

Council Coordination Committee
Anchorage, Alaska. May 19-21, 2010
'Navigating National Initiatives'
Meeting Summary

Opening Remarks

Chair Eric Olson welcomed participants and public to the annual meeting of the CCC, held in Anchorage Alaska May 19-21, 2010. Eric noted the importance of Alaska fisheries to the state economy. He alerted the public that briefing materials were available and that public comments would be taken at a fixed point during the meeting. Those interested should sign up on the sign up sheet.

NOAA Administrator Eric Schwaab made a few introductory remarks, and pointing out that several NMFS folks were unable to attend as they were dealing with the oil spill situation in the Gulf of Mexico. He noted that there are a number of items on this agenda that of are great importance from a national perspective, and was seeking candid and open commentary from the CCC on the agenda issues. He recognized NMFS folks in new roles – Alan Risenhoover, acting director of NOAA law enforcement; Emily Menashes, acting director of Sustainable Fisheries; Russ Dunn, NMFS recreational fishing senior policy advisor; Barry Thom, acting Northwest administrator; and Mike Tosatto acting Western Pacific regional administrator. Eric gave a brief on the oil spill that is still unfolding. NMFS working to predict impacts and assess baselines to measure impacts, and to delineate boundaries of spill for public safety as well as the integrity of fishing opportunities and seafood in this and other regions.

Introductions were made of all participants and public. The agenda and a list of participants and attendees are attached. Chris Oliver walked through briefing materials, and he specified that public testimony would be taken at the will of the CCC when we got the Terms of Reference briefing item.

Tab 1 – North Pacific Research Board

Clarence Pautzke provided a summary of the North Pacific Research Board, and a summary of projects funded since 2002. To date, 168 papers have been published, with another 60 papers in press. Researchers from the U.S. and elsewhere have been supported by NPRB funding, with over \$33 million distributed through 2008. Clarence reviewed a few key studies that were of concern to the NPFMC conservation and management (canyons, skate nurseries, deep-sea corals, industry cooperative crab surveys, herring production, jellyfish abundance fluctuations, transient killer whales, northern fur seal movements, ice seals, sperm whale depredation, short-tailed albatross movements). Additionally, the NPRB has initiated bottom-to-top integrated ecosystem studies. The Bering Sea Integrated Research Plan was initiated (\$16 million from NPRB, with more from other agencies totaling \$52 million) to understand changes that affect productivity, particularly with climate change, and predict impacts on fish, humans, marine mammals, etc. The integrated plan involves multiagency research teams with models and field research going on simultaneously. Another integrated research plan is in the works for the Gulf of Alaska, and funding has already been allocated for work to begin this year. The NPRB is also looking to start an integrated program in the Arctic within the next 5 years. Clarence noted that there is much

more information on the NPRB website, and the NPRB education and outreach efforts are expansive.

Tab 2 – CCC Terms of Reference

Chris Oliver walked through the draft CCC Terms of Reference, designed to provide guidance on the conduct of the CCC. One unresolved question was whether and how to take public comment. Deliberations noted that the Councils are an open participatory governance bodies, with transparency in decision making, so there was interest in having public testimony. There was a suggestion that written comments should be allowed, and provided in advance of the meeting for inclusion in the CCC briefing book. In addition, there should be a single public comment period at the beginning of the meeting for oral comments, with an overall time limit for public comment of ½ hour, and a time limit on individual comments limited to 5 minutes. Comments should be limited to briefing items only, and testifiers would be required to state their name and representation and that they could not provide false testimony. Chris concluded the discussion by summarizing that Terms of Reference were approved by CCC by consensus, including the changes relative to the CCC discussion on public comment. Public comments were provided by Steven Taufen (Groundswell) and Mike Sloan (native village of Kaweric).

Tab 3 – Ocean Policy Task Force and Coastal and Marine Spatial Planning

Chris introduced the issue, noting the comment letter from the CCC, and the comment letters from the NPFMC and other Councils. He noted that the primary concern of the Councils is that Councils want a seat at the table as full members of each regional planning and CMSP governance body.

Sam Rauch gave a short briefing, but a final task force report has not been released to date. The president has not taken action yet on this, at it is unknown if this will result in an executive order or not. Same noted the two major points made by the Councils: 1) the relationship of Councils and their participation with CMSP process was not specified, and 2) the Council wanted to clarify that CMSP action doesn't subvert the MSA. Sam thinks it makes sense to include Councils in the planning process, but the final document may be vague, and participants may be up to each regional body. Dr. Lubchenco is a member of task force (NOAA is identified as a task force member), but NMFS is not a member, although NMFS had provided extensive input to NOAA on this. NMFS role is to advise NOAA and they have carried forward the Councils concerns. Sam speculated that existing regional bodies won't be identified at the outset as the regional planning body. Sam noted that while inclusion of all stakeholders with broad participation is the concept, each planning body will decide actual regional membership and may or may not include Councils as members. The draft task report allows the national ocean council to decide membership on the initial composition of each regional planning body, with membership that is broad enough to represent all interests but small enough to get the work done. Because one size may not fit all, the draft report retains flexibility on composition.

It was further pointed out that Council are not opposed to MSP, but the Councils felt that existing processes could be leveraged rather than create a huge new bureaucracy. Sam noted that many comments on the draft were about too much oversight by national committee; i.e., too much of a top down approach. So the task force is aware of this concern.

Each council made a few comments on the issue. Councils are very interested in MSP as they have been using spatial planning as a fishery management tool since 1976. Councils shared their different initiatives relative to spatial planning and coordinated efforts in their region. Comments

reinforced the CCC letter, with particular emphasis on the point that the Councils, NMFS, and States need seats at the table of each regional planning body. Fisheries are going to have to compete with other interests (oil and gas, transportation, wind energy, etc), because tradoffs are going to be made as to how marine areas are used. Councils need to be part of the deliberations.

A question was raised about whether or not there is a CMSP pilot area under consideration. The interim report does not highlight a particular area to do this, but it does recognize that the different regions will be done in different stages. Sam would be surprised if the report stated not to do it everywhere at once, but they likely will be an effort to support (ie., \$ resources) different areas of the country first. The Councils again raised concern about the funding that will be needed to implement CMSP and what would happen if NOAA had to reallocate existing monies and resources. Councils hope that NMFS will carry the Councils concerns and interests forward to the extent they can as the process unfolds.

