

Draft Plan (as of 1/31/2012)
for the MAFMC
Advisory Panel Governance Review Working Group

Advisory Panel Workgroup Membership: Howard King (Workgroup Chair), Steve Linhard, Steve Schafer, Jack Travelstead, Rick Robins (Council Chair), Lee Anderson (Council Vice-chair)

Staff Assigned: Jessica Coakley

Objective of Action: Review and revise methods for populating and maintaining Council advisory panels (APs) for each of the Council managed fisheries; ensure diversity of interest are represented on these committees such that the Council receives representative and informative advice from its panels on fishery management actions.

Current Advisory Panels: Current panels are a combination of species and FMPs.

Current Advisory Panels
Bluefish
Black Sea Bass
Dogfish (joint - MAFMC lead)
Monkfish (joint - NEFMC lead)
Scup
Squid-Mackerel-Butterfish
Summer Flounder
Surfclam-Ocean Quahog
Tilefish
Law Enforcement
Protected Resources

Workgroup Recommendations:

#1 - Recommendations on Number of APs:

- Dissolve Protected Resources AP because it is not frequently used.
- Form an Ecosystem/Ocean Planning Advisory Panel. Protected resources (PR) and habitat expertise should be included on that panel along with other appropriate advisors. Note that a subcommittee of this AP could be used for specific issues on habitat or PR.
- Consolidate the Summer Flounder, Scup, and Black Sea Bass into one FMP-based panel such that a single panel exists for each FMP.
- Form a Commercial AP and Recreational AP that is composed of the membership from the FMP-based APs with those backgrounds. These larger panels could be convened to address inter-FMP issues relative to either commercial or recreational fisheries.
- Below is the current proposed list, but this does not preclude the addition of other panels as needed.

Proposed Advisory Panels
Bluefish
Dogfish (joint - MAFMC lead)
Monkfish (joint - NEFMC lead)
Squid-Mackerel-Butterfish
Summer Flounder-Scup-Black Sea Bass
Surfclam-Ocean Quahog
Tilefish
Law Enforcement
Ecosystem/Ocean Planning (TBD in future)

#2 - Recommendations on Appointment of APs:

- Dissolve all APs and start with a blank appointment slate. All current advisors should be notified that the process is being revised and advisors must re-apply to be considered for membership on an AP.
- Panel appointments should be fixed 3 year-terms, not the current 2 year-terms.
- AP appointments should be addressed once per year (e.g., 2nd Council meeting of year; routine annual appointment meeting).
- A press release should be sent to solicit applications several months before applications are needed for appointment process (in future years).
- Law enforcement issues (i.e., applicant with past or current violations) will be addressed on a case by case basis.
- Appointment process:
 - a) Applications received are reviewed by Council staff for completeness.
 - b) All complete applications are distributed to the Committee Chair to review with Committee by conference call or email correspondence. All viable applicants (and their applications) are sent to the Executive Committee by the

Committee Chair. Note: In the event the panel does not have associated Committee, all complete application are sent directly to Executive Committee.

c) The Executive Committee will review applicants during a closed session and produce an appointment list for each AP which will include those qualified applicants that address the current need for representativeness for each AP.

d) The Council Chair appoints the members of the AP from the Executive Committee list and those members serve at the pleasure of the Council Chair.

- No designees or proxies can serve in place of an appointed member of any AP.
- Each advisory panel should be representative of the fishery and its diversity of stakeholders within the applicable region. The panel should be effective, balanced, and no larger than needed to ensure adequate representation.

#3 - Recommendations on Maintenance of Panels:

- Letters should be sent to applicants notifying them whether they have or have not been appointed.
- If not appointed, applicants should also be informed their application will kept on file for future consideration for the limited time period of 2 years.
- Letters should be sent to advisors whose terms expire to determine if they want to be considered for reappointment. If no response, assumed not interested in reappointment.
- Applications may be received throughout the year and will be kept on file for a limited time period of 2 years.
- Advisory panel members who fail to attend three consecutive meetings or 50% or more of annual advisory panel meetings without providing reasonable justification to the Council Chair will be removed from panel.
- Any vacancy appointments or appointments for advisory panel members removed for failure to attend meetings would be filled at the next annual routine appointment meeting.
- The council should consider additional ways to ensure advisors stay active and up to date on issues (e.g., press release mailing lists, etc.).

#4 - Workgroup Recommendations on Composition/Representativeness:

- The Executive Committee will ensure balanced representation on each panel. The Committee will use tools similar to Attachment A to ensure representation is balanced. The Executive Committee will also consider all panels to ensure any individual panel member does not sit on an excessive number of panels.

#5 - Advisory Panel Operations - Chair and Vice-Chair, TORS

- A chair and vice-chair for each AP will be nominated from amongst the panel membership for a term of 1 year with a limit of 5 consecutive terms.
- The AP Chair will work with Council staff to ensure any terms of reference (TORS) identified by the Council or Council Committee are met during an AP meeting.
- The Council Chair may invite the AP Chair to present to the Council or a Committee.
- The Committee Chair, if applicable, should attend the AP meeting or if possible connect by conference call/webinar.
- Council staff will solicit input from the Council Chair, Committee Chair, and/or AP Chair when developing TORS for an AP meeting.
- AP and Council Committee's will typically convene independently to ensure independence of AP and Committee advice. Joint convening of the AP and Council Committee may occur at the discretion of the Council Chair.
- Advisory panels will develop recommendations by consensus. Minority opinions may be submitted by some TBD process. The Council must identify the process.

#6 - ASMFC and MAFMC Jointly Convened Panels:

- Alignment of ASMFC and MAFMC appointment processes is not feasible. Additional efforts should be made when AP members are appointed to ensure they understand which organization AP they belong to, and who to contact with questions.

#7 - Recommendations on Joint Panels

- The Dogfish and Monkfish Committee's should reconsider the balance of appointments on the joint Dogfish and Monkfish APs. It is suggested that each Council be assigned some proportion of a fixed number of seats on each panel and each Council should appoint to ensure their fishery interests are represented. For example, the Monkfish AP may have a total of 10 seats. As lead Council, the NEFFC appoints 6 advisors and the MAFMC appoints 4.

#9 - Revision of SOPPS and AP Application

- SOPPS and AP application should be revised as needed.

Timeline/Implementation Plan for above Recommendations:

Action	Date
Council reviews and/or adopts workgroup recommendations	February 15, 2012
Letters sent to current advisory panels members notifying them to apply if they are interested in being on an advisory panel	February 17, 2012
Gather applications by date	March 30, 2012
Executive Committee review applications and create appointment lists; Council appoints advisory panel members from list	April 10-12, 2012

Percent Representation on Each Panel from Each Entity

	#	%
<u>Representation</u>		
Commercial	17	47%
Recreational	15	42%
Other Categories	4	11%
sum	36	100%

<u>FMP Species</u>		
Summer flounder	15	31%
Scup	21	43%
Black sea bass	<u>13</u>	27%
sum	49	100%

<u>Comm. Gears</u>		
Trawl	6	43%
Pot/trap	5	36%
Hook and line	1	7%
Other	2	14%
sum	14	100%