

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

ADVISORY PANEL POLICY

The Advisory Panels, which constitute the fishing industry advisory committee (FIAC) as required by the Magnuson Stevens Act, are charged with carrying out the objectives and duties listed below for a specific fishery management plan (FMP) or management problem. The Council may establish or abolish such Advisory Panels, as it deems necessary.

A. Objectives and Duties

1. The Advisory Panels shall offer the Council continuing advice on the assessments and specifications contained in the FMPs/amendments for each fishery within the Council's geographical area of concern, with particular regard to:
 - (a) The capacity and the extent to which the fishing vessels of the United States will harvest the resources considered in the FMPs.
 - (b) The effect of such FMPs on local economies and social structures.
 - (c) Potential conflicts between user groups of a given fishery resource.
 - (d) Enforcement problems peculiar to each fishery with emphasis on the expected need for enforcement resources.
2. The Advisory Panels shall offer advice and/or prepare comments for the Council on:
 - (a) FMPs or amendments during preparation of such plans or amendments by the Council,
 - (b) FMPs prepared by the Secretary or other Councils and transmitted to the Council for review, and on
 - (c) The effectiveness of plans and amendments that have been implemented.
3. Advisory Panel members shall keep the Council advised of current trends and developments in fishery matters.
4. The Advisory Panels shall perform such other necessary and appropriate duties as may be requested by the Council to carry out its functions under the Act.

B. Membership Composition

1. The Advisory Panels of the South Atlantic Fishery Management Council shall be appointed by, and serve at the pleasure of, the Council.
2. The Advisory Panels shall be composed of persons who are either actually engaged in the harvest of or are knowledgeable or interested in, the conservation and management of the fishery or group of fisheries to be managed. The Panels shall also reflect expertise and interest from the standpoint of geographical distribution, industry and other user groups, and the economic and social groups encompassed in the Council's geographical area of concern.
3. Each Advisory Panel shall elect a Chair and Vice Chair from among its members who may serve as AP Chair for a period of three years with the option for reappointment.
4. As a general rule, no person may serve on more than one advisory panel at a time.

C. Terms of Members

Members shall be appointed by the Council for three-year terms and may, at the pleasure of the Council, be reappointed for two additional terms not to exceed three terms in succession. If the Council determines no qualified persons have applied for the open position, then the Council may reappoint the outgoing member to an additional three-year term. In such case, each new term shall be viewed as if it were a third term. This term limit policy does not apply to the SEDAR or Citizen Science APs (Pools). A member may be reappointed to the same advisory panel after having been off the advisory panel for at least one year.

D. Inactive Advisory Panels

When the Council determines that an advisory panel will not meet during the upcoming calendar year, members of the advisory panel will be notified by letter. When possible, the members will also be notified as to when the Council anticipates the advisory panel will be activated in the future. Any annual inactive period will not be counted against a member's three-year term.

E. Termination of Membership

An advisory panel member will be replaced at the Council's discretion if:

1. They transfer employment or move to a different location.
2. They are absent from two consecutive meetings without giving adequate notification or reason to the Council Executive Director. Note: This provision does not apply to members of AP pools (SEDAR and Citizen Science).
3. They appear unable or unwilling to fulfill their obligations as an advisory panel member.

4. Their area of expertise is no longer required; or
5. The Council determines they should be removed for just cause (e.g., violation of marine resource law and felony conviction, etc.; these examples are not all inclusive).

F. Appointment/Replacement of Members

When vacancies occur on advisory panels due to creation of a new panel, adding members to an active panel, resignation, or Council action removing a member:

1. The Executive Director shall announce the specific advisory panel vacancy(s) through the news media, Council mailing lists, NOAA Fisheries mailings and other such means he deems appropriate to solicit qualified nominees.
2. The Executive Director will send each nominee a Council Advisory panel questionnaire to complete and return to the Council or require the applicant to submit a resume to the Council depending on the nature of the advisory panel on which the vacancy exists.
3. The Advisory Panel Selection Committee will review the qualifications of the nominees and make recommendations for appointments to the Council. Nominees may not be eligible for appointment if they have had a marine resource violation in the past three years.