Tab 4 – Catch Share Implementation Plan

Mark Holiday provided a presentation on NOAA's catch share policy. The draft policy was released for public comments through April 10, 2010, and presentations were made to each council during the comment period. Over 4,000 comments were received; of which about 60 were substantive comments from a broad range of groups. Key issues were identified in several areas: 1) Recreational fishing in the context of catch share programs, 2) Coastal community sustainability and protection, 3) Limited access privileges versus catch shares; 4) Criteria and duration of NOAA funding for catch share programs, and 5) Technical guidance on monitoring, evaluating, and amending (or rescinding) a catch share program. Other key issues were how to organize and prioritize activities, develop spending plans, issuance of final policy, and development of an 18 month schedule of catch share activities. These catch share activities include: creating and developing guidance materials and using collaborative workshops (including *technical sessions* to create guidance on design issues: performance monitoring, nature of a harvest privilege, community sustainability, enforcement and compliance, data collection, cost recovery, and *informational workshops* to improve catch share design literacy and capacity and transferring technical knowledge into practice). NMFS also plans to provide personnel and fiscal support to catch share activities, including new hires and contract expertise. Obviously this funding will depend on future budgets. New activities will include a new web site and information portal. NMFS also is commencing work on developing a central registry, catch accounting software and electronic reporting standards, as well as catch share trading platforms. Mark was seeking council input on planning and coordinating technical workshops. Following his presentation, Mark fielded several comments and questions from CCC participants.

Chris Oliver reiterated the major points provided in the letter from the CCC regarding catch share programs. The Councils are very concerned about their authority under the MSA with respect to development of Limited Access Privilege Programs. In particular, the Councils requested the policy be very clear that catch share programs are an *option* for Councils to consider, and that the Councils are not required to consider catch share programs for every fishery, or as a solution to every fishery management issue.

Each Council reviewed their work on catch share programs, and status on development of new programs to date. Details were provided in the briefing materials.

The CCC discussed the catch shares issue, and addressed trigger questions relative to planning and coordinating technical workshop to find best practices, and provide information for broad dispersion through subsequent public workshops. It was noted that many of the problems with

catch shares are political in nature. Meetings with public and delegations are needed before Council decisions are made, so these folks know to expect consolidation and that there will be 'losers' affected by downsizing. For example, the lesson learned from New England is that NMFS and the Councils need to do a better job to educate the public AND congress and staffers to let them know to expect some upset fishermen, and that there will be short term difficulties during the transition period. Just getting the word out that catch shares are not mandatory would ease concerns by many. It was expressed that funding for education and outreach activities should be provided by NMFS and coordinated with field folks and Councils. Several of the Councils have been holding these type of workshops in their region, and a synthesis of the workshops to date would be useful. The catch share website has links to reports of these workshops, as well as other information as it becomes available. It was expressed that regional public meetings are preferred over national workshops, although it is very beneficial to exchange knowledge and experience across regions. In some cases, technical workshops may be useful at the national level.

Mark noted that the final catch share policy will not result in new regulations; the policy is simply guidance document for Councils. The policy is not anticipated to result in a formal NOAA policy directive, but would not be binding in law at any rate.

Concern was expressed by the Western Pacific about ownership of ocean resources, which may promote industrialized fishing. Catch shares could have significant affects on local small boat fishermen in remote areas. Subsistence fishing and providing food for communities in the Western Pacific may be more important than economic returns. It was noted that other management tools are not getting the NOAA promotion and it was suggested by one participant that money would be better spent on getting information for stock assessments and ACLs.

Tab 5 – Annual Catch Limits

Galen Tromble provided a brief report on the ACL implementation. He emphasized that he and his staff are willing to discuss various options to address ACL issues as they arise in the development stage at each Council. Conference calls with staff have been very productive.

Each Council provided an oral summary of the status of their ACL amendments:

PFMC – For groundfish, the PFMC has been focusing on using the combined sigma (variance around stock assessments) and p-star (probability the point estimate is wrong) approach to deal with scientific uncertainty (determining the OFL- ABC buffer). They probably won't include the p* approach as a mandatory approach in the FMP amendment, but the approach would be used to establish ABCs for 2011-2012. For the PFMC, the biggest change is that ABC can't equal OFL; that had been the case in the past for some stocks with relatively high information confidence. The SSC provided calculations of buffers based on different levels of p*, with sigma level established at 0.36. A p* of 0.45 yields a buffer of 4 percent, which is the council's preliminary preferred alternative for data rich stocks. Final action is tentatively scheduled for June 2010, but more time may be requested and the PFMC stills may need the 'last place in line status' for the Secretarial review process. For their salmon FMP, it was noted that there is a very precautionary management structure currently in place, and salmon are different! They will likely include international exception for some stocks. There are technical and analytical problems that are stalling completion of establishing a scientific uncertainty buffer for the 75 or so salmon stocks. The council is tentatively scheduled for council action on the salmon FMP in September 2010, but may delay until the November Council meeting to address various issues. For highly migratory species and coastal pelagic species, the Council is still looking for final action in 2010.

MAFMC – The MAFMC has no stocks subject to overfishing. They are preparing an omnibus amendment, and are taking a unified approach for all FMPs (with some customized actions for each FMP). Final action is scheduled for August 2010. The framework is to set $ACL=ABC$, with ACT to account for management uncertainty. Tiered control rules (4 tiers) are built around p^* options. The analysis includes examples of different p^* , and other options. In the mid-Atlantic, catch limits already in place, but accountability measures are becoming more stringent, particularly for recreational fisheries. In-season closure authority is being considered. State and Federal management plans are an issue. Rick Robbins noted the P^* complexity and challenge of explaining it to public. He also noted that their SSC is integrated into decision-making process. The Council recently established a remand policy for SSC, and included this policy in their SOPP. Their SSC is being integrated into the process with the monitoring committee. The council will set an ACT for all species, but the ACT can equal ACL (e.g., surf clam ITQ fishery where there is no management uncertainty).

NEFMC – The Council maintains 9 FMPs, and ACL amendments have already been adopted for some, or are on schedule for implementation next year. Council also adopted remand policy for addressing SSC ABCs that the Council disagreed with, noting that remand requires technical deficiencies.

NPFMC – In April, the Council took final action to amend the groundfish FMPs, with the biggest change being the categorizing stocks as in the fishery or not in the fishery. The crab and scallop FMPs are on schedule for final action in October 2010, with ABC buffers based on p^* (crabs) or fixed buffer (scallops). The salmon FMP defers management to the State of Alaska, and a discussion paper is being prepared to explore possibilities of alternative rulemaking or other approaches to dealing with the complexities of salmon management.

SAFMC – The snapper/grouper FMP amendment is scheduled for final action in June. For mackerel, the FMP amendment to establish ACL and AM is scheduled for final action in March/April 2011. For the spiny lobster FMP, final action is scheduled for August/September 2011. One of the biggest difficulties is the limited number of stock assessments from which to develop ACLs, even for data rich stocks. For data poor stocks, OFL will be set equal to median landings of a 10 year period with $ABC=75\%$ OFL.

