

GROUND FISH MANAGEMENT TEAM COMMENTS ON COUNCIL OPERATING PROCEDURES DOCUMENT

The Groundfish Management Team (GMT) appreciates the Council's extension of the comment period on the proposed changes to the Council Operating Procedures (COPs). Since these COPs were last reviewed and amended (1999), there have been a considerable number of changes in Council staff personnel as well as the membership of the GMT. The duties of Council staff and Team members have also evolved over time. In reviewing the current COPs pertaining to the GMT, as well as the proposed revisions by Council staff, the GMT notes that current practices are not reflected in either document. As such, the GMT is proposing revisions to the current COPs in order to capture current practices, or status quo. As the duties in COP 3 and the management cycle in COP 9, in particular, have an effect on the GMT's work load, we felt it was important for the Council to have an understanding of which items were currently on the GMT's plate and to clarify that shifting and/or adding responsibilities to the GMT would result in an increased work load. The GMT is at or above its maximum capacity relative to work load (both time and energy), but recognizes the need to fulfill core functions to help the Council achieve its objectives and duties relative to groundfish management. With that, we have reviewed the proposed changes and have the following comments and recommendations:

COP 3 - Plan, Technical, and Management Teams

Objectives and Duties

1. Page 1, #2 - Adding the responsibility of drafting "regulatory amendments" to regulations to the GMT would be an additional work load burden that would need to be addressed. Currently, for groundfish, NMFS staff drafts regulations and regulatory amendments, and they have indicated they plan to continue to carry out those tasks. In addition, the drafting of fishery management plans (FMPs) and FMP amendments are responsibilities shared by Council staff, NMFS, and Plan or Management Teams.

Recommendation

Change language to: "Contribute to the development of ~~Draft~~ fishery management plans and FMP amendments, and develop proposed changes to regulations...."

2. Page 2, 7 - The preparation of "abundance forecasts" should not pertain to groundfish as there is a formal stock assessment process in place. Adding the responsibility of preparing "rebuilding plans" to the GMT would be an additional work load burden that would need to be addressed. Currently, for groundfish, Council staff contact the various assessment authors for stock information and prepare the rebuilding plans. In addition, Council staff prepare Stock Assessment and Fishery Evaluation (SAFE) documents with the assistance of GMT members and NMFS staff.

Recommendations

Change language to: “Contribute to Prepare documents and reports required by an FMP or the Council, such as SAFE documents.”

Add subsequent bullets:

- “Salmon Technical Team will prepare annual abundance forecasts.”
 - “Council staff will prepare groundfish rebuilding plans, as required.”
3. Page 2, #9 - As mentioned on page 1, #2, currently, for groundfish, NMFS staff drafts regulations and regulatory amendments and develops the proposed regulatory language. State representatives have assisted with the identification of coordinates to depict rockfish conservation areas and state-proposed area closures; however, #9 as written goes beyond this task and the additional “potential future need for regulatory language under National Marine Sanctuaries Act provisions” is not an appropriate responsibility for the GMT.

Recommendation

Delete the language in this bullet.

4. Page 2 - Management Teams often carry out similar, complimentary duties to the Advisory Subpanels such as offering advice to the Council on the status of fisheries, possible affects of alternative management measures, FMP or regulatory amendments, or possible enforcement concerns. Thus, objectives 1, 2, and 6 from COP 2 (Advisory Subpanels) also applies to Management Teams.

Recommendation

Add the following language,

16. Offer advice to the Council on the assessments, specifications, and management measures pertaining to each FMP with particular regard to (a) the capacity and the extent to which the U.S. commercial and recreational fisheries will harvest the resources managed under their respective FMPs, (b) the economic and social effects of such management measures, (c) potential conflicts among groups using a specific fishery resource, or (d) enforcement problems peculiar to each fishery with emphasis on the expected need for enforcement resources.
17. Offer advice to the Council on (a) FMPs, FMP amendments, and regulatory amendments during preparation of such FMPs or amendments by the Council, (b) FMPs prepared by the Secretary of Commerce and transmitted to the Council for review, and (c) the effectiveness of the FMPs, amendments, regulations, and other measures which have been implemented.
18. Identify specific legal or enforcement questions on proposals and request response through the Executive Director from the appropriate parties. (Note: The Council staff will attempt to anticipate the need for enforcement and legal advice and arrange for the Enforcement Consultants and/or National Oceanic and Atmospheric Administration General Counsel to attend subpanel meetings.)

5. Page 4, Public Participation - Scheduled Team meetings should be announced to the public regardless of whether the purpose of the meeting is to draft documents.

Recommendation

In the first sentence, delete the phrase, "...for purposes of completing draft documents for submission to the Council..."

Current Representation on Teams

6. Page 6 - Housekeeping change

Recommendation

The current composition of the GMT includes one representative (not two) from the NMFS Northwest Fisheries Science Center and one representative from a tribal agency (not a tribal government), for a total of 11 members, and the list of GMT members should reflect this.

COP # 9 - Management and Activity Cycles

7. Pages 2 and 3 - Housekeeping change

Recommendation

Change header for Schedule 1 from "Annual" to "Biennial."

Recommendations 8-12 suggest clarifying language that describes current practice in order to alleviate confusion:

8. Page 2, Year 1, November

Recommendation

Change language to: "Council provides ~~adopts~~ initial fishery management guidance...."

9. Page 2, Year 2, February

Recommendation

Change language to: "GMT meets ... and Council preferred harvest specifications provided ~~adopted~~ by the Council in November."

10. Page 2, Year 2, April

Recommendation

Change language to: "Council recommends inseason management adjustments as necessary. and adopts Council provides initial management measures for public review and may adopt final acceptable biological catches and optimum yields ~~and management measure alternatives for public review.~~"

11. Page 3, Year 2, June

Recommendation

Change language to: “Council recommends inseason management adjustments as necessary and approves draft EFP applications for Year 3. ~~and~~ Council adopts final management measures and any remaining final ABCs and OYs for implementation by NMFS.”

12. Page 3, Year 2, November

Recommendation

Change language to: “Council recommends inseason management adjustments as necessary and ~~approves~~ adopts final exempted fishing permits for Year 3.”

13. Page 3, Year 3 - Prior to entering the biennial management cycle, the GMT had meetings in addition to those in conjunction with Council meetings—specifically, the GMT met in February, May, July, and October each year. To review and discuss the multitude of the stock assessments and STAR Panel results in Year 3 in a timely manner and to address other Council groundfish initiatives (e.g., essential fish habitat environmental impact statement (EIS), Bycatch EIS, Trawl individual quotas [IQs]). The GMT proposes these meetings be included in Year 3 of the management cycle.

GMT Recommendations

Adopt proposed changes to COPs with GMT-recommended changes specified above for COPs 3 and 9.

PFMC
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