



Council Policy on Written Public Comment

DRAFT May 12, 2021

The Council is very interested in hearing your opinions and comments, and in fostering an open and welcoming environment for all persons to provide comment on fishery management matters on the Council's agenda. Input from written comments is exceedingly valuable to the Council process, to understand the diversity of perspectives on potential Council action. This policy sets out the current practice for written public comment at the Council and for Council advisory groups. The Council will periodically review and make adjustments to this process in order to allow broad access to the public to provide their comments, while ensuring that members have sufficient opportunity to read and absorb the input provided, and that throughout we are able to maintain the conventions of respectful discourse. Council members read and consider all letters that arrive prior to the deadline.

Written comment period for an upcoming Council meeting

The comment period will begin about 2 weeks before the Council's Scientific and Statistical Committee and/or Advisory Panel meeting, once the agenda is settled and the larger analytical documents in support of Council actions (initial review and final action documents) have been posted. The comment period will close at 5pm Alaska time on the Wednesday or Thursday before the meeting, which provides a balance between maximizing the opportunity for the public to digest and comment on staff documents for the upcoming meeting and allowing an opportunity for Council, SSC, and Advisory Panel members and the public to read through all the comments before the meeting begins. Written comments on an upcoming Council action must be submitted during the open comment period or in conjunction with oral testimony (see section below).

Written comments on an agenda item for an upcoming Council meeting are submitted to our online public comment portal that is part of the eAgenda for the meeting. The online public commenting feature was created to increase openness, transparency, and citizen participation in Council meetings. If we do receive a public comment by regular mail, Council staff will input the comment to the online portal. When comments intended for the Council meeting are mistakenly emailed to individual staff members, staff work with the person to ensure that they are submitted as intended through the portal. The only exception for public comments being funneled through the online portal is when a comment is received from a Federal, State, or international fishery agency, or from Federal or state legislators. It is the practice of the Council to allow these agencies that are commenting on a specific agenda item an opportunity to make their comments outside of the specific constraints of the public testimony time limit. The same exception is provided for their written comments, and the comment is thus posted on the agenda as an individual attachment, rather than as part of the public comments.

Also consistent with oral testimony, only one written comment is allowed per agenda item per person. The only exception is that an individual may submit a comment on behalf of themselves, and also be the person who submits their organization's written comment letter.

All comments are reviewed by Council staff. While in most cases this is primarily to ensure they are appropriately categorized by agenda item, there have recently been instances of profanity or threats being included among the comments, which are at odds with the Council's policy of maintaining a respectful and open environment, and for which Council staff will screen¹. We want to publish your comments, but

¹ The Council policy on posting written comments is based on the [policy](#) of the Department of Commerce.

we expect conversations to follow the conventions of polite discourse. Therefore, we won't post comments that:

- Contain vulgar language, personal attacks of any kind, or offensive terms that target protected classes
- Promote services or products (non-commercial links that are relevant to the blog post or comment are acceptable)
- Non-fisheries-related and far off-topic (a rare situation; primarily those that accidentally include sensitive personal information such as credit card or social security numbers. Comments that are simply not topical to an immediate Council action will continue to be included under the 'staff tasking' agenda item.)
- Make unsupported accusations (those that are personal in nature)

We are experimenting with a profanity filter to mask profanity and vulgar language, but otherwise we will not edit comments to remove objectionable content, so please ensure that your comment contains none of the above or it will be removed. No comments will be removed by staff relative to bullets 3 and 4, however, unless they very obviously do not meet the policy, and not without first consulting council leadership when feasible. Should any comments be removed, the staff will provide a report on the number of comments removed and the rationale as to why they were removed.

Additionally on the Council/AP agenda, no submitted comments will be visible on the online portal until the comment deadline has ended in order to minimize the opportunity for comments on comments, and disrespectful personal attacks.

Written comments during the Council meeting

Once the comment period has ended, a member of the public wanting to submit a written comment or other supplemental material may only do so in conjunction with giving during public testimony for that agenda item. In signing up on the eAgenda to provide testimony, there is an option to attach written material. This written attachment will not be projected during testimony, but the testifier should refer to it so that Council members and the public can know to pull it up and follow along as appropriate.

Once we return to in-person meetings, we may also accept paper handouts again during testimony; if so, we will evaluate and publicize appropriate procedures at that time. It has been an accepted practice for persons who are not available to testify during the appropriate public comment period but who still wish to submit a written comment during testimony to allow another member of the public who is testifying to distribute another's written comment during their time slot. This is the only way for written comments for a Council agenda item from the public to enter the public record after the written comment period has ended.

Comments outside the Council Agenda

At times, the Council receives written comments on topics outside the agenda items. If they are submitted during the public comment period on the upcoming agenda, these comments are usually collected under the Staff Tasking agenda item. If the comment is received by mail, it will usually be uploaded under staff tasking, or in the case of a comment from a government agency or Tribe, may be distributed to the Council in a Council mailing between meetings.

Comments may be emailed to individual Council members, however these are not included as part of the public meeting record unless they are also submitted through formal channels, or a Council member mentions the specific communication during deliberation.

Council Committees and other advisory groups

The Council has also established a policy that all Council committees will accept written comments. The instructions for submitting comments will be provided on the meeting agenda or in the Federal Register notice, and in most cases will be to submit comments directly through the Committee eAgenda and the online commenting portal. Council staff will reference any written comments submitted to the Committee in the minutes, so they can be reviewed by the Council.

The Council has also requested that out of cycle written comments submitted to the Council on IFQ and charter halibut management issues should be included for review under the staff tasking agenda item when they are submitted, but if the Council takes no action, these should automatically be compiled for review by the relevant committees at their next scheduled meeting. This also includes written comments that are submitted in person by testifiers during staff tasking.

Please email npfmc.admin@noaa.gov if you have questions.