GMFMC – A generic ACL amendment will be ready for final action in August. The analytical package is currently in the form of an option paper with a OFL/ACL control rule. Ecosystem component stocks are being added to the plan. The GMFMC is using a modification of the p^* approach similar to the SAFMC. Planning to meet deadlines, but there are limitations of data and stock assessments that are challenging.

WPFMC – Simply put, the WPFMC has no data for stocks in their region: “We are not data poor, we are data broke!” The WPFMC is working to amend FEPs through 2011 with 3 tier system for ACLs. The Hawaii longline fishery has 2 defacto ACLs, but there is limited information. For example, the SSC rejected the NMFS assessment and had to develop a new one themselves. Basically, the WPFMC has major data quantity and quality issues. Although there has been quite a bit of coral reef research, virtually no research has been done on fish stock abundance. Catches of tuna by domestic fleet has been very limited, and with a majority of the area already protected by MPAs, there was concern about how these protections factor into assessments. Coral reef species are already protected by closure areas, so some questioned the need to implement ACLs. Fish reproduce all year round, and the scientific information is very limiting.

CFMC – There are three different areas in USVI with different stocks: St John, St Thomas, and Puerto Rico. Only Puerto Rico has some useable datasets. CFMC has conducted several workshops and they will have a document for public hearing over the summer. The Council will take action on this omnibus amendment in September for implementation in 2011. They did not include international components in the amendment. The CFMC needs research on closure areas and data collection, as well as model development for data poor stocks. They are working on research and budgeting priorities to address these gaps over the next 10 years to set and assess the ACLs.

It was clear that the Councils want or need more time and information to do a good job establishing ACLs for stocks in their region. Sam Rouch responded that there is no ability to extend the legislative timelines. NMFS has no flexibility to extend the timelines, even if more time gives us a better product. In terms of science, NMFS has increased budgets to address uncertainty bounds and expects improvements in the future, noting that there is never enough research money to go around. Sam further noted that there was a lot of litigation as a result of not meeting the 1996 MSA deadlines. So there is a risk of litigation if the deadlines are not met. He suggested that because all FMPs can be further amended, get something in by the deadline and improve upon that with a future amendment. NMFS can proceed with a secretarial amendment if council abdicates responsibility. One problem will be that all Councils are planning to finish up at the same time this fall and early in 2011, so there could be bottleneck in implementation. The deadlines are tied to beginning of the 2011 fishing year as stated in the guidelines. NMFS later advised that as long as the ACLs became effective during the fishing year, that would be acceptable so long as the quota wouldn't be exceeded. It was suggested that Councils and their SSC need to have a dialog about the ACL process and level of risk. The SSC provides advice on implementation of different buffers, then council chooses level of risk they think is appropriate. The SSC can then apply that control rule.

Tab 6 – National Environmental Policy Act

Steve Leathery provided an update on the NEPA initiative set forth in the 2006 reauthorized MSA. In 2008, a proposed rule was published. Because this is a very contentious issue, over 150,000 public comments were received. A final rule was drafted but subsequently withdrawn in late 2008. NMFS is now in a position to begin moving forward with the NEPA revisions and re-engage with the Councils. Steve is considering initiating public workshops. NEPA is currently working well with the Council process, and while there is room for improvement, they want to do it right. The CCC may want to consider reestablishing its NEPA subcommittee.

Chris Oliver noted the CCCs dissatisfaction with the NEPA streamlining initiative. The regional Councils did not get to participate in the agency discussions on this issue or in the development of the proposed rule. The Councils supported withdraw of proposed rule, given that it cemented in the over-application of NEPA. The Councils were disappointed that MSA would be subsumed within NEPA, instead of the other way around as spelled out in the MSA (revise and update procedures). There was interest to know if we could start over from scratch and do it right. Steve noted the differences in NEPA and MSA timelines, and thought a workshop could be helpful to identify possible avenues forward. These workshops should be held by NOAA, with the Councils at the table in the discussions (with CEQ). This could be a jointly sponsored event, and should not be hosted by an outside party. The starting point for discussions probably would not be the proposed rule, given the number of negative comments. Perhaps some thinking outside the box would be the best approach, but recognizing the current approach seems to work to some degree.

What about the NOAA Planning and Program Initiative (PPI) office administrative order? Previously the CCC was told not to worry about this initiative relative to fishery actions. Steve noted that the current status of this initiative is that any parts dealing with MSA have been set aside until procedures revised. Only NEPA procedures for aspects unrelated to fishery resources (e.g, ESA, MPA) are being revised. It was noted that the oil spill in the Gulf of Mexico has heightened concerns about environmental compliance issues and application of NEPA in the U.S., and this may affect future NEPA process changes.

Tab 7 – MPA National System

Sam Rauch provided a briefing on Executive Order. An initial list of MPAs went out in 2009, but did not include any council areas that meet definition of MPA. There is a Policy Directive for how NMFS and Councils will interact in the nomination process, and Councils need to be comfortable with nominations. NMFS is not planning to put any MPAs on the list that Councils don't want on the list. The next round of MPA nominations is coming up in the next few weeks for public comment, and the MAFMC MPAs will be on that list.

The other aspect of the MPA process is the mandate to avoid harm to MPA resources. Councils and NMFS will need to evaluate fishery management measures relative to the MPAs that are already part of the national system. The avoid harm standard has caused a great deal of concern. NOAA is working on guidance that will provide more clarity, and least for NOAA actions. DOI may have different guidance, or more likely, may rely on NOAA model. Draft guidance expected in next month or two, and wouldn't be finalized without council input.

Participants were interested to understand the relationship of the MPA system with coastal marine spatial planning plan. It was suggested that tradeoffs may be more difficult if MPAs are in place first. Sam noted that MPAs exist ahead of spatial planning, and even if they are not on the official list, these areas will factor into the CMSP process. Until the MSP process started, we can't know the outcomes, but CSMP process may identify need for management structure in a certain area that would then go back to the management agencies for consideration.

NPFMC – The council is in the process of evaluating their quasi marine reserve sites for possible nomination to the national MPA system. Additionally, staff is evaluating potential impacts of fisheries, relative to the avoid harm provision, within the four MPA sites that have already been included in the national MPA system. At this point, it appears that there is very little overlap of federally managed fisheries within these MPAs.

WPFMC – The WPFMC noted that there have been large monuments created in their region already. A substantial portion has been set aside for conservation. The Council also expressed concern about representation on MPA federal advisory committee by Western Pacific. They have requested that the agency reconsider the composition of people on the MPA federal advisory committee. Sam notes that the MPA FAC nominations will soon be made and increased representation from the WPFMC is likely.

