

## Guidance for Council Committees 4/5/2024

As described in the Council Statement of Organization, Practices, and Procedures (SOPP, Section 2.3.4), the Council may appoint standing and ad hoc committees from among the voting and non-voting members and knowledgeable members of the public, as it deems necessary for the conduct of Council business. The purpose of this document is to provide guidance primarily about the operations of ad hoc Council Committees, which generally focus on specific, timely topics, and which are appointed to advise the Council on those issues. The Council has separate handbooks to address the operations of the Advisory Panel (AP) and the Scientific and Statistical Committee (SSC), which are not addressed here. This guidance tangentially addresses Council Plan Teams in order to draw distinctions between Committees and Plan Teams; the Council's stock assessment Plan Teams (BSAI Groundfish, GOA Groundfish, BSAI Crab, and Scallop) also have a Plan Team handbook for operational guidelines.

In general, while the Council's committees have some organizational features in common, they also have differences resulting both from serving specific purposes and from the flexibility that is deferred to the Chair of each Committee to determine how they want to run the meetings. This guidance is intended to identify elements that are required and common to all Committees, and also to provide options for a new Committee chair about how to best set up a Committee.

It is helpful to note, as context, that Section 3.11 of the SOPP also endorses the following seven core principles for stakeholder involvement in the Council process:

1. Use an open and clearly defined decision-making process.
2. Make key information readily available and understandable.
3. Actively conduct outreach and solicit stakeholder input.
4. Involve stakeholders early and throughout the decision-making process.
5. Foster responsive, interactive communication between stakeholders and decision-makers.
6. Use formal and informal participation methods.
7. Include all stakeholder interests.

### Required Committee Elements

Type of advisory  
body

While these definitions are not set in stone, in general:

- A Committee is formed to advise on a specific issue. These can be standing committees, or ad-hoc committees that are established for a particular duration and which then disband. Most of the Council's current committees are standing committees – e.g., the Executive, Enforcement, and Charter Halibut Management Committees. The Council also creates issue-specific committees to review staff work and negotiate management changes on an issue under development. In the past, these have addressed the development of EFH closure areas, salmon bycatch measures, or crab binding arbitration. The degree of active participation needed from stakeholders on the Committee is a direct outcome of the Council's statement of purpose.
- A Workgroup is formed when the Council needs to bring together staff from different Federal or State agencies to develop a particular issue. Examples include the Salmon stock composition workgroup, or the staff workgroup reviewing unobserved crab fishing mortality.
- A Plan Team is a standing advisory body whose membership consists of scientists and managers who review the status of the Council's Fishery Management Plans, Fishery Ecosystem Plans, and best available social science.
- A Taskforce is formed to develop a Council-initiated action module of a Fishery Ecosystem Plan. Membership should include Council and agency staff, and appropriate experts (scientists, managers, or external experts) as needed to develop the work product required from the action module.

Statement of purpose	All committees should be established by the Council with a specific and clearly stated purpose. In most cases, committees are established with a Council motion that sets out the task of the Committee.
Membership and appointments	<p>Membership in the Committee should be determined by the statement of purpose, and should include a representative group of stakeholders to accomplish the given task. As described in the SOPP, the Council Chair has the authority to appoint standing or ad hoc Committees that include Council members and knowledgeable industry representatives or other participants to address specific management issues or programs. There is generally at least one Council member on each committee. The Chair appoints named individuals to the Committee based on their experience and the organizations or sectors they represent. If a member changes their job or professional affiliations with respect to their Committee membership, they should discuss with the Committee chair whether they should continue or resign. <b>Committee members are not allowed to have alternates participate in their stead if they cannot attend the meeting.</b></p> <p>There are two models in use to determine Committee membership: 1) The Chair may call for nominations for a vacant seat or a new Committee. In that case, interested stakeholders can submit their name and letter of interest to the Council office by a deadline, and the Chair will appoint Committee members from the list of nominees. 2) The Chair can use his/her authority to determine who should be on the Committee. This model is more frequently used to appoint Council members to committees, or for replacement members on standing committees.</p>
Chair	In almost all cases, the Council Chair appoints the Chair of the committee. It is preferable to have a Council member as Chair or Co-Chair so that the connection between the Committee and Council is strong and consistent.
Notification and Access, including remote access	All Council Committee meetings are open to the public. As per our SOPP, drafts of all public meeting notices must be published in the Federal Register at least 23 calendar days before the first day of the meeting <sup>1</sup> . The Council will ensure that all public meetings are accessible to persons with disabilities, and the public can request special accommodation up to 14 days before the scheduled meeting. Staff for each Council Committee will set up an eAgenda page in order to publicize meeting times/locations, virtual access options, and available meeting materials. To the extent possible, all Committee meetings will include remote access participation.
Written public comment	The Magnuson-Stevens Act requires that all interested persons shall be permitted to present oral or written statements regarding the matters on the agenda at meetings, including Committee meetings. As such, the Council has determined that all committees will, at a minimum, accept written public comment through the eAgenda, and the report will include the link so Council members have access to those comments. According to the SOPP, (oral) public testimony at committee meetings will be at the discretion of the Council Chair or Executive Director, in general deferred to the decision of the Committee Chair (see discretionary elements).
Member roles and responsibilities	<p>Committee members serve at the will of the Council Chair. Committee members are expected to attend most meetings; repeated absence will be a cause for replacement on the committee. Committee members are asked to participate in-person when encouraged to do so by the Committee chair, although a virtual option will be available for most Committee meetings. Compensation and travel expenses for non-Council participants on Committees will not be provided by the Council.</p> <p>Members are expected to read the materials in advance of the committee meeting, and come prepared to discuss issues on the agenda. Members are also expected to engage with their constituent group and bring their feedback to the meeting. During the meeting, members are expected to be collaborative and respectful of each other during committee discussions.</p>

