



# North Pacific Fishery Management Council

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## Executive Committee Meeting Summary April 2021

The Executive Committee met in Executive Session on April 9. The agenda included the conducting the Performance Evaluation for the Executive Director, and three other Committee discussion items: approval of revised AP and SSC Handbooks, a discussion of a revised policy on written public comments, and establishing a policy on recording meetings. The Council may wish to formally approve or take further action on the Committee recommendations.

AP and SSC Handbooks: The Committee approved the AP and SSC Handbooks. The Handbooks have been updated to be consistent with changes to the Council's SOPP approved in October 2019, change in stipends, a new section on virtual meetings, and an update to the reference materials. The Committee requested an additional paragraph be added to the terms of reference sections, noting that the AP and SSC meetings are onramps to the public, and the Council wishes to maintain a welcoming environment for stakeholders, consistent with the Community Engagement Committee recommendations.

Written Public Comment Policy: For the April Council meeting, members of the public linked the comment portal for Halibut ABM and Salmon Bycatch and broadcast it on social media platforms (Facebook, Reddit), which generated numerous comments from people not familiar with the Council process. Several of these comments included profanity or threats, and these comments were promptly removed by staff consistent with prior Council direction. Additionally, numerous comments were made prior to any documents being uploaded, and many comments were unrelated to the eAgenda item under which they were posted.

The Committee discussed these challenges, and noted that comments are exceedingly valuable to the process, but should be moderated to filter out inappropriate content. Without moderation, the comment section can quickly begin to read like a blog with comments on comments, and disrespectful dialog. The Council process should be a welcoming environment for all public, and the comment process should encourage people to be respectful when commenting. The Committee recommended that the following actions be taken to address at least some of these issues:

- Summarize the written comment policy on the comment portal so people know the rules and expectations, and provide a link to the full policy posted on our website.
- Clarify that only one comment is allowed per person per agenda item.
- Clarify that written comments are like oral comments in that we allow comments not only from an individual on behalf of the organization, but also from other individual staff/members of that organization on their own behalf.
- Allow public comments to be submitted only after the documents have been posted on-line so the public has an opportunity to read the analysis before commenting (e.g., open the public comment period for say, a 7 or 10-day window before the meeting).
- If possible, implement an automated program to verify email and filter profanity, insofar as practicable (costs are unknown at this point).
- Post all written comments for public viewing only after the comment deadline closes, and after staff sort through them to remove comments that contain vulgar language, personal attacks of any kind, or offensive terms that target protected classes; promote services or products; are far

off-topic (e.g., not fisheries related); or make unsupported accusations, consistent with Department of Commerce policy: <https://www.commerce.gov/about/policies/comments>.

- Close the comment period earlier (e.g., Wednesday or Thursday, rather than Friday before the meeting) to provide staff time to review the comments for adherence to the policy.
- Allow staff to remove comments if they contain profanity, hate speech, or other inappropriate language consistent with the policy.
- Allow staff to sort the comments into the appropriate agenda item, to the extent practicable. Comments on fishery related items not specifically on the agenda would be put into staff tasking.

Policy on Recording Council Meetings: Virtual meetings have been recorded in 3 ways: through Adobe Connect, our webconference platform; an audio recording through the phone service provider that integrates with Adobe Connect (currently Meeting One); and through livestreaming meetings to YouTube. The official meeting records for the Council, SSC, and AP meetings include presentations, attendee list, documents, and an audio file for the Council meeting, among other things. Remote meetings have created a novel issue of what to do regarding the disposition of video records, which we never had previously. While we have both audio and video from virtual meetings of Council, AP and SSC, the staff recommended, and the Committee agreed, that:

- Audio would be kept of the Council meeting and be included in the official record (i.e., submitted to NOAA),
- We continue to keep the YouTube video recording of the Council online, but not for records.
- No audio be kept of SSC, AP, and other committee meetings, once detailed written minutes are prepared for the meeting record.
- Video of AP and SSC meeting would be posted online for 1-2 weeks after the meeting and not retained.

We would not retain any audio or video recordings of the SSC, AP and other meetings, after detailed minutes and summaries of these meetings are prepared. Retaining these records would incur costs (actual storage plus staff to organize and maintain) and this is not necessary or appropriate given other resource constraints. This approach also appears to be consistent with the NOAA Records retention requirements and schedule.<sup>1</sup> The NOAA Records Schedule specifically refers to Council audio recordings and states how those recordings (i.e., records) are to be treated – as a permanent record if the audio recording is the only record of the meeting or as a temporary record that can be destroyed if the audio recording is transcribed or summarized. It currently does not make any reference to video recordings of Council or SSC/AP/PT or committee meetings. While it seems appropriate to consider video recordings of these meetings as “records,” it also seems reasonable to treat them similarly to audio recordings until additional advice is provided by NOAA. Because the NOAA Records Schedule allows an audio recording to be destroyed as duplicative if written minutes or a summary of the meeting are produced, we can justify disposing of the video recordings of SSC/AP/PT and committee meetings if we wish to do so as duplicative once the detailed written meeting minutes or summaries are produced, especially since all of the additional information presented on the video (ppts, motions) is also part of the record and retained through our eAgenda. Similarly, audio records of AP/SSC/PT or committee meetings do not need to be retained, as these are supplanted with detailed minutes and summary reports of those meetings, consistent with the NOAA records retention requirements.

In a related issue, the Council does not *require* any participant in Council or advisory group meetings to share their picture or video image (usually through webcam), although webcams are encouraged in

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<sup>1</sup> <https://www.noaa.gov/sites/default/files/atoms/files/chapter-1500-marine-fisheries.pdf>

some instances. For participants, however, sharing this voluntary information constitutes consent to the use of the information for maintaining a complete and accurate description of the meeting. The staff plans on putting this information on the Agenda to alert meeting participants that using video/audio implies consent, along these lines:

*All information provided through the eAgenda is part of the public record. We are currently broadcasting and recording our meetings on AdobeConnect, and also streaming on YouTube.*

The following lays out our current and recommended continued practice for recording and archiving Council-related meetings.

	Live access	Online access after meeting	NPFMC staff access
<b>Council</b>	Meetings broadcast live online on Adobe Connect and YouTube, and recorded.	Audio recordings and YouTube video recordings accessible indefinitely through links on our website.	Audio recording is archived as part of the official meeting record; You Tube recordings are accessible on website; Adobe Connect meeting recordings will be deleted within 90 days or before the next Council meeting.
<b>SSC, Advisory Panel</b>	Meetings broadcast live online on Adobe Connect and YouTube, and recorded.	YouTube video recordings are available for 1-2 weeks after meeting, to allow participants to review discussions from other rooms when meetings occurred simultaneously. Audio recordings are not posted, but are available to SSC members by request to prepare for Council meeting.	Meeting recordings will be deleted within 90 days or before the next Council meeting.
<b>Plan Teams</b>	Meetings broadcast live online on Adobe Connect and recorded.	Recordings are not posted, but are available to staff and SSC members by request to prepare for Council meeting.	Meeting recordings will be deleted within 90 days.
<b>Committees</b>	Meetings broadcast live online on Adobe Connect and sometimes recorded.	Recordings are not posted, but used internally by staff to prepare minutes.	Meeting recordings will be deleted within 90 days.