

M E M O R A N D U M

TO: Council Members  
FROM: Jim H. Branson *JB*  
Executive Director  
DATE: November 28, 1984  
SUBJECT: Advisory Panel Operations

ACTION REQUIRED

Refine and adopt proposed policy on AP operations.

BACKGROUND

In September the Council reviewed a workgroup report with several alternative structures for the Advisory Panel. These ranged from the current 25-member status quo to a core group of 10 members with several 7-8 member satellite committees on specific fisheries. The Council deferred action until the Workgroup could meet again to develop a specific recommendation for Council action in December. Chairman Campbell recommended that Bob Alverson and Rick Lauber also participate in the discussion.

The Workgroup met the evening of November 14 in Anchorage. The meeting was chaired by Sara Hemphill and attended by Bob Mace (by telephone), Rudy Petersen, Bob Alverson, and Rick Lauber. Barry Fisher and Barry Collier were observers and Clarence Pautzke staffed the meeting. The workgroup discussed the various options, the AP minutes from September, and the costs of various operating modes which basically ranged from \$57,600 for the 25-member status quo to \$63,360 for the core group approach.

The Workgroup's report and proposed policy is item C-3(a). Draft AP minutes from September are C-3(b) and cost estimates are under C-3(c).

The Council needs to refine this or an alternative policy for final adoption.

Excerpted from DRAFT AP Minutes, September 1984

C-6 AP Operations

The Advisory Panel to the Council currently represents the best knowledge and information base of the industry. It is with this mix of harvesting, processing, labor, gear types, consumer, financial and geographical interests that the current Advisory Panel can best respond to requests from the Council. The AP has some of the following comments regarding their operations.

1. Structure.

We believe a broad based Advisory Panel provides a better forum for response to requests from the Council. We basically think a group similar to the existing AP is the best alternative.

It is felt the core group concept would tend to polarize decisions within a small AP as each core group representative would be perceived by his/her satellite participants as solely responsible for their position and any compromise from that position. This is not to say you can omit this problem, but a broad based AP, putting many individuals together with overlapping experience within the industry, is a better forum for bringing together consensus and educating each inner group.

2. Participants on AP.

(a) It is important that the AP represent the major geographical areas involved in the North Pacific Fishery Management Council, the gear types, harvest sectors, shoreside and at sea, financing and consumer affairs, all of which the AP currently has in it. Sand Point is currently not represented.

(b) The concept of media representation was discussed. It was felt by some, that media personalities once taking a position on management would find themselves in a possible conflict with objective representation in the media. The media are welcomed participants at Council functions but for purposes of disseminating information and objective reporting.

The suggestion for oil and gas representation fails to recognize the existing oil fishery group representing all the major participants in the fishing industry, some from the AP and Council, and over 15 major oil companies. It was felt this group is better able to discuss the problems of oil and fish than perhaps the Commerce Department or the Council system.

(c) The AP members have no problem with the concept of staggered terms with different expiration dates. Even three-year terms might be considered to maintain continuity, similar to the way the Council is structured.

(d) Each individual on the AP should recognize that they serve at the pleasure of the Council and in the event that an individual should change professions or fail to participate, mid-term removal should be considered appropriate. This should be handled on a case-by-case basis as many members of the AP must participate in fishing activities and may be absent at times.

(e) The AP recommends against decreasing the number of panel members.

(f) The AP suggests that on certain issues of conflict, the Council have the AP form a selected task force to address them. The AP intends in the future with expanding agendas to use task groups on certain contentious issues.

(g) At one time AP members were members of the PMT and PDT. Later on AP members were basically encouraged not to participate in the Plan Team process and now participate as close observers. It may be beneficial to have one AP member assigned to participate during the PDT process, not necessarily the same person, to help disseminate information back to the AP.

(h) The AP should be looking at long-term goals and problems for the Council rather than solely being put into the position of reacting to the Council agenda.

(i) The Council should look at the next two years and determine the biggest issues the Council will have to address and design their AP accordingly. The AP generally believes its two biggest issues will be gear conflicts and allocation issues, both joint venture vs. joint venture and domestic vs. domestic.

(j) The AP considered the possibility that some of its members might be able to absorb part of their travel expenses if they stay past the AP meeting days. Many members currently do this, however, it should be reminded that many AP members forego fishing opportunity, sales opportunity and other income related business to participate on the AP. The Council may wish to change its original direction given to the AP in 1976 urging those who participated to stay through the Council meetings. If business has been completed for many they should be dismissed.

The AP felt the forum of joint hearings for testimony was good for the time the two bodies were able to share time.

Cost Estimates for Various AP Operating Modes

Basic Assumptions: 5 main AP meetings per year;  
Average cost is \$640/member/meeting.

Alternative 1: Status Quo - 25 Members

Average of 18 attend 5 meetings: \$57,600

Alternative 2: Status Quo Modified - 25 Members

Average of 18 attend 5 meetings: \$57,600

Alternative 3: Core of 10

10 Members attend 5 meetings:	\$32,000	
Plus: 3 Satellites of 7 members:		
Shellfish: 2 meetings		
Salmon: 2 meetings		
Groundfish/Halibut: 3 meetings		
\$44,800/Satellite mtg x 7 mtgs	<u>31,360</u>	\$63,360

Status Quo Modified II - 12 Members

12 Members attend 5 meetings	\$38,400	
7 open slots x 5 meetings	<u>22,400</u>	\$60,800

## REPORT AND RECOMMENDATIONS OF THE ADVISORY PANEL WORKGROUP

November 14, 1984

The North Pacific Fishery Management Council appoints an Advisory Panel of recognized experts from the fishing industry and several related fields.

