renting, and acquisition of real property and space will be effected in a manner consistent with customary practices related to contracts with public entities. Real property files will be maintained on all transactions, including litigation, connected therewith.]

#### [FISCAL MANAGEMENT SYSTEM]

[The finance and budget control systems will be a direct responsibility of the Administrative Officer, who will maintain full cognizance of, and compliance with, all Department of Commerce requirements, pursuant to the Act, Treasury Department (IRS) regulations as well as any applicable local requirements (state, municipal, etc.).]

[1. Financial control will be effected by means of a basic document-oriented accrual accounting system, which will include provisions for at least the following: direct labor (salary); indirect labor (employer contributions for FICA, life and health insurance, retirement, and unemployment taxes), travel expenses (transportation and subsistence), transportation of things, rent and utilities, taxes (non-employment), printing, communications, supplies, equipment, contracts, and any appropriate contra-accounts ([depreciation], contract accruals, etc.).]

[2. A general ledger, supported by appropriate journals, will be maintained on all obligations and expenses, including appropriate accruals, and will be used to prepare periodic reports for review by the Executive director, the Council, or Department of Commerce representatives. As a minimum, a complete financial status report should be completed on a monthly basis. The financial management system will be coordinated with the budget management system so that current and projected fund usage can be determined at any time.]

[3. A separate payroll register, indicating all applicable expenses and accruals, will be maintained on each member of the Council and the Council staff.]

[4. All financial records will be kept until audited or approved for disposal by the appropriate Department of Commerce representative.]

[5. Specific details related to implementing the above will, in general, correspond to the NMFS 1977 model accounting system for Regional Councils.]



