

## 2.5 Scientific and Statistical Committee (SSC)

The Council has established a Standing SSC and Special SSCs for individual management plans or areas of expertise to provide expert scientific and technical advice to the Council. The SSC shall review and comment on the scientific adequacy of such statistical, biological, economic, social, and other scientific information as is relevant to the Council's development and amendment of any fishery management plan.

During the appointment process of the Standing SSC, the Council shall appoint no more than **21** ~~17~~ individuals. ~~The Standing SSC which~~ will include 8 stock assessment or quantitative biologists / ecologists. The remaining **13** appointees shall include at least ~~2~~ **4** economists and at least ~~2~~ **4** anthropologists / ~~sociologists~~ **social scientists**, and 5 other scientists. Each member will have demonstrable expertise in one of the above categories. Each Special SSC will be comprised of no more than 3 members, and none of those three shall be a member of the Standing SSC or another Special SSC. When a Special SSC meets with the Standing SSC, members of the combined committees will vote as a whole committee.

Council members or their designees may not simultaneously serve on the Council and an SSC.

### 2.5.1 Objectives and Duties

The SSC shall provide the Council **with** ongoing scientific advice for fishery management decisions, including recommendations for preventing overfishing and achieving rebuilding targets, and reviews of reports on stock status and health, by-catch, habitat status, social and economic impacts of management measures, and sustainability of fishing practices. The SSC may also recommend priorities for future research needs.

The Standing SSC and one or more Special SSCs may meet as a single body (SSC) to deliberate and advise on appropriate fishery management units. For each managed stock or assemblage of stocks, ~~they~~ **the SSC** shall recommend an acceptable biological catch (ABC) and overfishing **limit level** (OFL) that ~~takes into~~ **accounts for** scientific uncertainty. The SSC may also comment on the scientific appropriateness and **social and economic** consequences of various alternatives for accountability measures (AMs) to be implemented if annual catch limits (ACLs) are exceeded.

#### Multi-Year Research Priorities

The SSC shall develop multi-year research priorities for fisheries, fisheries interactions, habitats, and other areas of research that are necessary for management purposes, that shall: (a) establish priorities for 5-year periods, and (b) be updated as necessary. The Council may revise the plan and will submit it to the Secretary and the regional science centers of NMFS for their consideration in developing research priorities and budgets for the region of the Council.

#### Review of FMPs, Amendments, and Framework Procedure Actions

The SSC will advise the Council, **as requested** on the adequacy of scientific information and supporting analyses for proposed management measures and alternatives in FMPs and amendments, including **any** environmental impact statement (EIS) or environmental assessment (EA), regulatory impact review (RIR), and initial regulatory flexibility analysis (IRFA). The SSC will also provide a determination of whether these are **based-on consistent with** the best scientific information available, and may provide advice as to the effectiveness of the measures in achieving the objectives of the FMP or amendment. The emphasis of the SSC will be **upon** evaluating scientific data and **logic- rationale** on which the management measures are based, rather than selecting management measures. They will assess the appropriateness of the problem statements and adequacy of the objectives in solving the problems, and may suggest additional or revised problems, objectives, and management measures and may indicate which of the measures are most effective in achieving the objectives.

The SSC will also advise the Council on the adequacy of scientific information and supporting analyses in the stock assessment update, whether these are **based-on consistent with** the best scientific information available, related scientific documents, and the content of ~~the~~ stock assessment reports. **This The OFL and ABC** advice from the SSC will be the basis for the Council to set ACLs, and AMs ~~in the stock assessment~~. The Council may also set annual catch targets below ACL to further account for **management** uncertainty.

### 2.5.2 Members and Chair

Members appointed by the Councils to the **SSCs** ~~scientific and statistical committees~~ shall be Federal employees, State employees, academicians, or independent experts and shall have strong scientific or technical credentials, and **relevant professional** experience.

Members and officers of the SSC shall be appointed for a period of three years without term limits and may be reappointed at the pleasure of the Council. Membership on an SSC is determined by the Council during a closed session of its Council meetings and is based on the application provided by the applicant as well as the Council members' knowledge of the applicant. Consideration for appointment may include the appropriate interest, experience, and past performance as well as other factors such as a record of fishery violations. SSC members serve at the pleasure of the Council and may be removed at any time without cause. Appointment of new members may be made during any Council **meeting-session**.

Each member of the SSC shall be treated as an affected individual for purposes of financial interest disclosure and recusal provisions for SSC members as specified in the Act. Statements of Financial Interest (SOFI) disclosures for SSC members will be reviewed annually by the Council prior to appointment, and when updated by an SSC member reporting any substantial changes in financial interest. SOFI disclosures will be kept on file by the Regional Administrator.

A Chair and Vice Chair for the Standing SSC shall be elected by its members or may be designated by the Council at its discretion from the membership of the Standing SSC. The Chair or Vice Chair shall preside when the SSC is convened and will be responsible for summarizing ~~committee consensus~~ **its recommendations** when advice is requested by the Council.

### **2.5.3 Administrative Provisions**

The SSC Chair or their designee will, at the request of the Council Chair, attend Council meetings to report on ~~the~~ SSC recommendations and rationale. (The SSC should attend and meet with the Council to the extent practicable.)

The procedural guidelines of Section 302(i)(2) of the Act (as amended) shall apply to the conduct of business at the meetings of the Council, advisory panels (APs), and SSCs. The Council's SSCs will meet with the approval of the Executive Director.