Recognizing that to best serve the Council the AP should represent a variety of gear types, industry and related interests as well as a spread of geographic regions of Alaska and the Pacific Northwest having major interest in the fisheries off Alaska; and

Recognizing that the Council relies on the AP for comprehensive industry advice on how various fishery management alternatives will affect the industry and local economies, on potential conflicts between user groups of a given fishery resource or area, and on the extent to which the United States will utilize resources managed by the Council's fishery management plans; and

Recognizing that gear conflicts and allocations will be the issue of greatest concern for the next few years;

The AP workgroup makes the following recommendations to the Council with respect to AP structure and operations:

### Size

The AP should consist of 20 members. However, the workgroup recognized that all seats did not have to be filled all the time. If there were fewer than the current 25 members there would be funds available to include at any given meeting individuals with particular expertise to work with the AP.

### Qualifications

The workgroup unanimously agrees and strongly recommends several priority considerations that should be taken into account when selecting AP members:

- (1) Of paramount importance is the demonstrated ability of the candidate to be objective and to consider all aspects of an issue.
- (2) The AP members should be of top quality and caliber and be committed to full and active participation for each meeting during their term.
- (3) The candidate should be considered because of the experience he/she brings to the Council rather than his/her political clout or connection.
- (4) The candidate should be an active, involved member of his/her community and business to ensure the best and most pertinent input into the Council and likewise be responsible and diligent in reporting Council decisions and concerns back to his/her community/business.

- (5) The AP membership should represent a broad geographic spread both for Alaska and the Pacific Northwest. Representation for the three states should be of the same proportions as those of the voting membership of the Council. However, recognizing that issues and priorities will change, the workgroup cautions that the geographic representations should not be locked in, so that a particular seat is reserved or guaranteed for a particular region or area.
- (6) The AP membership should represent a variety of interests within the fishing industry and other related fields. As with the geographic representation, the workgroup recommends that, while it is hoped that major gear types from the harvesting sector will be broadly represented, no particular seat is guaranteed or locked into a gear type or fishery.
- (7) In addition to the above mentioned interests, the workgroup recommends that the AP include representatives of the recreational fishing, environmental, and consumer/marketing communities.

Note: It is expected that as the issues and concerns of the Council change and evolve so, too, will the profile of the membership of the AP.

#### Terms

To allow maximum flexibility in making appointments it is recommended that AP members serve for one-year terms beginning with the first meeting each calendar year. All members would be appointed by and serve at the pleasure of the Council and may be reappointed to subsequent terms. It is recommended that persons wishing to serve on the Advisory Panel submit their names with a short resume to the Executive Director who will keep for the calendar year a list of candidates at the Council headquarters. Resumes and requests to serve will not be retained after the annual appointment process. The Council may use this list of candidates in choosing Panel members to fill full-year terms or interim vacancies, but may also solicit individuals not on the list if a particular combination of experience and expertise is deemed desirable. The Council Chairman is authorized to remove members from the Panel and to fill interim vacancies on the AP subject to confirmation by the Council at the next regular meeting. Interim appointments are for the remaining unexpired term of the vacancy.

Members of the Panel serve without compensation. They may be paid their actual expenses for travel incurred in the performance of their duties for the Council in accordance with applicable law. Security clearances for Panel members are requested as necessary.

#### Operations

The Chairman and Vice-Chairman of the AP are nominated for one-year terms by the Panel from among its members and are confirmed by the Council.

The Panel meets as a whole, or in part, at the request of the Chairman of the Panel with approval of the Chairman of the Council, as often as necessary to fulfill the Panel's responsibilities, taking into consideration time and budget constraints. It is estimated that the Panel will meet at least four

times a year. Panel members are expected to participate fully at these meetings. Requests for being excused from a meeting or part of a meeting must be submitted in writing to the Chairman of the Council prior to the meeting. Poor attendance would subject a member to being removed.

In addition, the Panel, or members thereof, will attend Council meetings at the request of the Council Chairman to advise the Council on particular fisheries problems. Panel members will also attend public hearings on Council-related activities, as requested by the Council Chairman.

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. Additional members outside the Panel may be added to these workgroups as deemed appropriate by the Council Chairman.

The Council will assign the agenda topics for the Advisory Panel to discuss at its meetings. These topics will not normally include all items on the Council's agenda, but rather a more selected fare requiring indepth discussion and analysis by the Panel. Time permitting, the AP may consider any topic or issue it deems important to bring to the Council's attention. Whenever possible there should be sufficient advance notice of these topics to allow adequate preparation before the meeting.

The Advisory Panel Chairman or his designee will be responsible for reporting the Panel's recommendations to the Council. This report should focus on the full discussion of the pros and cons of the issues in addition to the results of any vote that was taken.

The Executive Director of the Council shall, upon request of the Chairman of the Panel, provide such staff and other support as the Council considers necessary for Panel activities, within budgetary limitations.