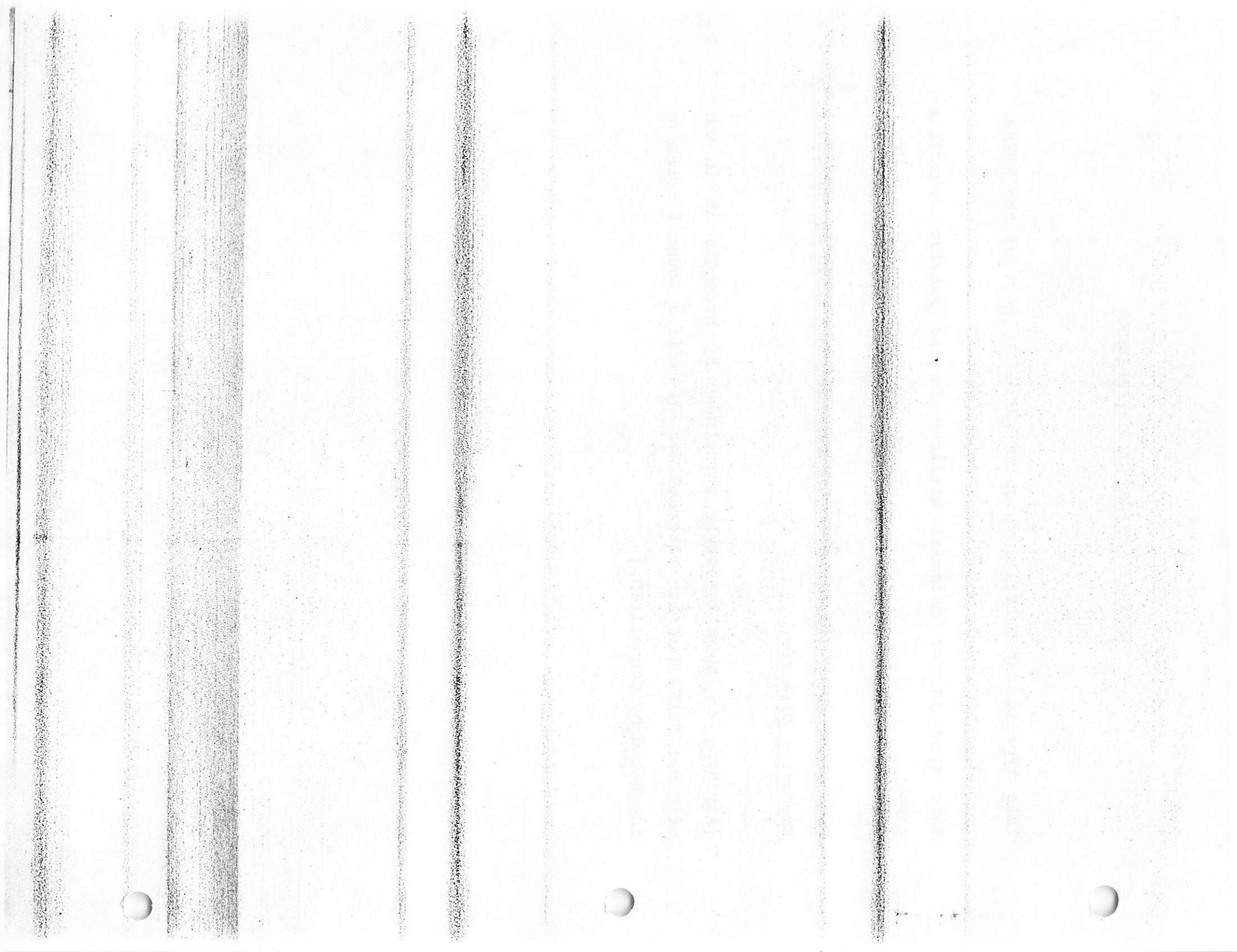
INDEX TO TYPESTYLE DIFFERENCES

This type is for material which is currently part of the SOPPs.

*This type is for material utilized in the Pacific Council's SOPPs.*

When underlined, this type is for material suggested by our Council/  
Executive Director.

[Anything in this typestyle surrounded by brackets is in our original SOPPs but has alternatives in Pacific Council SOPPs or suggested by Council/ED.]



## DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration  
North Pacific Fishery Management Council  
Statement of Organization, Practices, and Procedures

The North Pacific Fishery Management Council, created by section 302(a)(7) of the Magnuson Fishery Conservation and Management Act (the Act), hereby publishes a revised Statement of Organization, Practices, and Procedures (SOPP), as required by section 302(f)(6) of the Act. This is the first revision of the SOPP published in the Federal Register March 1, 1977 (11858-11862). This revised SOPP for carrying out the Council's functions under the Act was adopted by the Council during its public meeting held on \_\_\_\_\_ . Copies may be obtained by writing the Executive Director, North Pacific Fishery Management Council, P. O. Box 3136 DT, Anchorage, AK 99510. The Council's permanent offices are in Suite 32, Post Office Mall Building, 333 West Fourth Avenue, Anchorage, Alaska; telephone (907) 274-4563.

The Council's geographic area of authority includes the fisheries in the Fishery Conservation Zone (FCZ) of the Arctic Ocean, Bering and Chukchi Seas, and Pacific Ocean seaward of Alaska. The states of Alaska, Washington, and Oregon are represented on the Council.

PURPOSE

1. The Council will prepare and submit to the Secretary of Commerce (Secretary) or his delegate a fishery management plan with respect to each fishery requiring conservation and management within its geographic area of authority and, from time to time, such plan amendments as are necessary.

2. The Council will prepare comments on any application for foreign fishing transmitted to it under a governing international fishery agreement by the Secretary of State under the terms of the Act.

3. The Council will prepare comments on any fishery management plan or amendments thereto prepared by the Secretary which are transmitted to it under section 304(c)(2) of the Act.

4. The Council will conduct public hearings, at appropriate times and in appropriate locations in the Council's membership area to allow all interested persons an opportunity to be heard in the development of fishery management plans and amendments thereto, and with respect to the administration and implementation of the provisions of the Act;

5. The Council will submit to the Secretary a report before February 1 of each year on the Council's activities during the preceding year, and shall submit such other periodic and relevant reports as the Council or the Secretary deem appropriate.

6. The Council will review on a continuing basis, and revise as appropriate, the assessments and specifications contained in each fishery management plan for each fishery within its geographical area with regard to:

a. the present and probable future condition of the fishery;

b. the maximum sustainable yield from the fishery;

- c. the optimum yield from the fishery;
- d. the capacity and the extent to which fishing vessels of the United States will harvest the optimum yield on an annual basis;
- e. the portion of such optimum yield on an annual basis which will not be harvested by fishing vessels of the United States and can be made available for foreign fishing.

7. The Council will conduct any other activities which are required by or provided for in the Act or which are necessary and appropriate to the foregoing functions.