### **2.5.4 Subcommittees/Working Groups**

The Council may form subcommittees of the SSC or working groups that include SSC participation, as needed, to provide recommendations for management consistent with the Act and other applicable federal laws and regulations. These panels may also be called upon to review other relevant information and provide recommendations to the SSC or Council, as requested.

## **2.6 Advisory Panels (APs)/Fishing Industry Advisory Committees (FIACs)**

The Council has established APs, which serve as fishing industry advisory committees, and will form such panels as it deems necessary or appropriate to assist in carrying out assigned functions under the law. An AP shall normally be established for each fishery management unit identified by the Council.

### **2.6.1 Objectives and Duties**

For each FMP or amendment under consideration, the APs provide advice concerning the recommended optimum yield (OY), the management measures and allocations under consideration, the supporting documentation to any regulatory action, management objectives, and any other advice the APs deem appropriate or as required by the Council.

### **2.6.2 Members and Chair**

The APs shall generally be composed of members who are residents of the five-state geographical area. Each AP shall be selected so as to provide for geographical, commercial, recreational, marketing, or other interests in accordance with functions and purposes of the panel with such membership established in a manner that provides fair representation to commercial and recreational fishing interests. Membership on an AP is determined by the Council during a closed session of its Council meetings and is based on the application provided by the applicant as well as the Council members' knowledge of the applicant. Consideration for appointment may include the appropriate interest, experience, and past performance as well as other factors such as a record of fishery violations. AP members serve at the pleasure of the Council and may be removed at any time without cause. Outgoing Council members may request to be placed on an AP of their choice at the discretion of the Chair and Vice Chair until the time of

reappointment. When the AP term has expired, the outgoing Council member must apply for appointment through the regular appointment process.

No person may serve on more than two APs at any one time; however, service on any Ad Hoc or Special AP, as designated by the Council, will not be counted in the limitation to serving on more than two APs at the same time. Each AP shall be limited to a membership of 18 persons unless otherwise specified by the Council.

A Chair and Vice Chair for each AP shall be elected by members of the AP or may be designated by the Council at its discretion. The Chair or Vice Chair shall preside at each AP meeting. The Council may designate one or more members to meet with each AP.

Members and officers of the APs shall be appointed by the Council for a period of three years without term limits and may be removed or reappointed at the pleasure of the Council. Appointment of new members may be made during any Council session.

The presence of a fishing violation is an important aspect in consideration of an AP appointment. The Council has determined: 1) Applicable fishing violations include only violations of federally managed species in either State or Federal waters, regardless of the penalty (i.e., written warning, civil fine, criminal conviction); 2) Individuals are ineligible to serve on an AP within three years of the final finding of liability through adjudication, settlement, or default. A finding of liability is final after any applicable appeal period expires; and, 3) Vessel owners shall not automatically be held responsible for violations by a crew member when the owner is not present. If an individual who is currently serving on an AP is found to have a fishing violation that meets the preceding criteria, subsequent to their appointment, the decision to maintain or remove the individual from the AP is at the Council's discretion.

### **2.6.3 Administrative Provisions**

The procedural guidelines of Section 302(I) (2) of the Act (as amended) shall apply to the conduct of business at the meetings of the Council, APs, technical committees, and SSCs. The Council's APs will meet with the approval of the Council Chair.

## **2.7 Technical Committees**

Technical committees are special advisory panels made up of academics, agency, and industry personnel with expertise in relevant subject matter that can advise and assist the Council by reviewing relevant subject matter and providing recommendations.

### **2.7.1 Outreach and Education Technical Committee**

The Outreach and Education Technical Committee consists of fifteen people. Membership includes six communication or education and outreach staff (i.e., one from each of the five Gulf States Marine Resource Departments and one from NOAA Fisheries) assigned by the Council representative of each agency. Other members include four Sea Grant agents (i.e., one from each

Gulf region), four non-governmental organization representatives, and one media representative. Members are appointed jointly by the Executive Director and Council Chair.

The use of proxy attendees is allowed. The Executive Director should be informed at least two weeks prior to the scheduled meeting via a letter if a proxy is attending a meeting.

### **2.7.2 Law Enforcement Technical Committee (LETC)**

The Law Enforcement Technical Committee (LETC) consists of nine people. Membership includes five representatives from each agency responsible for enforcement of marine fishery laws (i.e., one from each of the five Gulf states), one member of the United States Fish and Wildlife Service for each region (i.e., two regions in the Gulf jurisdiction), one member from the Office of Law Enforcement of any region charged with jurisdiction in the Federal waters of the Gulf, and one member of the Federal agency General Counsel Enforcement Section. The Executive Director should be informed, **in writing**, at least two weeks prior to a scheduled meeting ~~in writing~~ of membership changes.

Federal and state members of the LETC may have designees represent them at meetings. The Executive Director should be informed at least two weeks prior to a scheduled meeting in writing, such as an email, of any change in designee membership, as well as if the designee will be attending the meeting.

### **2.7.3 Ecosystem Technical Committee**

The **E**cosystem **T**echnical **C**ommittee consists of no more than twelve people. Membership includes three staff from NMFS, one of which is from the **Atlantic** HMS division, ~~the Ecosystem~~ **five members from the SSC (3-members-with economic, social, or biological/ecological expertise)**, ~~two Standing SSC representatives~~, and up to four other stakeholder representatives. Members are appointed jointly by the Executive Director and Council Chair.