

JOINT NMFS/COUNCIL STAFF REPORT ON POTENTIAL TIMELINE FOR ELECTRONIC MONITORING REGULATORY DEVELOPMENT

In September 2014, the Council selected their final preferred alternatives (FPAs) for individual fishing quota (IFQ) fixed gear (FG) and separately selected their FPAs for bottom trawl/non-whiting midwater trawl (BTW/Non-Whiting MDTW). At the onset of this meeting, the Council's schedule showed verification of their FPAs for FG and BTW/Non-Whiting MDTW in March. There are early indications from the exempted fishing permits (EFPs) that there would be enough information for the Council to move FG forward into regulations, but perhaps not yet for BTW/Non-Whiting MDTW.

Council and National Marine Fisheries Service (NMFS) staff had planned for sequential action and rulemaking on the whiting and non-whiting EM programs in 2016. However, in light of the need to further develop a vision for third-party video review with the Council and advisory bodies, the sequential process may no longer be ideal. Council and NMFS staff discussed rulemaking and future workload planning and identified some efficiencies in an alternate schedule (Table 1). We provide Table 1 to illustrate two timelines for rulemaking. Option 1 illustrates status quo at the start of this meeting.

Option 2 illustrates the potential for combining the whiting and fixed gear rulemakings into one regulatory package. Having one rulemaking package, instead of two, would be more efficient and allow both fisheries to be implemented in time for January 2017, when the current EFPs expire. This is the Council and NMFS staff's preferred option and is supported by the results of the FG EFPs, which NMFS will report on to the Council in March. If the Council supports Option 2, NMFS and Council staff will work with the Groundfish Electronic Monitoring Policy Advisory Committee on both the whiting and fixed gear regulations over the winter in preparation for deeming in April 2016 (under Option 2).

		Option 1 – (Status Quo)	Option 2 – Whiting and Fixed Gear Combined Rulemaking
2016	November	Scheduling discussion	Scheduling discussion to combine rulemaking for fixed gear with whiting; develop regulations according to fixed gear FPAs
	January		GEMPAC working webinar on whiting and fixed gear regulations-(pre-CFR in detail style as presented at November Council Meeting)
	March	Verify fixed gear and bottom trawl/Non-whiting midwater trawl FPA	Council receives update on non-whiting EFPs; discuss bottom trawl/Non-Whiting midwater trawl schedule
	April		GEMPAC reviews whiting and fixed gear regulations again; Council takes final action on fixed gear (verify FPA); deems whiting and fixed gear regulations (CFR Style)
	June		Whiting and fixed gear proposed rule publishes
	July		Public comment period
	September		Whiting and fixed gear final rule publishes
	October		Whiting and fixed gear final rule effective, begin implementation
	November	Council deems regs for fixed gear and bottom trawl/Non-whiting midwater trawl	Bottom trawl EFP update; Consider FPA
	December	EFPs expire December 31	EFPs expire December 31
2017	January	Implementation of Whiting Regulations	

Table 1. Schedule for regulatory development of EM regulations, including status quo and one new option.