8. The Council expects to participate in international negotiations concerning any fishery matters under the cognizance of the Council. The Council also expects to be consulted during preliminary discussions leading to U.S. positions on international fishery matters, including the allocation of any fishery resources within its area of authority (to other nations).

#### COUNCIL COMPOSITION

The North Pacific Council has 11 voting members and four non-voting members.

The voting members of the Council shall be:

1. The principal state officials with marine fishery management responsibility in the states of Alaska, Washington, and Oregon, or the designee of such officials;

2. The Regional Director, Alaska Region, of the National Marine Fisheries Service, or his designee; and

3. <sup>three</sup> ~~Seven~~ members appointed by the Secretary, ~~from the states of Alaska and Washington, at least five of whom shall be from~~ <sup>the state of</sup> Alaska and 2 from <sup>the state of</sup> WA.

The non-voting members of the Council shall be:

1. The Regional ~~or Area~~ Director of the U.S. Fish and Wildlife Service, Alaska Region, or his designee;

2. The Commander, Seventeenth Coast Guard District, or his designee;

3. The Executive Director of the Pacific Marine Fisheries Commission, or his designee;

4. A representative of the Department of State.

OFFICERS AND TERMS OF OFFICE

A Chairman and a Vice-Chairman are elected from the voting members of the North Pacific Council; both officers serve for a period of one year and may succeed themselves.

STAFF

1. Composition. The staff of the Council shall be comprised of an Executive Director, Deputy Director, Administrative Officer, Plan Coordinators, Economist, Executive Secretary, and other staff as necessary.
2. Function. The staff is responsible for administration and execution of Council operations. Functions include coordination of fishery management plan development and maintenance; preparation of Council reports, statements, and correspondence; financial management, budget preparation, and procurement; record keeping; meeting logistics; and other administrative activities.

EMPLOYMENT PRACTICES

The Council is an equal opportunity employer in full compliance with federal requirements for non-discrimination. Council staff positions are filled solely on the basis of merit, fitness, competence, and qualifications.

1. In setting rates of pay for Council staff, the principle of equal pay for substantially equal work shall be followed. Variations in basic rates of pay should be in proportion to substantial differences in the difficulty and responsibilities of the work performed.
2. Employees of the Council shall be granted paid leave for holidays, vacations or exigencies, sickness, and civic duties

(jury, military reserve obligations) as determined by the Council. [Paid annual leave shall not exceed 26 days per year, and paid sick leave shall not exceed 13 days per year.]

3. The Council shall provide its employees group health insurance, life insurance, and retirement plan under the State of Alaska Public Employee System.
  
4. Development - Employees will be entitled to promotions and *associated* ~~other~~ pay raises solely on the basis of merit and performance, in amounts recommended by the Executive Director. Career development, including formal training, will be supported by the Council when directly beneficial to both the employee and the Council staff.

#### STANDARDS OF CONDUCT

The Council and its staff shall maintain high standards of ethical conduct. These standards include the following principles:

1. No employee of the Council shall use his or her official authority or act in the name of the Council for the purpose of influencing the result of an election to or a nomination for any public elective office.
  
2. No employee of the Council shall be deprived of employment, position, work, or compensation made possible by the Act on account of any political



activity or lack of such activity in support of or in opposition to any candidate or any political party in any national, state, county, or municipal election or on account of his or her political affiliation.

3. No Council member or employee shall pay, or offer, or promise, or solicit, or receive from any person, firm, or corporation, either as a political contribution or a personal emolument any money, or anything of value in consideration of either support, or the use of influence, or the promise of support, or influence in obtaining a Council decision or for any person, any appointive office, place or employment under the Council.

4. No employee of the Council or member of Plan Development or Maintenance Teams shall have a direct or indirect financial interest that conflicts with the fair and impartial conduct of his or her Council duties.

5. No Council member or employee of the Council shall use or allow the use of, for other than official purposes, information obtained through or in connection with his or her Council employment which has not been made available to the general public.

6. No Council member or employee of the Council shall use Council property improperly or on other than official business.

STANDING COMMITTEES OF COUNCIL MEMBERS

The North Pacific Council has established one standing committee of Council members.

