

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

ADVISORY PANEL POLICY

(Revised June 2011)

Administrative Handbook Appendix II

The Advisory Panels, which constitute the fishing industry advisory committee (FIAC) as required by the 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.

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 which 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.

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 and 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 chairperson and vice chairperson from among its members to serve terms of 1 year or until a successor is elected.
4. As a general rule, no person may serve on more than one advisory panel.

Terms of Members

Members shall be appointed by the Council for three-year terms and may be reappointed at the pleasure of the Council. Vacancy appointments shall be for the remainder of the unexpired term of the vacancy.

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.
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).

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 nominee 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.

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.

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 chairperson 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.

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.
2. The SEDAR Advisory Panel is governed by the same requirements as those noted above for all other Advisory Panels, where applicable.