PFMC – In 2009, the Council directed staff to develop white paper to address several issues related to the MPA nomination process. The paper is scheduled for reviewing in September 2010.

MAFMC – The Council considered several gear restricted areas (GRAs – 2 for scup and 4 for golden tilefish) for possible inclusion in the national MPA system. Council voted to nominate the four tilefish GRAs in the MPA system. The definition of MPA and a public misperception that MPAs means no fishing, have highlighted more outreach and education. Somehow these sites

should be specific to habitat, rather than other biological issues. It was felt that this was an important opportunity for council to work collaboratively and the avoid harm provision could be a positive thing for fisheries. (e.g., oil and gas leases)

Tab 8 – Budget

Emily Manashes provided a brief report on budget issues. The requested Presidents budget for fisheries in 2011 is \$992.4 million. While this is lower than the 2010 enacted budget (\$1,008 million), the enacted budgets have been higher than the Presidents budget due to earmarks. Of the \$992 million, \$135.4 million is to support reauthorized MSA, with \$54 million for LAPPS. The budget table for the fisheries management program portion was detailed.

The Councils discussed several aspects of the budget, and raised a number of issues regarding current budgets and development of future budgets and new initiatives. It was clarified that the special \$2 million funding for Councils is for analysis of new catch share programs as well as adjustments to existing catch share programs. NMFS requested a \$36 million increase, of which the Councils will get \$2 million. The biggest portion of this increase is ~\$12 million to the Pacific region for training observers and monitoring catch, including observers at sea as well as dockside, monitoring catch and discards, share transfers, etc. There was a follow up question about how the money gets allocated among regions for observer programs. Eric Schwaab replied that it was based on needs as well as earmarks. Some of this is startup money would be expected to kick start the monitoring program, with the cost recovery fees from the program taking up the costs over time. Some of the fisheries getting this money are already in place, whereas one (trawl rationalization plan of the PFMC) has been approved. In the future, these appropriations could be used in other fisheries. If the program is considered a LAPP, a 3% maximum fee cost recovery system is authorized by the MSA. Industry can support some or all of an observer program through this fee. There are other mechanisms for the industry to pick up costs for an observer program (e.g., North Pacific).

There was a question about funding education and outreach, and the CCCs request for \$2 million in additional funding, of which some would be used for a Managing Our Nations Fisheries III conference. The response is that this would require a reallocation of funds, but some monies could be made available at the end of the fiscal year. Eric Schwaab noted that this would depend on priorities as to how to spend this additional money. It was suggested that some of the catch shares monies be used to kick start the Councils outreach and education initiatives.

Tab 9 – National SSC Workshop

The SAFMC will be hosting the next SSC workshop in Charleston S.C., October 19-21, 2010. The workshop will focus on issues related to implementation of ABC control rules and the information and approaches used by SSCs to provide fishing level recommendations, which include ABC. Travel funding will be provided for 3 SSC members and 1 staff person from each Council. A draft agenda was included in the briefing book. Bob Mahood asked that Councils identify the people who will attend from their council as soon as possible. Bob noted that they still had not received the funding from NMFS for this meeting.

Tab 10 – National Standard 2 Guidelines

Ned Cyr provided a brief report on the status of the National Standard 2 guidelines. A proposed rule was published 12/11/09. NMFS is currently developing agency responses to the comments. The four basic elements of the guidelines are: 1) best scientific information available, 2) peer

review, 3) the role of the SSC, and 4) SAFE reports. Ned provided a brief summary of the types of comments they received on each of these elements. It is anticipated that a final rule will be published in late 2010. It was clarified that SSCs could be used as peer review process for each council.

Tab 11 – Regulatory Review Process

Chris Oliver suggested the Councils have a general discussion with the agency about the review process. For a while, the agency and Councils were working on a streamlining process to reduce redundant reviews, but it seemed to many Councils that the reviews in headquarters are becoming more frequent, and possibly causing additional delays.

Sam Rauch stated that the review process has not changed in the last 7 years. It does involve documents doing through Silver Spring and downtown, and some go to OMB. The level of review has fluctuated over time as different people are concerned about different things. It is not a function of the process. The one difference is about a year ago, when OMB wanted to review all the rules, slowing down that part of the process. NMFS is the 3rd most prolific agency for developing regulations. HQ often defers to the region, but final authority is in HQ. Sam summarized it by saying that when deadlines not met, it has not been because of the level of HQ review.

It was noted that the NEFMC's SSC is slowing down process because they need two meetings to review assessments and make ABC decisions, which adds months to the process. WPFMC noted that they have 17 actions pending implementation, which raises questions about the effectiveness of streamlining. MAFMC has a monitoring committee that provided advice on plans, but the MSA specified that the quota aspects were the responsibility of the SSC, so this took some time to sort out the responsibility. Webinars have helped to get information to the SSC in a timely fashion. The timing of the SAW/SARC assessment review process is currently problematic.

The stringent and perhaps unattainable deadlines set forth in the MSA have been somewhat frustrating for the Councils. A letter from John Pappalardo to the SOC was distributed, along with a response letter by NMFS. At least one Council raised concern was raised about a national level study suggested in the letter, as this may distract from other activities and may not be necessary for regions with good working relationships among the Council and NMFS. The WPFMC members thought an evaluation of their region might be useful to improve communication and streamlining of the regulatory process. Most agreed this should be a region by region review rather than a national review. Concern was also expressed about who would do the review.

Tab 12 - Outreach Activities

Councils summarized their current outreach efforts:

NPFMC – The Council recently ramped up their outreach activities at a statewide, regional, and project specific basis. The Council identified outreach activities as a priority, and previously adopted the 7 principles for stakeholder involvement in its SOPP. The Council established a rural outreach committee, provided audio streaming of meeting, revised their website, developed brochures and other summary leaflets. They have set aside specific budget amounts for outreach committee activities. The Council will be meeting next summer in Nome Alaska, at which time the council will be addressing an important issue for the region: chum salmon bycatch. The standing rural community outreach committee is used to get the word out on the council activities and to get feedback from rural stakeholders. There are also issue specific outreach plans for

specific projects such as the Chinook and chum salmon bycatch issues and Northern Bering Sea Research Area. These project specific plans can include regional outreach meetings, workshops and teleconferences, and other means to create contact of the council with rural stakeholders.