Inter-Council Salmon Coordinating Committee. The Inter-Council Salmon Coordinating Committee has been established to coordinate salmon management plan development in the North Pacific and Pacific Council areas of jurisdiction. It consists of three representatives from each Council with the members from the North Pacific Council appointed by the Chairman and serving at his pleasure. The Committee shall meet as required at the request of either Council Chairman.

If additional standing committees are established in the future, the Council will file an amendment to this Statement.

#### MEETINGS

The North Pacific Council shall meet in the State of Alaska at the call of the chairman or upon the request of the majority of its voting members. Meetings will normally be held during the fourth week of the month.

1. Location. Council meetings will be held in various communities in Alaska and the locations and dates of meetings will be advertised well in advance in state-wide and local news media.

2. Agendas for Council meetings will be published in the Federal Register. Draft agendas shall be furnished to all Council, Committee, and Panel members at least three weeks prior to regular meetings and will be available to the general public for two weeks prior to a regular meeting.

MINUTES

Detailed minutes will be taken for all Council meetings. Council meetings will also be tape recorded. The Council will distribute as soon as possible after adjournment a newsletter summarizing Council meeting actions. Meeting minutes, tape recordings, summaries of Advisory Panel and Scientific and Statistical Committee meetings, and written material distributed at the meetings will be available for study at the Council headquarters.

GENERAL RULES OF PROCEDURE

Generally, parliamentary procedure will be used in the conduct of the meetings. Agreement among Council members can be reached by consensus and non-voting members are expected to take part in all discussions and indicate their opinions on all specific issues. Those matters pertaining to the approval or disapproval of a fishery management plan or amendment, including proposed regulations, or comments for the Secretary on foreign fishing applications, or Secretariially-prepared management plans, require a vote.

Closed sessions of the Council will be held only when the Council is discussing personnel matters not properly conducted in public or discussing matters of a confidential nature requiring a formal security clearance.

1. A majority of the voting members of the Council shall constitute a quorum for Council meetings, but one or more voting members designated by the Council Chairman may hold hearings.

2. When there is a vote, the majority of the voting members present and voting shall rule. The use of proxy is not permitted.

*except  
meetings w/3.  
other  
Council*

The Council shall conduct all meetings within Alaska, ~~except~~ when inter-<sup>Council</sup>regional resources are concerned. Hearings may be held in any of the member states.

*Pac  
Chair &  
Chair*

4. ~~Voting~~ members of the Council who dissent on any issue to be submitted to the Secretary are permitted to submit a statement of their reasons for dissent to the Secretary.

#### AUTHORITY OF THE CHAIR

The Chairman, or in his absence the Vice-Chairman, of the North Pacific Council has authority to convene and adjourn meetings and public hearings and designate members of the Council, Scientific and Statistical Committee, and Advisory Panel to attend meetings and public hearings. He will control meetings and hearings by recognizing speakers, establishing the order of business, and designating members of the Council and its Advisory bodies as members of committees and working groups. The Chairman certifies the minutes of the meeting as complete and accurate before they are available to general distribution.

HEARINGS

Public hearings will be held in communities <sup>of member states</sup> ~~in the membership area~~ of the ~~Council~~ at the discretion of the Council. They will be advertised in advance in the FEDERAL REGISTER and local news media. Agenda and subject matter will be available at the Council office in Anchorage, <sup>Alaska</sup> at least one week prior to the hearings.

ADVISORY BODIES

The North Pacific Fishery Management Council has established a Scientific and Statistical Committee comprised of eleven members from the fields of biology, economics, statistics, and the social sciences, and an Advisory Panel of twenty-five members from the full spectrum of the fisheries field including fishermen and others based on a diversity of interests from the standpoint of geography, association with specific fisheries, etc.

SCIENTIFIC AND STATISTICAL COMMITTEE

The Committee shall meet at the call of the Council Chairman, a majority of the voting members of the Council, <sup>or</sup> the Executive Director, or the Chairman of the Scientific and Statistical Committee]

Function. At the direction and with the approval of the Council designates the members and structure of management plan development teams, reviews management plans and other material at the request of the Council and advises the Council on them, identifies areas for the Council where further data is

needed to complete or improve management plans. Advises the Council on ways to proceed in areas relevant to the scientific and statistical matters or in areas in the bio-socio-economic fields, prepares specific statements for the Council in response to questions or requests from them.

