

## PROCESS AND SCHEDULE FOR 2007-2008 BIENNIAL MANAGEMENT SPECIFICATIONS ADOPTION

Amendment 17 to the Groundfish Fishery Management Plan (FMP) established a new process to set biennial groundfish harvest specifications and management measures which was first used to set 2005-2006 harvest specifications and management measures. The process accommodated several important sequential decision-making steps, including scientific peer review of data and analyses used for management decision-making; an environmental assessment compliant with the National Environmental Policy Act (NEPA) to analyze alternative harvest specifications and management measures; constituent meetings sponsored by state agencies and the Council process to solicit public input on a preferred management alternative; and formal rulemaking to implement new biennial regulations. All of these steps were timed to implement new rules by January 1, 2005, the beginning of the first biennial management period.

Experience from the initial process has led to new policies and recommendations to avoid some of the problems associated with setting 2005-2006 harvest specifications and management measures. For instance, new at-sea observer data came late into the process which delayed some of the NEPA analysis used by the Council and state managers to decide new management measures. This, coupled with delayed resolution of new stock assessments, ultimately delayed the entire process. The National Marine Fisheries Service (NMFS) had to waive the Administrative Procedure Act required 30-day cooling-off period in order to implement new regulations by January 1. The Council and NMFS have made improvements by agreeing to only provide new observer data annually in November when the Council decision-making process begins and scheduling extra Stock Assessment Review Panels to resolve stock assessment problems that emerge late in the process. However, despite these improvements, the 2007-2008 decision-making process will be challenging and depends on a commitment from all entities to complete their steps in time.

The complexity of the groundfish fishery and the potentially significant impacts associated with 2007-2008 management decision-making appears to require the preparation of an Environmental Impact Statement (EIS). Under this assumption, the proposed Council and NMFS schedule and process for developing 2007-2008 groundfish harvest specifications and management measures is provided in Agenda Item F.6.a, Attachment 1. One significant change from the schedule adopted to set 2005-2006 harvest specifications and management measures is the need to adopt the preferred alternative of management measures at the April 2006 Council meeting. This is due to the need to submit a draft EIS (DEIS) a month earlier than last time on the advice that the 30-day cooling-off period cannot be waived. Delaying this decision until the June 2006 Council meeting does not leave adequate time to analyze a preferred alternative of management measures and meet the deadline for submitting a DEIS. Therefore, a DEIS with complete analyses must be prepared in advance of the April 2006 Council meeting.

The Council should consider the advice of its advisory bodies and the public before adopting a detailed schedule and process for the development of 2007-2008 groundfish harvest specifications and management measures.

**Council Action:**

**Adopt the Process and Schedule for Consideration of 2007-2008 Groundfish Fishery Management Specifications.**

**Reference Materials:**

1. Agenda Item F.6.a, Attachment 1: Proposed Pacific Fishery Management Council and National Marine Fisheries Service Schedule and Process for Developing 2007-2008 Groundfish Harvest Specifications and Management Measures.

**Agenda Order:**

- a. Agenda Item Overview
  - b. Reports and Comments of Advisory Bodies
  - c. Public Comment
  - d. **Council Action:** Adopt the Process and Schedule for Consideration of 2007-2008 Groundfish Fishery Management Specifications
- John DeVore

PFMC  
08/31/05