PFMC – The Council has about 2/3 of a dedicated outreach person FTE, spread over several staff members. They recently redesigned their website and are now using Twitter feeds to get the word out; this works particularly well at Council meetings letting the full entourage know when the Council floor session has moved to a new agenda item. They have tested webstreaming of council meetings, but have not implemented a program yet. They produce a newsletter with technical issues. They put out press releases when there are major events. The Council has attended at least portions of recent CHOW activities in DC. The Council would like to do more coastal community outreach, as well as produce ‘current issues’ brochures such as the NPFMC efforts, but lack of budget strength has prohibited such initiatives.

NEFMC – The council produces newsletters, press releases, and special publications. The NEFMC is involved with marine resource education process, with 6 day courses for fishermen. Staff does the instructing, and these courses have been very helpful in that the fishermen are beginning to understand the assessment and regulatory process. NEFMC has a 0.5 FTE dedicated to outreach. There is a need to do more outreach with council members and staff outside of the formal council process. The Council is planning to prepare and adopt a comprehensive outreach plan. There is a campaign in the press actively working to undermine the fishery management process, so outreach is a pressing matter in New England.

MAFMC – Similar to other Councils, the MAFMC produces newsletters brochures, and press releases. They have updated their website, and have recently moved to live broadcasting of council meetings, including video. They are thinking about using more webinars as a means to get out the information.

SAFMC – The council has two dedicated outreach staff people to get the information out to fishermen and other stakeholders. The council has an education and information advisory panel to provide input and direction for outreach efforts. The website is undergoing an upgrade to redesign and they are planning to include social media (twitter, facebook, blogs). They produce numerous publications including a newsletter, news releases, fact sheets, postcard mailings of meeting dates and agenda, etc. The SAFMC uses portable displays, with fact sheets and DVDs, for public hearings. They partner with researchers, together with teacher workshops. The SAFMC holds both formal and informal sessions with staff and informal Q&A sessions with NMFS and Council chair and staff, and they felt these informal meetings have been valuable to the fishermen. They also do live video streaming of council meetings. In the future, they are looking to improve readability of analytical documents, as well as do more partnering with Sea Grant and the South Carolina Aquarium, among others.

GMFMC – The Gulf outreach activities are similar to other Councils. They currently have one full time outreach and education person, and are in the process of interviewing for a second. They have a new website in works, and recently adopted a new logo that better reflects their region. They have online coverage of council meetings. They are developing a dynamic display on LCD screens with video messages. The webpage/iphone application allows fishermen to quickly check fish regulations and fish identification. They are using social media technology as well as direct mailings (newsletter, press releases, fact sheets, summary leaflets). The GMFMC is developing education programs on specific issues (catch shares), a fisheries 101 workshop, and a 5 year strategic plan. They are looking at changing formats for public meetings with an outreach specialist.

CFMC – The CFMC does outreach in English and Spanish. The Council hosts workshops, including international workshops to discuss various aspects of management. They produce posters, brochures, news briefs, books, etc for distribution to the public. They also partner with Sea Grant, educational institutions, NGO, and government agencies. They participate in local and national events, and informal meetings are held with fishermen. The CFMC has found that the webpage and USCG radio has been effective in getting the information distributed, and local orientation meetings with fishermen have been most fruitful for getting two-way discussions.

WPFMC – The council is very active with outreach and education, doing everything that the other Councils have mentioned. They still need more money to do the job they feel they need to be as proactive as they can. They have webcasting, but the dateline affects interest. Fishermen in the region generally get their information by word of mouth, rather than through the internet. The Council produces fact sheets, and hosts fishers forums and informal sessions with the council. They participate in numerous local festivals as well as regional and national events. The Council collaborates with other partners including universities. They actively work to provide education programs in high schools and work closely with communities. The council directly consults with the chiefs and mayors to discuss management issues. Kitty Simonds emphasized the need for dedicated funding for outreach and education, and urged NMFS to secure additional funds from NOAA.

The Councils discussed the possibility of having another “Managing Our Nations Fisheries” conference. Don McIsaac suggested that the CCC collectively put together a mini proposal to have a MONF3, with the hope that leftover NMFS funds might be available to fund such a conference next year. It was suggested that a subcommittee of 3 Councils could form a steering committee to develop an agenda and other organizational functions for the conference.

Tab 13 – Recreational Fishing Update

Russ Dunn provided a briefing on the NMFS recreational fishing engagement initiative. The initiative included initial commitments, including appointment of recreational fishing coordinators in every region and science center development of a recreational policy advisory, establishment of a MAFAC recreational fisheries working group, and hosting a saltwater recreational fishing summit. A National Policy Advisor position was established to develop a strong partnership with the recreational community. The recreational saltwater fishing summit was held to initiate and open dialog with over 100 recreational constituents. Russ provided a summary of the summit. A list of priority actions was developed: improved communication and trust, better data and science, improved fishery management decisions, improved recreational access and opportunity. NMFS is already beginning to work to address many of these issues simultaneously. A final report is expected to be released in June. He showed a short video produced at the meeting.

Tab 14 – Endangered Species

WPFMC - An environmental NGO group from New Mexico has petitioned NMFS to list 83 species of corals plus bumphead parrotfish under ESA. There is a high level of concern about how such a listing would affect traditional harvesting on coral reefs, as there could be prohibitions that might go with such designation. Listing corals will also impact tourism as well if reefs are put off limits to diving. It was noted that the proposal would list bumphead parrotfish as threatened throughout its range, but the petition also says the only remote islands have parrotfish. In the Northern Marianas Islands, only 4 of 15 islands are inhabited. It was noted that there

appears to be a lot of misinformation in the petition. Local fishermen know that this is a seasonal fish inshore on rough areas, and this large fish (100 pounds) is used for festivals only, not sold commercially. NMFS has only looked on Guam for the fish, but they may be on seamounts too. Locals however don't believe parrotfish is depleted throughout its range. WPFMC has also been working directly to protect nesting turtles as a proactive approach to help recover sea turtle populations. Council measures have fully addressed sea turtle bycatch concerns with only one sea turtle take in the Hawaiian longline fisheries last year.

The MAFMC noted that NMFS has proposed uplisting loggerhead turtles as endangered. The Council is concerned about the population estimates for loggerheads, and believes that an aerial survey may provide better estimates of adult abundance. Change in listing could have major impacts throughout its range, and has the potential to greatly impact scallop fisheries in the mid-Atlantic. Similarly, the NEFMC is also concerned about the listing for turtles. They are also concerned about the Canadians looking to list wolfish and cusk in their waters. The CFMC noted that there are proposed ESA listings for several species of corals, which raises concerns about adverse effects on local fisheries.