*Call of Atg*

ADVISORY PANEL

Function: The Advisory Panel offers to the Council on a continuing basis advice on the assessments and specifications contained in each fishery management plan for each fishery within the Council's geographic area of concern. The Panel's major expertise concerns the capacity and the extent to which the fishing vessels of the United States will harvest the resources considered in fishery management plans, the effect of such fishery plans on local economies and social structures, and potential conflicts between user groups of a given fishery resource.

Advisory Panel members serve for two years with the terms beginning at the December Council meeting of even years. Members may succeed themselves.

Panel members are chosen by the Council from a list of nominees submitted by all interested persons and groups on the basis of their experience and expertise in various facets of fisheries in the North Pacific. The Council will attempt to appoint as broad a spectrum of interests as is possible, including the various fisheries around Alaska, commercial, sport, and subsistence, catching, processing, sales, consumerism, and general interest.

Persons wishing to serve on the Advisory Panel may submit their names with a short resume through the Executive Director. A list of nominees will be kept

in the Council headquarters. The Council Chairman shall have authority to fill interim vacancies on the Advisory Panel from the list of nominees subject to confirmation by the Council at the next regular meeting.

The Advisory Panel meets as a body at the call of the Council Chairman, usually one day before regular Council meetings. Members may attend Council meetings to advise the Council of particular reference to the socioeconomic implications of management plans. Panel members may attend all public hearings on fishery management plans and amendments in which they have an interest <sup>w/ approval of</sup> ~~by contacting~~ the Chairman or Executive Director prior to travel to attend a public hearing.

The Council will reimburse Advisory Panel members for expenses incurred by attendance at meetings and hearings to the normal limit for official travel.

The Panel will set up such workgroups as the Chairman of the Panel and the Council deem necessary to carry out the Panel's duties. All members of such workgroups will be appointed from the membership of the Advisory Panel.

#### PLAN DEVELOPMENT TEAMS (PDT)

Management plan teams will be organized for each fishery management unit identified by the Council. Team members will be selected from State and Federal conservation agencies, universities, and private institutions or individuals known to possess specific knowledge or expertise considered desirable in the preparation of management plans. The Scientific and Statistical Committee will submit to the Council a list of recommended mem-

bers, participating agencies, or institutions. The Council will confirm the composition of the team. Following guidance from the Council concerning the general objectives and scheduling of plan preparation, the team will organize the plan and its contents in accordance with a standard outline. Scientific inputs to the plan will be drawn from any relevant data source, including oral testimony. The team <sup>leader</sup> chairman will insure that the best available data are analyzed and used in draft plans.

<sup>Team Leader</sup>  
The Chairman will distribute tasks among its members and, through the Council plan coordinator, will be responsible for scheduling meetings, typing and reproducing preliminary drafts, and coordinating the activities of the Team. The draft plan should reflect a consensus view of the Team members. During plan development the Team may seek assistance from other sources and the Scientific and Statistical Committee will propose a list of specialists the Team may contact. The Team <sup>Leader</sup> Chairman is also free to contact any other outside sources that may be helpful in plan preparation.

#### Conduct of Plan Development Team Meetings

The Executive Director, on the advice and recommendation of the Plan Development Team leader, may schedule Team meetings as closed sessions to be attended only by members of the Team, or as open sessions which any interested person may attend. At the discretion of the Chairman, the PDT may allow testimony or invite participation by attendees at open meetings.

It is expected that closed sessions will only be necessary in the first stages of plan or amendment preparation; and that as soon as practical thereafter



open sessions will be held in participation with the appropriate plan sub-  
groups from the Council, Advisory Panel, and SSC to discuss the rationale and  
need for the Team proposals, the data base from which they are derived, and  
the expected results of those proposals. Those open sessions will also serve  
as a forum for the aforementioned subgroups, interested user groups, and  
public to recommend possible alternatives to the proposals and submit addi-  
tional data and recommendations to the PDT.

Open Plan Development Team meetings will be advertised through the Council's  
mailing list and, where appropriate, in the local news media.

#### PLAN MAINTENANCE AND MANAGEMENT TEAMS

Actual plan maintenance and management will be accomplished through the agen-  
cies, Council advisory bodies, the Council, and Board of Fisheries with input  
from the affected public. A Plan Maintenance Team (PMT) will be formed  
primarily to identify individuals responsible for coordinating the needed  
input to the Council at the appropriate times. One member will be designated  
as leader to provide a primary contact.

