

TRANSITIONAL MANAGEMENT CYCLE IN 2002 THROUGH 2003

Situation: In response to a recent court decision requiring full federal rulemaking prior to implementation of annual groundfish specifications, the Council is to consider modifying the three-meeting groundfish management specification process. Under the revised schedule, 2002 would be a “transition” year in preparation for multi-year management or a changed fishing year start date per the fishery management plan (FMP) amendment the Council considered under Agendum E.9.

For setting 2003 specifications, the Groundfish Multi-year Management Committee recommends altering the three-meeting process (June-September-November) adopted for use in 2002 to a June-September Council meeting process. The basis for this recommendation is to provide October 2002 through February 2003 for federal rulemaking, including public notice and comment. Because the final rule for 2003 management specifications will not be in place prior to February 28, 2003, some type of interim regulations will be necessary for January and February 2003.

With Council concurrence, in 2002, the management process would be as follows – in June the Council takes preliminary action on acceptable biological catch, optimum yield, and management measures for 2003; final action occurs in September. For fishing January 1 through February 28, 2003, interim regulations could be developed during 2002 (based on new information), i.e., “revised interim,” or, 2002 regulations for the January through February period could be used, (i.e., “roll over interim.”)

Prior to the June 2002 Council meeting, the Ad Hoc Allocation Committee would need to be apprized of preliminary acceptable biological catch and optimum yield values, and begin to devise management measure recommendations.

The Groundfish Management Team, Groundfish Advisory Subpanel, and Scientific and Statistical Committee are expected to provide reports to the Council on this issue. After hearing from the advisors and public, the Council should consider the GMMC recommendation and the proposed schedule for 2002. The Council should also consider scheduling a meeting of the Ad Hoc Allocation Committee. Finally, the Council should also discuss whether interim regulations will be based on “roll over” of 2002 specifications or on new information.

Council Action:

- 1. Adopt modified meeting schedule for developing 2003 annual specifications and management measures.**

Reference Materials: None.

Agenda Order:

- Agendum Overview
- Reports and Comments of Advisory Bodies
- Public Comment
- Council Action:** Establish an Interim Management Process

Dan Waldeck

Groundfish Strategic Plan (GFSP) Consistency Analysis

This agenda item is not related to the Groundfish Strategic Plan. Because of the court decision in *NRDC v. Evans* (Judge James Larson, August 2001), full federal rulemaking, including public notice and comment, is required for implementing annual groundfish management specifications. NMFS informs the Council the full rulemaking process requires five months. In order to provide these five months, the Council will need to take final action on 2003 specifications at the September 2002 Council meeting.

PFMC
03/26/02