The PFMC noted the particular importance of ESA on salmon management on the West Coast. As an example for one stock, the allowable exploitation rate may drop from 15% to 10% to address ESA concerns. A catch reduction of 1/3 for the ESA stock carries salmon carries the same reduction for all the other salmon stocks that have the same migration route. The council has raised concerns about the analytical assessments of actual benefit to the ESA stock and the accounting of the negative impacts of the catch reductions. In the past year, the process at NMFS has been opened up somewhat under new leadership, bringing more transparency to the process and gaining more trust with stakeholders. The Council hopes this level of communication and transparency will continue in the future, and that the models used in the Biological Opinion are made fully available and/or receive review in the Council process.

It was noted that the fundamental disconnect of MSA and ESA puts the Councils at a great disadvantage. Without a defined goal, revisions to plan tend to be overly restrictive, as a way to avoid jeopardy without shutting down the fisheries entirely. It was suggested that Councils work together and share experiences dealing with ESA actions. Sam responded that there is a role for the council in ESA decisions. NMFS tries to involve the Councils within the constraints of ESA. NMFS wants to improve relationship and try to make things consistent across all regions.

Tab 15 - Council SOPPs

The two proposed rules on Council operations were included in the briefing materials, along with a NPFMC comment that focused primarily on the definition of advisory panel as it relates to paying stipends in the future. Bill Chappell noted that they are nearing publication of a final rule, and he hopes it will be out in the next month or so. They are also developing a SOPP procedure to be approvable before they are submitted. The rule will also contain set time limits so SOPPS get cleared on a timely basis. A SOPP template is also being drafted, noting that it will be just a template and not a requirement, but would include all the standard items. Bill anticipates a conference call with the Councils to discuss details once the rule is out.

Concern was raised about paying AP members stipends. The previous CCC agreed to pay SSC members \$250 per day, and no pay for AP members. If a couple of Councils take it out of their base funding, it will affect other Councils. A couple of Councils are already paying their AP members from the funds designated for stipends last year. CFMC has sought a legal opinion about the possibility of paying AP members from general funds, in the absence of dedicated

funding. The concern of some Councils is that they have many advisory committees with large membership.

Regarding an issue of a pay limit for Executive Directors, it was suggested that there be an analysis of duties and responsibilities relative to the pay of other federal and non-federal employees.

Tab 16 – Other Issues

Councils have just begun their second 5-year grant award, and the Councils wanted to discuss the benefits of the 5-year award process. Overall it has been a positive experience by most Councils. In the NPFMC, the only problem was that the monies did not become available until April, but fortunately the Council had the no-cost extension to rely on. Other Councils had the same positive experience, while still relying on the no-cost extension. Councils got their money between the end of February and April. Some Councils had to take drastic action to make payroll given this delay, which seems to be a very common occurrence. A few other negative experiences with NOAA Grants were shared. The bottom line is that the 5-year award is a better process, but improvements must be made to get the monies to the Councils in a more timely fashion.

The group discussed the schedule for the next CCC meetings. The SAFMC will be hosting the next annual meeting in Charleston, S.C. in May sometime. Briefing books will be fully electronic on a memory stick, so Bob Mahood reminded everyone to bring their laptop computer. The interim meeting CCC meeting dates still need to be set. Based on the list of meeting, WPFMC would host the meeting following the SAFMC.

Tab 17 – Enforcement

Alan Risenhoover and Sherri Meyers provided a report on NOAA Fisheries enforcement program. Alan emphasized that the mission of NOAA Fisheries enforcement is to conserve and protect resources by assuring compliance. Alan reviewed the findings of the recent Office of Inspector General's report. Systematic problems include leadership issues as well as complexity of regulations. OIG recommendations included 1) involvement of NOAA leadership (action plan = NMFS will develop priorities and consider ombudsman position), 2) rethink approach of criminal investigations (action plan = freeze hiring of criminal investigators and do workforce analysis), 3) promote transparency and oversight (action plan = developing internal procedure and operating manuals and revising penalty policy), and 4) follow-up on prior guidance (action plan = improve communication, 5) create case management information systems (action plan = develop and prepare regular reports). Some follow-up efforts are being made to address some allegations contained in the report. Councils can help by developing less complex regulations, improving process by involving OLE and GCEL early in regulatory process, and improving outreach and communication. Alan and Sherri fielded several questions from the CCC relative to the difference between civil and criminal cases.

USCG Admiral Colvin (Alaska command) introduced himself and provided some opening remarks, noting the successful working relationship with NMFS, the Council and USCG. Safety needs to be taken into account in the development of regulations. He noted that IFQs in crab fleet has resulted in no vessels being lost since implementation. Stability is a major issue for the fishing fleet. USCG has focused on major violations; ones that create an unlevel playing field. Reductions in patrol cutters will affect future fishery enforcement; the USCG is pulling out 5 cutters out of 12 next year, without replacement. An overview of current enforcement efforts and

activities was provided. An updated report on the gulf oil spill was provided including the status of well capping and the use of dispersants, in-situ burns, and the heroic efforts underway.

Final Discussion

NEPA Subcommittee

With Dan Furlong retiring, the CCC subcommittee to engage agency on NEPA may need a new member. Chris Oliver and Bob Mahood are the current members. MAFMC volunteered to participate.

Protected Species Workshop

Rick Robbins suggested formation of a working group to organize a workshop on ESA and MMPA issues, and how we are interacting with the agency on ESA issues, as well as how we are operating around the country. The working group would scope out an agenda and forum, and report back in January. The CCCs agreed with this idea and the EDs will discuss.

Adopt the Terms of Reference

Following a discussion about the interpretation of the last CCC meeting relative to chair and vice chair, there was agreement to keep with chair and vice chair of host council. Don McIsaac moved to adopt Terms of Reference as final with changes noted in 3(f) to read: **“CCC meetings will be open to the public and public comment will be permitted at the discretion of the Chair.”** and added language in section 3(b): **“The CCC shall strive to announce meetings two years in advance.”**, and added a sentence to the end of 3(f): **“Written comments will be encouraged on agenda items, and if received will be placed in the briefing materials.”** There was an amendment to add the following language: **“Public comment will be accepted at the beginning of the meeting, not to exceed 30 minutes.”** The amendment was accepted as friendly. The motion passed with no objection. A final version with revisions is attached to this report.

2011 Interim and Annual CCC Meetings

The week of January 10 was identified as the tentative timeframe for the 2011 Interim CCC meeting. The annual CCC meeting will be hosted by the SAFMC as early in May as possible.

2012 meeting

The WPFMC has offered to host the 2012 CCC meeting in the Western Pacific region.

Next steps on enforcement – form working group.

It was suggested that the EDs work together to discuss potential formation of a working group and report back at the interim meeting. Would this be a national level initiative? Councils may want to discuss this issue, develop a CCC national plan, and then develop a blueprint of how to do this at a regional level.

