



Enforcement Committee TERMS OF REFERENCE REPORT

March 27, 2025; Zoom

*The North Pacific Fishery Management Council's Enforcement Committee met on March 27, 2025, virtually. The Enforcement Committee met to provide feedback on the Committee's Draft Terms of Reference, the Small Sablefish Release Analysis Draft for Final Action, and the Maximum Retainable Amount Adjustment Analysis Draft for Initial Review. **This report details only the Committee's discussion on the Draft Terms of Reference;** reports on the other agenda items taken up by the Committee can be found on the eAgenda for the April 2025 Council meeting.*

Committee Members in attendance:

Steve Williams (co-Chair), Ben Cheeseman (co-Chair), Alex Perry, Josh Keaton, Karla Bush, Andrea Hattan, Brian McTague, Captain Derek DeGraaf AWT, Lieutenant Ivan Davis USCG

Others in attendance:

Jon McCracken, Taylor Holman, Andrew Olson, Sara Cleaver, Danielle Merculief, Krista Milani, Erik Peterson, Phillip Null, Alex Hildebrand, Alicia Miller, Anne Vanderhoeven, Brian Mason, Chris Woodley, Glenn Merrill, Glenn Charles, Gretchen Harrington, Heather Mann, Joel Kraski, Julie Bonney, M. Rickett, Mary Beth Tooley, Mike Vechter, Nicole Kimball, Rachel Baker, Ruth Christiansen, Scott Miller, Todd Loomis, Marlon Concepcion, Chelsae Radell

Draft Terms of Reference

Taylor Holman, Council staff, presented the Committee's Draft Terms of Reference (TOR). The Council is requesting that every Committee adopt a TOR to provide clarity and transparency to Committee operations. Committee discussion focused on minor edits for clarity and consistency throughout the draft TOR. Additionally, the Committee amended Section 3b, Meetings, to accept oral comments from the public on Enforcement Committee agenda items if agreed upon by the Co-Chairs and if time allows. Written comments from the public would be allowed. The Committee also amended Section 3d, Meeting Record and Distribution, to clarify that a Committee report will be provided to the Council for each relevant agenda item, if requested. Alternatively, it may be presented to the Council as a single report. Finally, the Committee membership was revisited to reflect current members.

NPFMC Enforcement Committee
DRAFT TERMS OF REFERENCE
March 2025

1. **Establishment and Statement of Purpose:** The North Pacific Fishery Management Council (Council) may establish and maintain an Enforcement Committee (committee) to advise it on matters related to enforceability of fishery plans and regulations. The committee's primary function is to review proposed plans, regulations, or other management actions and provide their assessment of enforcement issues as early as possible in the development process. The committee would not be limited to purely enforcement aspects but would also consider part of its role to be discussion and development of monitoring and compliance approaches that facilitate implementation of, and compliance with, management program regulations and consideration of measures that could affect safety at sea.
2. **Membership:** Committee members will be appointed by the Council chair from governmental agencies and organizations having expertise relating to the enforcement and monitoring of North Pacific groundfish and crab fisheries of the BS/AI and GOA. At a minimum these agencies would include NOAA Fisheries Enforcement, NOAA Office of Sustainable Fisheries, U.S. Coast Guard, Alaska Wildlife Troopers, Alaska Department of Fish and Game, NOAA Fisheries Observer Program, and NOAA Office of General Counsel. All appointments will be subject to approval by the Council chair and should reflect the committee's responsibility to provide advice in the areas of enforcement and monitoring. Council staff for the committee will be designated by the Council Executive Director.
3. **Operations:**
 - a. **Chair:** The committee co-chairs will be appointed by the Council chair; one will be a sitting member of the Council and the other will be selected from among the committee members.
 - b. **Rules of order:** In general, rules of order will be informal. Committee advice will be reached by consensus, whenever possible. Committee reports will reflect the recommendations of the committee as well as the range of perspectives of all members.
 - c. **Agenda:** A draft agenda will be prepared in advance of each meeting by the Council staff in consultation with the committee co-chairs and Executive Director. The committee would be assigned issues for consideration on its agenda by (1) identification of future agenda items at the current committee meeting, subject to approval by the Council; (2) identification and assignment of issues by the Council as identified during the course of a Council meeting; (3) identification of critical, time-sensitive issues between committee/Council meetings from Council staff, agency staff, or committee members and vetted through the Executive Director. In these instances, the Executive Director will confer with the Council chair and committee co-chairs as necessary, and determine whether the additional issue warrants inclusion on the agenda.
 - d. **Meeting format:** Meetings will be facilitated in a hybrid or online format to allow for remote participation when possible. Compensation and travel expenses for non-Council participants on the committee will not be provided by the Council.
 - e. **Meeting Record and Distribution:** A report of each committee meeting will be prepared by Council staff, distributed to committee members for review, and revised as necessary before the committee report to the Council. The committee co-chairs will maintain final approval of the minutes. The committee report will be provided to the Council on an issue-by-issue basis, similar to the AP and SSC reports, as the relevant issue is addressed on the Council agenda. Alternatively, it may be presented to the Council as a single report.

4. **Role and responsibility of members:**
 - a. Committee members are highly encouraged to attend all committee meetings and to communicate with staff regarding availability.
 - b. Committee members are expected to read and review all meeting materials prior to the committee meeting.
 - c. Members are expected to be collaborative and respectful of each other during committee discussions.
 - d. If a committee member cannot attend a meeting, substitute or proxy participation may be allowed with the approval of the committee co-chairs.
5. **Public comment:** Written public comment to the meeting agenda prior to the meeting is preferred. Opportunity for oral public comment during the meeting will be provided as time allows. The committee co-chairs will announce, oversee, and maintain control over oral public comment opportunities.
6. **Additional Function:** While the primary function of the committee is to provide advice directly to the Council on relevant issues, it is also recognized that the committee, or its subgroups, may provide information directly to Council staff or other agency staff for inclusion in analytical documents ultimately destined for Council review. Such activities will be coordinated between the committee co-chairs and Council Executive Director.