

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 Fishery Conservation and Management Act of 1976 (the "Act"), hereby publishes a Statement of Organization, Practices, and Procedures, as required by Section 302 (f) (6) of the Act. This Statement of Organization, Practices, and Procedures for carrying out the Council's functions under the Act, was adopted by the Council during its public meeting held on January 26 - 28, 1977 in Anchorage, Alaska. Copies may be obtained by writing the Executive Director, North Pacific Fishery Management Council, P.O. Box 3136 DT, Anchorage, Alaska 99510.

The Council's permanent offices are in Suite 32, Post Office Mall Building, 333 W. 4th Avenue, Anchorage, Alaska. Telephone number: (907) 274-4563.

The Council's geographical area of authority includes the fisheries in the Arctic Ocean, Bering Sea, 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 within its geographical area and from time to time such amendments to each 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. The Council will conduct public hearings at appropriate times and at appropriate locations in the Council's geographical 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 implements of the provisions of the Act.
5. 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 probable future condition of the fishery, (b) maximum sustainable yield from the fishery, (c) the optimum yield from the fishery, (d) the capacity and the extent to which fishery 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.

6. 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.
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.

COUNCIL COMPOSITION

The North Pacific Council has eleven voting members, and four non-voting members. The voting members are as follows:

Five appointed by the Secretary from the State of Alaska

Two appointed by the Secretary from the State of Washington

The principal state officials with marine fishery management responsibility in the States of Oregon, Washington, and Alaska

The Regional Director, Alaska Region, of the National Marine Fishery Service

The non-voting members are:

The Director of the Pacific Marine Fisheries Commission

The Director or his designee of the Alaska Area Office of the U.S. Fish and Wildlife Service

The Commanding Officer of the Seventeenth Coast Guard District

A properly designated official of the U.S. Department of State

The following Council members may have designees to serve as Council members during the absence of the regular member.

1. The principal state official with marine fishery management responsibility from Oregon, Washington and Alaska.
2. The Regional Director of the National Marine Fisheries Service for Alaska.
3. The Regional or Area Director of the United States Fish and Wildlife Service for Alaska.
4. The Commander of the Seventeenth Coast Guard District.
5. The Executive Director of the Pacific Marine Fisheries Commission.
6. 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.

Staff

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, repre-

sents 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 judgement, 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 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

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.

7. Standards of Conduct - The Council requires a standard of ethical conduct for its staffs, as follows:
 - (a) No 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 an 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

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

Meetings and Hearings

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.

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.

Agendas or orders of business for the Council will be published in the Federal Register and draft agendas shall be furnished 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.

Public Hearings

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.

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 of summaries 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.

General Rules of Procedure

The Council will meet at the call of the Chairman of the Council 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 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.

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 Secretarial prepared management plans, require a vote.

Authority of the Chair

The Chairman of the North Pacific Management Council has authority to convene and adjourn meetings and public hearings and designate members of the Council, Scientific 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.

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.

Function

The Scientific and Statistical Committee

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.

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 geographical 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 socio-economic 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.

Organization of Management Plan Development Teams

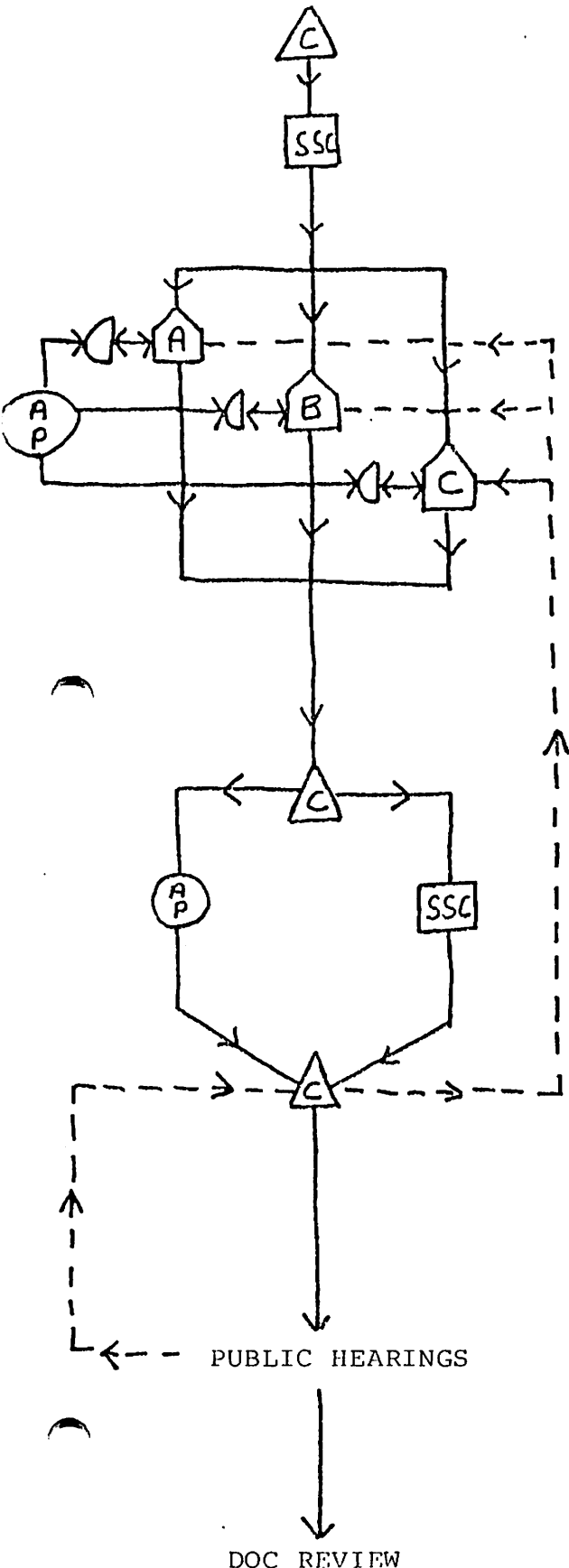
Management plan teams will be organized for each fishery management unit identified by the Council. Team members will be selected from State and Federal conservation agencies, universities, and private institutions or individuals known to possess specific knowledge or expertise considered desirable in 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 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 judgement 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:

Flow Diagram for the Development of Management Plans/DEIS and revised MP/DEIS - North Pacific Fishery Management Council



Council designates management units and priorities.

SSC with Council approval designates Management Plan Development Team (MPDT) for each designated management unit.

Advisory Panel designates sub-panels for each management unit. The responsibilities of each sub-panel include:

- (1) Interaction with MPDT
- (2) Interaction with constituency

MPDT develops draft Management Plan for its unit and submits to Council.

Council broadly reviews for policy questions and then distributes to Council members, S & SC, and AP for first review.

Results of the review reported to the Council which then:

- (1) Makes decision and promulgates for public hearing, and/or
- (2) Returns to MPDT for next draft.

This process is repeated until the Council has an acceptable plan, at which point the Plan is released for public hearings, further review by the Council, and decision for final drafting and/or referral to the Department of Commerce.



COUNCIL



ADVISORY PANEL



SUB-PANEL



SCIENTIFIC AND STATISTICAL COMMITTEE



MANAGEMENT PLAN DEVELOPMENT TEAM

- NOTE:
- (1) The Executive Director and staff will have the responsibility of expediting the flow of information and of exercising control over the various documents.
 - (2) Once the draft management plan has been submitted to the Council, only the MPDT is involved in making further revisions directed by the Council, unless further consultation with the AP sub-panel is required.

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, liquidated damages, 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 1976 model accounting system for Regional Councils.