Managing Our Nation’s Fisheries III.

Don McIsaac will draft a letter to get back to agency with a proposal.

Final closing remarks were made.

**COUNCIL COORDINATION COMMITTEE
MAY 19-21, 2010
Hotel Captain Cook
Anchorage, Alaska**

Theme: Navigating National Initiatives

<http://www.fisherycouncils.org/CCC/CCC.htm>

DRAFT AGENDA (as of April 22, 2010)

Wednesday, May 19, 2010

<u>Time</u>	<u>Discussion Item</u>	<u>Presenter(s)</u>	<u>Duration</u>
1:00 – 1:30	Welcome comments and open session with Councils	Eric Olson/ Eric Schwaab Councils	30 min.
1:30 – 2:00	Report from North Pacific Research Board/ Alaska Ocean Observing System (TAB 1)	Clarence Pautzke Molly McCammon	30 min.
2:00– 2:30	CCC Terms of Reference (TAB 2)	Chris Oliver	30 min.
2:30 – 4:00	Ocean Policy Task Force & Coastal and Marine Spatial Planning (TAB 3) Status Update and Next Step	Sam Rauch	1 hr. 30 min
4:00 - 4:15	Break		15 min.
4:15 – 5:30	Catch Share Implementation Plan (TAB 4) - Status of NOAA Policy - Potential Workshops	Mark Holliday	1 hr 15 min.
5:30	Adjourn for the Day		

Thursday, May 20, 2010

8:00 – 9:00	Council Progress on Developing Catch Share Programs	Councils	1 hr.
9:00 – 9:30	ACLs (TAB 5)	Galen Tromble	30 min.
9:30 – 10:15	ACLs Continued - Council Round Table Progress and Remaining Hurdles/SSC integration	Councils	45 min.
10:15 – 10:30	Break		15 min.

10:30 – 11:00	National Environmental Policy Act (NEPA) Update (TAB 6) - Progress - Potential Workshops - Next Steps - Potential CCC "subcommittee"	Steve Leathery	30 min.
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11:00 – 11:30	MPA Network (TAB 7) Council Status of Nomination Process	Sam Rauch Councils	30 min
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11:30 12:15	President’s Budget (TAB 8) Other Budget Issues	Emily Menashes	45 min.
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12:15	Lunch		1 hr
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1:15 – 1:45	National SSC Workshop (TAB 9)	Ned Cyr/ Bob Mahood	30 minutes
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1:45 – 2:15	National Standard 2 Guidelines (TAB 10)	Ned Cyr	30 min.
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2:15 – 2:45	Council/NMFS Relations concerning regulatory review process (TAB 11)	Chris Oliver	30 min.
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2:45 - 3:00	Break		15 min.
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3:00 – 4:15	Outreach Activities (TAB 12) - Individual Council efforts - Collective efforts - Coordination with NOAA - Potential ‘Managing our Nation’s Fisheries III’ conference	Councils Emily Menashes	1 hr 15 min.
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4:15 – 4:45	Recreational Fishery Report (TAB 13)	Russell Dunn	30 min.
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4:45 – 5:15	Endangered Species/MMPA issues (TAB 14)	Kitty Simonds	30 min.
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5:15	Adjourn for the Day		
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6:00 – 9:00	Reception - Tower One - 10 th Floor - Quarterdeck		
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Friday May 21, 2010

8:00 – 8:30	SOPPS (TAB 15)	William Chappell Tara Scott	30 min.
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8:30 – 10:00	Other Issues 5-Year Awards Application Process (TAB 16) January 2001 CCC meeting agenda		1 hr 30 min.
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Other?

10:00 – 10:15	Break		15 min.
10:15 – 12:00	Enforcement (TAB 17) NOAA USCG	Alan Risenhoover LCDR Schaeffer Admiral Colvin	1 hr 45 min
12:00	Adjourn		

List of 2010 CCC Participants (as of 5/14/2010)			
Eric	Olson	Chair	North Pacific Council
Chris	Oliver	Executive Director	North Pacific Council
Dave	Benson	Vice Chair	North Pacific Council
David	Witherell	Deputy Director	North Pacific Council
Gail	Bendixen	Administrative Officer	North Pacific Council
Stephen	Haleck	Chair	Western Pacific Council
Kitty	Simonds	Executive Director	Western Pacific Council
Manuel	Duenas	Vice Chair	Western Pacific Council
Randy	Holmen	Fiscal Officer	Western Pacific Council
Elysia	Granger	Staff	Western Pacific Council
David	Ortmann	Chair	Pacific Council
Don	McIsaac	Executive Director	Pacific Council
Mark	Cedergreen	Vice Chair	Pacific Council
Patricia	Crouse	Fiscal Specialist	Pacific Council
Mary	Wilson	Staff	Pacific Council
Donald	Hansen	Staff	Pacific Council
Daniel	Wolford	Vice Chair	Pacific Council
John	Pappalardo	Chair	New England Council
Paul	Howard	Executive Director	New England Council
Rip	Cunningham	Vice Chair	New England Council
Sandy	Stone	Administrative Officer	New England Council
Richard	Robins, Jr.	Chair	Mid-Atlantic Council
Daniel	Furlong	Executive Director	Mid-Atlantic Council
Lee	Anderson	Vice Chair	Mid-Atlantic Council
Carol	Sollozzo	Administrative Officer	Mid-Atlantic Council
Rich	Seagraves	Staff	Mid-Atlantic Council
Duane	Harris	Chair	South Atlantic Council
Bob	Mahood	Executive Director	South Atlantic Council
David	Cupka	Vice Chair	South Atlantic Council
Mike	Collins	Administrative Officer	South Atlantic Council
Kim	Iverson	Staff	South Atlantic Council
Robert	Shipp	Chair	Gulf of Mexico Council