## Discretionary elements

All that is *needed* to establish a Committee is a statement of purpose, a representative membership, and a chair. The Executive Director will assign a staff member to assist the Committee in meeting its designated tasks. The Committee Chair, however, must consider and communicate how the Committee will function. These discretionary elements are intended to help guide that process.

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<sup>1</sup> When the Committee meeting occurs during a Council meeting, a combined FR notice is issued.

Terms of Reference	<p>A Terms of Reference is helpful in order to provide clear expectations about the purpose of a Committee and how it will function. It should be developed by staff in coordination with the Committee Chair and members as appropriate, and formally approved by the Council. Especially for standing committees, it is helpful to establish a Terms of Reference, to provide continuity when the Committee may be chaired by successive Council members.</p> <p>While the Committee Chair has much discretion regarding how to run the Committee, the initiating Council motion may identify specifics (e.g. organizing principles) on Committee functioning, especially when the topic is likely to be contentious or when stakeholders unfamiliar with the usual Council process are involved. These can also be folded into a Terms of Reference.</p>
Scheduling a meeting	<p>The catalyst for a committee meeting is usually to review staff work that has been or is being developed for a Council meeting. Some committees meet according to a specified calendar cycle (e.g., the Fishery Monitoring Advisory Committee or the Charter Halibut Management Committee), while other meetings are scheduled in response to something that is tasked on a specific Council agenda (e.g., the Ecosystem and Enforcement Committees generally meet when issues on the Council agenda require their expertise). In both cases, the Committee chair will work with staff to set meeting dates and location. When these circumstances do not apply, the Committee chair will generally propose the idea of convening a committee meeting to the Council during staff tasking.</p>
Agenda	<p>A draft agenda will be prepared and posted in advance by Council staff, in consultation with the Committee Chair who has final discretion. The Council should approve Committee agenda topics. This may occur either by aligning a proposed agenda with the Committee's statement of purpose or terms of reference, or through Council discussion of an upcoming meeting during staff tasking. If new topics are proposed in between Council meetings, the Committee Chair should consult the Council Chair. Committees do have the latitude for limited discussions about other business, and can propose topics for a future meeting in their report to be reviewed and approved by the Council.</p>
Rules of order and decision making	<p>The running of the meeting is generally left to the Committee Chair's discretion, and is often based informally on Robert's Rules of Order. Some Chairs prefer recommendations to come through motions, others are less formal. Most Council Committees operate by consensus to develop recommendations for the Council. In others, for example, the Charter Halibut Management Committee, recommendations are made by majority vote of affected stakeholders. In all cases, the Committee report should reflect the range of perspectives of all members.</p>
Committee report	<p>A summary report of each meeting will be prepared by Council staff working with the Committee Chair, who maintains final approval of the report. At the Chair's discretion, Committee members may be given the opportunity to review and provide edits to the report before they are finalized. For example, the Enforcement and Ecosystem Committee members are generally given the opportunity to review minutes before they are finalized, but FMAC minutes are prepared only by staff (Council and agency) working with the Committee Chair.</p>
Reporting	<p>The Committee report will be presented to the Council, generally at the Council meeting following the committee meeting, by Council staff with additional comments from the Committee Chair. In cases where the report addresses more than one topic on the Council agenda, the report will be presented under each relevant agenda item as appropriate, or lacking that, under staff tasking.</p>
Oral public testimony	<p>All committees must accept written public comment through the eAgenda, and are encouraged to provide opportunities for oral public testimony during the course of the meeting, at the discretion of the Committee Chair. Staff or the Chair should announce any oral testimony opportunities in advance, on the eAgenda and/or at the beginning of the meeting, which may range from discrete scheduled times by agenda topic, or a consolidated time at the beginning or end of the meeting. The Chair could also allow informal participation in the discussion from members of the public (generally only feasible when there are very few public present and time management is not an acute issue). If time management requires, it is appropriate to impose time limits on individual testifiers. Note that the public has another opportunity to provide input when the Committee report is presented to the Council.</p> <p>To the extent possible, the Committee report should indicate who testified, and the general subject of their testimony.</p>