

DRAFT BEST PRACTICES AND GUIDELINES FOR THE GROUND FISH NEW MANAGEMENT MEASURE AND WORKLOAD PRIORITIZATION PROCESS

The Pacific Fishery Management Council (Council) considers new management measure proposals annually through the Groundfish New Management Measure and Workload Prioritization Process. The following document represents a draft best practices designed to inform the Council, advisory bodies, and the public on this process.

Management Measures

The [Pacific Coast Groundfish Fishery Management Plan \(FMP\)](#) describes two overarching management measure types, routine and new. Routine management measures¹ (see §6.2.1 of the FMP) are, in brief, those that are likely to be adjusted on an annual or more frequent basis, (e.g., inseason adjustments). The Council classifies measures as routine through the specifications and management process or a rulemaking process. Routine measures may be modified through the single meeting notice procedure only if (1) the modification is proposed for the same purpose as the original measure, and (2) the impacts of the modification are within the scope of the impacts analyzed when the measure was originally classified as routine. New management measures are those where the impacts have not been previously analyzed and/or have not been previously implemented in regulations. These measures must be developed through a rule making process as described in §6.2 of the FMP.

Generalized Process

Every March², per [Council Operating Procedure \(COP\) 9](#), the New Management Measures and Workload Prioritization is on the Council's groundfish agenda. The goal of this action is to provide an open and transparent process for new management measures (NMM) to be proposed, prioritized, and scheduled for development on an annual basis in light of existing groundfish workload. As reference, NMMs are management measures that have not been analyzed or are previously adopted management measures that are out of date and need to be revised/updated.

This process consists of three interrelated components. First, the Council reviews and may revise the existing list³ of proposed groundfish management measures, as appropriate. Second, NMMs are proposed to the Council by the public, state/federal agencies, the Groundfish Management Team (GMT), and/or the Groundfish Advisory Subpanel (GAP). Third, the Council may prioritize development of management measures for work in the coming year, so in light of the current groundfish workload. Prioritizing a new management measure on the list means initiating the three-meeting (or more) process to eventually make a final Council decision on implementation. NMM measures may be proposed at any time during a calendar year through the process outlined below, though list revisions and prioritization only occur in March. Council staff and/or the GMT record the proposals and report to the Council on the annual schedule.

¹ See §6.2. of the FMP

² This item may be rescheduled if the Council's determines groundfish workload for the year is sufficient, previously prioritized items have not yet been addressed, etc.

³ See 2023 list at [Agenda Item F.8.a, Revised GMT Report 1, March 2023](#)

The public, the GMT, the GAP, the Council, and Council staff have roles and responsibilities that both overlap and that are specific to the participant group. The public is largely where the process starts as they know what problems the fishery is encountering. In general, the public informs the Council, the GMT, and/or the GAP of the issue. The GMT and GAP will work with constituents to develop the proposal to a state at which it can be presented to the Council. The GMT is tasked with developing a brief scoping document regarding the issue and presents it to the Council at the March meeting, or as directed by the Council. The GAP provides any additional information relative to the NMM at the same meeting.. Both the GMT and GAP can recommend the item be added to the new management measure list or not. These two groups can, independently or cooperatively, recommend prioritization of any item on the NMM list to the Council. The public should consider giving comment, either oral or in-person, in support of the NMM to the Council.

It is important to note, however, that the Council is not bound to prioritize any new management measures if it determines the current groundfish workload is sufficient for the year. Scheduling development of the NMM is at the discretion of the Council and is considered based on current workload under the Future Council Meeting Agenda and Workload Planning agenda item . NMM can be either developed as stand-alone items or within another process, based on Council direction.