The PMT will accept responsibility for coordinating the FMP process once the  
Plan has been implemented. This will be smaller and consist primarily of  
NMFS, and ADF&G, <sup>Council & state scientists,</sup> resource managers, and extended jurisdiction related staffs.

The PMT will, for example, coordinate the following tasks: fishery and  
resource status updates; review of management objectives; appraisals of manage-  
ment regimes' effectiveness in achieving the objectives; FMP amendments;

introduction of agency-proposed management changes with rationales and potential impacts; evaluation of proposals introduced by the public; screening of proposals and documents for relevance to appropriate bodies; and so on.

The PMT is a coordinating body which cannot be expected to actually perform all of the tasks associated with FMP maintenance. The PMT will be dependent on agencies' commitments of resources to accomplish their tasks, often on a case by case basis.

#### ADMINISTRATIVE MANAGEMENT SYSTEM

Office of Management and Budget Circular No. A-110 provides uniform administrative requirements applicable to the North Pacific Fishery Management Council, including standards for financial management, financial reporting, property management, and procurement. The Council will operate in full compliance with these standards.

#### FINANCIAL MANAGEMENT SYSTEM

Procurement/Property Management System - Management of this system will be a direct responsibility of the Staff Administrative Officer.

1. Contracts - Negotiated and advertised contracts will be administered under the same principles of equality and integrity outlined under the section "Employment Practices," and will generally follow the specifications normally characteristic of contracts with public entities, (e.g., public announcement, emphasis on competition, change orders, etc.).

2. Purchases - Commodities and services will be procured by means of a document-oriented system, with a receipt, check, or purchase order type document maintained on all transactions. Typical suspense systems will be maintained for any partial and undelivered procurements. Equipment and supplies available in the General Services Administration will usually be given primary consideration, except where cost-effectiveness and efficiency dictate otherwise. A petty cash fund for over-the-counter purchases will be maintained as necessary in the Council staff office.

3. Property - An accountability system of all durable or capitalized personal property will be maintained by means of an inventory system.

4. Real Property - The leasing, renting, and acquisition of real property and space will be effected in a manner consistent with customary practices related to contracts with public entities. Real property files will be maintained on all transactions, including litigation, connected therewith.

#### FISCAL MANAGEMENT SYSTEM

The finance and budget control systems will be a direct responsibility of the Administrative Officer, who will maintain full cognizance of, and compliance with, all Department of Commerce requirements, pursuant to the Act, Treasury Department (IRS) regulations as well as any applicable local requirements (state, municipal, etc.).

1. Financial control will be effected by means of a basic document-oriented accrual accounting system, which will include provisions for at least the

following: direct labor (salary); indirect labor (employer contributions for FICA, life and health insurance, retirement, and unemployment taxes), travel expenses (transportation and subsistence), transportation of things, rent and utilities, taxes (non-employment), printing, communications, supplies, equipment, contracts, and any appropriate contra-accounts (contract accruals, etc.).

2. A general ledger, supported by appropriate journals, will be maintained on all obligations and expenses, including appropriate accruals, and will be used to prepare periodic reports for review by the Executive director, the Council, or Department of Commerce representatives. As a minimum, a complete financial status report should be completed on a monthly basis. The financial management system will be coordinated with the budget management system so that current and projected fund usage can be determined at any time.

3. A separate payroll register, indicating all applicable expenses and accruals, will be maintained on each member of the Council and the Council staff.

4. All financial records will be kept until audited or approved for disposal by the appropriate Department of Commerce representative.

5. Specific details related to implementing the above will, in general, correspond to the NMFS 1977 model accounting system for Regional Councils.

# STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

## DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

SUPPORT BUILDING  
JUNEAU, ALASKA 99801

February 24, 1981

Mr. Clem Tillion, Chairman  
North Pacific Fishery  
Management Council  
P.O. Box 3136 DT  
Anchorage, Alaska 99510

Dear Clem:

Public and private entities related to fisheries resource management are making substantial commitments in response to the FCMA and the North Pacific Fishery Management Council. These include NMFS, ADF&G, CFEC, IPHC, PMFC, WDF, ODFG, Universities of Alaska and Washington, ATA, ALFA, NPLGA, JLGA, DSTA, NPVOA, and others. In calendar year 1980, for example, ADF&G invested over seven man years in fishery management plan development and Council meeting participation.