G. Administrative Provisions

1. Advisory panels may establish such subpanels as they deem necessary to facilitate their duties with approval of the Executive Director.
2. Advisory Panel meetings shall be scheduled by the Executive Director, with the approval of the Council Chair as often as necessary to fulfill the panel's responsibilities, taking into consideration time and budget constraints.
3. Advisory panels shall report to the Council through the Council staff. The Executive Director, or a Council staff member designated by the Executive Director, shall coordinate all assignments and activities with the panel chairperson.
4. The Council Executive Director shall provide such staff and other support, as the Council considers necessary for panel activities, within budget limitations.
5. Members of Advisory Panels shall serve without compensation. They may be paid their actual expenses for travel incurred in the performance of their duties for the Council in accordance with Council policy.

H. Special Provisions for Advisory Panels that serve as membership pools

The Council may create specialized Advisory Panels that serve as “pools” from which individuals are selected to participate on subpanels for specific projects. Examples, described below, include the SEDAR and Citizen Science Advisory Panel Pools. Advisory Panel pools are governed by the same requirements as those noted above for all other Advisory Panels, where applicable, and except as specifically noted in the following special provisions:

1. Advisory Panels pools shall not meet as a panel.
2. Advisory Panel pools shall not elect chairpersons.
3. There is no limitation on the number of members on an Advisory Panel pool.
4. Advertising of openings on a pool may be done, as needed for a specific project or as part of a general call for applications on other Council Advisory Panels.
5. Participation on an Advisory Panel pool does not prevent appointment to another Council Advisory Panel.
6. Appointments to Advisory Panel pools are not subject to length of term limitations.

I. SEDAR Advisory Panel Pool

1. The Council will also establish a SEDAR Advisory Panel Pool (also known as the SEDAR Pool or SEDAR AP) composed of individuals approved by the Council to participate in the SEDAR stock assessment process. Approved participants (panelists and appointed observers) for each SEDAR workshop shall only be selected from the SEDAR Pool. All duly appointed advisory panel members are included in the SEDAR Pool and are eligible to be appointed to participate in a SEDAR workshop as a panelist or observer.
2. Appointments to the SEDAR Advisory Panel Pool will be made by the SEDAR Committee.

J. Citizen Science Advisory Panel Pool

1. The Council will also establish a Citizen Science Advisory Panel Pool (also known as the Citizen Science Pool or Citizen Science AP) composed of individuals approved by the Council to participate in the Citizen Science process. Approved participants for Citizen Science working groups and subpanels shall only be selected from the Citizen Science Advisory Panel Pool. All duly appointed advisory panel members are included

in the Citizen Science Pool and are eligible to be appointed to participate on a Citizen Science group.

2. Appointments to the Citizen Science Advisory Panel Pool will be made by the Citizen Science Committee.

K. Webinar Meetings

The Council welcomes use of webinar meetings for the Advisory Panels to increase transparency and efficiency while reducing costs of conducting meetings in person. The Council prefers in-person meetings with the ability to freely discuss and exchange information. However, budget and time constraints may require more use of webinar meetings. The Council supports the use of webinar meetings for Advisory Panel meetings, primarily to address specific issues that are time sensitive.

If an Advisory Panel meets via webinar, members can vote. If an Advisory Panel meets in-person, members participating remotely can vote. The Council's preference is that all Advisory Panel members attend in-person but recognize this is not always possible. Remote participation counts as present for attendance requirements.

L. Public Comment

The Council welcomes public comments to Advisory Panels.

Written comment:

Written comment on Advisory Panel agenda topics is to be distributed to the Advisory Panel through the Council office, similar to all other Council briefing materials. Written comment to be considered by an Advisory Panel shall be provided to the Council office no later than one week prior to an AP meeting. Submit written comments via the online comment page on the Council's website or mail comments to:

SAFMC – AP Comments
4055 Faber Place Drive
Suite 201
North Charleston, SC 29405

Verbal comment:

Two opportunities for comment on agenda items will be provided at set times during AP meetings. The first will be at the beginning of the meeting, and the second prior to recessing each day if the meeting runs more than one day. Those wishing to comment should indicate such in the manner requested by the Advisory Panel Chair, who will then recognize individuals to provide comment. All comments are part of the record of the meeting.