Steve	Bortone	Executive Director	Gulf of Mexico Council
Robert	Gill	Vice Chair	Gulf of Mexico Council
Cathy	Readinger	Administrative Officer	Gulf of Mexico Council
Eugenio	Pineiro-Soler	Chair	Caribbean Council
Miguel	Rolón	Executive Director	Caribbean Council
Winston	Ledee	Vice Chair	Caribbean Council
Maria	Irizarry	Administrative Office	Caribbean Council
Evelyn	Rasoda Vargas	Staff	Caribbean Council
Admiral	Colvin		USCG
Lt CDR	Schaeffer		USCG
Captain	Cerne		USCG
Sam	Rauch	Deputy Assistant Administrator	NOAA Fisheries
Eric	Schwaab	Assistant Administrator	NOAA Fisheries
Russell	Dunn	Recreational Coordinator	NOAA Fisheries
Steve	Leathery	NEPA Coordinator	NOAA Fisheries
Galen	Tromble	Sustainable Fisheries	NOAA Fisheries
Ned	Cyr	Director, Office of Science & Technology	NOAA Fisheries
Tara	Scott	Sustainable Fisheries	NOAA Fisheries
Jim	Balsiger	Regional Administrator	NMFS Alaska Region
Douglas	Demaster	Director	NMFS Alaska Fisheries Science Center
Rod	McInnis	Regional Administrator	NMFS Southwest Region
Barry	Thom	Acting Regional Administrator	NMFS Northwest Region
William	Chappell	Chief, Regulatory Services Division	NMFS Office of Sustainable Fisheries
Mark	Holliday	Director	NMFS Office of Policy
Patricia	Kurkul	Regional Administrator	NMFS Northeast Region
Phil	Steele	Assistant RA	NMFS Southeast Region
Michael	Tosatto	Acting Regional Administrator	NMFS Pacific Island Region
Emily	Manashes	Acting Director	NMFS Office of Sustainable Fisheries
Alan	Risenhoover	Acting Director	NMFS Office of Law Enforcement
Dave	Whaley		House Resources Committee
Vince	O'Shea	Executive Director	Atlantic States Marine Fisheries Commission
Larry	Simpson	Executive Director	Gulf States Marine Fisheries

			Commission
Clarence	Pautzke	Executive Director	North Pacific Research Board

Other Meeting Attendees:

Arni Thompson	Alaska Crab Coalition
Julie Bonney	Alaska Groundfish Data Bank
Steve Davis	NOAA Fisheries Service
Jon Warrenchuck	Oceana
Bill Tweit	NPFMC
Diane Witt	Public
Stephen Taufen	Groundswell Fisheries Movement
Michael Sloan	Kawerak, Inc.
Frank Kelty	City of Unalaska
Jeff Stephan	United Fishermen's Marketing Association, Kodiak
Amy Holman	NOAA
Carol Torsen	IPCOMM
Heather McCarty	McCarty and Associates
Margie Bauman	Fishermen's News/Alaska Newspapers
Karen Hynn	U.S. House Natural Resources Committee
George Pletnikoff	Greenpeace
Linda Benkhen	Alaska Longline Fishermen's Association
Jeff Farvor	Alaska Longline Fishermen's Association
Art Ivanoff	Norton Sound
Stephanie Madsen	At Sea Processors
Dave Benton	Marine Conservation Alliance
Duncan Fields	NPFMC

Terms of Reference for the Council Coordination Committee

(May 2010)

1. **Establishment.** Under Section 302(1) of the Magnuson-Stevens Fishery Conservation and Management Act, the Councils may establish a Council Coordination Committee (CCC). The CCC consists of the chairs, vice chairs, and executive directors of each of the eight Councils, or other Council members or staff, in order to discuss issue of relevance to all Councils, including issues related to the implementation of the Act.
2. **Membership.** The CCC consists of three members from each of the regional Councils: the Chair, a Vice-chair, and the Executive Director, or their respective proxies. Councils with more than one Vice-chair will need to determine who participates on the CCC for a given meeting. Only Council staff or Council members may serve as proxies. Work groups or subcommittees may be established to address particular issues, and include members from the CCC, Council staff, and National Marine Fisheries Service (NMFS) staff with expertise as necessary.
3. **Organization.** The CCC will be directed by the Chair and Vice-chair of the Council that is hosting the annual CCC meeting during that calendar year (January 1 through December 31). Councils with more than one Vice-chair will need to determine who will be the CCC Vice-chair in the year when they host the CCC meeting.

(a) **Rules of order.** Roberts Rules of Order will be used to conduct business when a decision or recommendation of the CCC is needed. The CCC will operate by consensus whenever possible. Any member of the CCC can make a motion, but each Council will be limited to one vote, made by the chair of each Council (or vice-chair/proxy). Motions approved by the CCC reflect the opinions of the collective CCC, but are not binding on any individual Council. However, these decisions can be made on behalf of all of the regional Councils on a case by case basis, depending on the issue or vote at hand. The responsibility to follow-through on CCC actions, and to represent the CCC in general, falls upon the host Council for that particular calendar year.

(b) **Meetings.** The CCC will normally meet twice per year. Generally, an interim meeting is held early in the calendar year to discuss budgets and other pressing matters and is hosted by NMFS in Washington, D.C. The primary, annual CCC meeting is hosted, on a revolving basis, by one of the Councils, normally in later spring or early summer. The CCC Chair for that calendar year may call other meetings as necessary. NMFS, in consultation with the CCC Chair, may schedule periodic conference calls with the CCC to discuss issues of immediate concern. Emergency meetings shall be held at the call of the CCC chair. The CCC shall strive to announce meetings two years in advance.

(c) **Agenda.** For the primary, annual meeting, a draft agenda will be prepared in advance by the host Council and will be distributed to the other Councils and NMFS for review and comment. In the case of the interim meeting, NMFS will develop a draft agenda for review and comment by the Councils. Timely notice of the interim and annual meetings, including the agenda, will be provided, and such notice will be published in the Federal Register.

(d) **Executive Sessions.** The CCC may close a meeting, or a portion of a meeting that concerns matters of national security, litigation, employment/personnel matters, or internal

administrative issues.

(e) **Minutes.** A written summary of each meeting, except for closed sessions, will be prepared as appropriate by the host council or NMFS, and will be made available to the public. The CCC chairman will certify the accuracy of the meeting summary.

(f) **Public participation.** CCC meetings will be open to the public and public comment will be permitted at the discretion of the Chair. Public comment will be accepted at the beginning of the meeting, not to exceed 30 minutes. Written comments will be encouraged on agenda items, and if received will be placed in the briefing materials.

4. Functions. The CCC is exempt from the requirements of FACA. As such, the CCC's can provide recommendations from leadership of the eight regional fishery management Councils to the Federal Government (usually to the Secretary of Commerce through NMFS). The CCC has adopted the following statement with regards to making recommendations:

“The MSA states that the CCC is established to discuss issues of relevance to all Councils, including issues related to the implementation of this Act. Although all Councils adhere to the same MSA and national standards, the eight regional Councils often have differing regional priorities, attitudes, relationships, and philosophies about management. It is important that NMFS and the public are aware of these differences. There is a risk that the CCC may be perceived as a body that can present a unified approach or opinion. While opinions can be developed and presented quickly by the CCC the danger of rushing to such opinions and judgments is far outweighed by the more deliberative and thorough approach conducted by a regional Council. In addressing requests by NMFS the CCC should consider whether the regional input from the Council is more appropriate than the CCC. We do not want to lessen the importance of regional perspectives.”