These commitments are not necessarily easy to meet. In particular, the frequent occurrence of NPFMC meetings is becoming burdensome. There is insufficient time between meetings to properly prepare and the repetitive agendas are costly in terms of staffs' time. This affects the performance of Council meetings and also the many other non-Council responsibilities of the agencies and organizations.


With the experience the Council has gained over the past four years I believe the scheduling of meetings can be modified to accomplish the goals of the Council with less stress on and more efficient use of the resources of all the organizations that make such a significant contribution to the Council.

I propose that the Council have four meetings per year -- March, June, September, and December. These meetings would satisfy scheduling for annual regulations, FMP development, permit reviews, and the other topics of Council concern.

I would like to have this as an agenda item for further discussion and action.

Thank you.

Sincerely,

  
Ronald O. Skoog  
Commissioner  
(907)465-4100

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

PERSONNEL RULES

APPLICABLE TO COUNCIL STAFF

(Approved by Council \_\_\_\_\_ )

Position Classification and Pay

In setting rates of pay for Council staff, the principle of equal pay for substantially equal work shall be followed. Variations in basic rates of pay should be in proportion to substantial differences in the difficulty and responsibilities of the work performed. (Any new staff position established by the Council shall be rated by the NOAA Personnel Office and salary for that position shall not exceed this level. All new positions must be approved by the NMFS headquarters.)

Salary and Wage Administration

Cost of Living Raises - Cost of living raises shall be granted on the date and at the level designated by the President and/or Congress to all permanent full time staff.

Step Raises - Staff employees may be considered for step increases on their annual anniversary. A new employee may be granted an increase at the discretion of the Executive Director at any time during the first year. The

anniversary date begins at the date of hire or at the date of the first step increase. All employees receive the cost of living raise regardless of length of employment.

Performance Evaluations - Performance evaluations may occur at any time during the first year of employment, and the employee will be evaluated on an annual basis after the first evaluation. The Executive Director's evaluation and step raise is approved by the Council chairman.

Hours of Work - A full time staff member will be scheduled to work five eight hour days within the basic work week. The non-exempt personnel will receive overtime compensation for over eight hours on a regular scheduled work day and overtime compensation for weekends or holidays.

Leave Policy and Holidays

The following are compensable holidays:

New Years Day

Lincoln's Birthday - February 12

Washington's Birthday - 3rd Monday in February

Sewards Day - March 30

Memorial Day

Independance Day

Labor Day

Alaska Day - 3rd Monday in October

Veterans Day

Thanksgiving

Christmas Day

and every day designated by public proclamation by the President of the United States or Governor of the State as a legal holiday

Sick Leave - Full time staff members shall earn four hours sick leave per pay period or 13 days per year. Sick leave may be used for illnesses, injury, temporary disability, medical and dental appointments, and for death in the immediate family. Unused sick leave credit may be accumulated without limit. Lump sum payments for unused sick leave are prohibited.

Annual Leave - Full time employees accrue annual leave at the rate of:

13 days per year up to three years of service

20 days per year from 3 to 15 years of service

26 days per year over 15 years of service

Years of service include years with a state, local or federal government agency and active duty in the U.S. armed services.

Employees in a permanent part-time position accrue leave at 50% of the full time rate.

An employee may carry over up to 240 hours (30 days) of unused annual leave from one calendar year to the next. Amounts above 240 hours will be forfeited unless the excess had been requested by the employee and denied because of



work demands. This request must be documented and retained in the employee's personnel file. The employee then has an additional 90 days to use the excess over 240 hours.

Upon termination of employment an employee shall be compensated for unused leave time at the hourly wage rate in effect at the time of termination.

Jury duty, court appearance as a subpoenaed witness, and active military duty will be compensated on a full wage rate basis for days absent from work in performance of such duty.

Leave time should be approved in advance by the Executive Director.

Administrative leave may be granted at the discretion of the Executive Director.

#### Fringe Benefits

The Council provides medical and dental insurance, life insurance and retirement programs as prescribed under State of Alaska Public Employees Retirement and Insurance System. Details of each of these programs are available in the Council office.