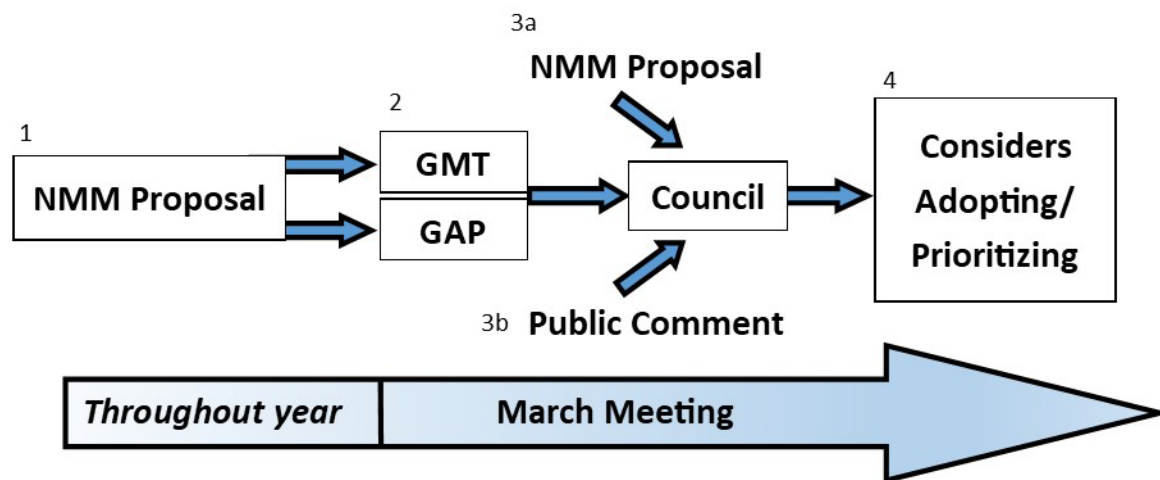


Figure 1. Generalized new management measure (NMM) process: 1) NMM proposed to GMT/GAP, 2) GMT/GAP consider proposal and may recommend it to Council; 3a) NMM can be proposed directly to Council by constituents; 3b) public comment for NMM to include/not include into the management measure list and/or prioritization; 4) Council may adopt measure(s) to list and may prioritize item for development

The following adds more specificity to these roles and responsibilities.

Public

- Proposes new management measure:
 - via public comment under the workload and new management measure agenda item [March]
 - via the open public comment session at the beginning of a Council meeting
 - to GMT and/or GAP representatives.
- Advocates
 - for adding NMM to the list

- for prioritization

The public should consider engaging with Council representatives (e.g., members of the GMT, the GAP, etc.) to propose NMM; however, the process allows the public to propose their NMM to the Council directly. Proposals can be made via public comment, written comment, and/or through members of the GMT/GAP. While the agenda item for this process is scheduled for March, proposals can be made at any time during the calendar year via open public comment agenda item and/or to the GMT/GAP members, as appropriate. The proposal does not need to be in a particular format (e.g., formal letter). The proposal should give enough information so a purpose and need for it can be identified. The public should consider advocating for the inclusion of the NMM to the list, and its prioritization to the GMT/GAP and to the Council.

GMT

At the GMT's Overwinter Meeting

- Reviews, revises, and updates existing groundfish management measure
- Preliminarily scopes proposed NMM
- Submits revised/updated list to briefing book (advance or supplemental, as appropriate)

At the March Meeting

- Meets with GAP to discuss NMM list and any new proposals
- Considers and recommends, as appropriate,
 - NMM list
 - Proposed NMM for inclusion into list
- May recommend prioritization of NMM items

The GMT is responsible for maintaining the list of NMM. Items on the list are placed into one of two categories, those prioritized for development (Category A) and those not yet prioritized (Category B). It is important to note items on the list are not ranked by importance. NMM proposals added to the list are placed at the end of the previous list.

At their overwinter meeting, the GMT reviews and updates the existing list, as appropriate, and submits it for Council review in the March briefing book. The GMT may recommend removing items from the list as part of the updates and/or adding NMM to the list, if any have been proposed. The GMT should provide detailed rationale regarding any revisions or NMM additions to the existing list.

The GMT should undertake a preliminary scoping exercise on any proposed NMM and present that information to the Council in the March briefing book. Preliminary scoping is, at minimum, a concise description of the measure and what the measure will address. In the scoping exercise, the GMT should identify, concisely, what the purpose is of the NMM, why it is needed, and estimate the workload the item will require. Workload is reported as a qualitative measure which should identify the necessary resources (e.g., staff, timeline, data, etc.) to complete the management measure. The GMT may recommend prioritizing any item on the list for development.

At the March Council meeting, the GMT and GAP should schedule a joint work session to discuss and clarify the GMT's overwinter work. All NMM proposals are shared with the GAP to ensure both advisory bodies re operating under the same information. When considering NMM proposals,

the GAP can assist in the defining the relevance of the issue to the fishery and accurately assess the need of the proposal for the fishery. The GMT and GAP should strive towards a consensus recommendation for updates to the list and any items should be prioritized for development by the Council.

GAP

At the March Meeting

- Reviews, revises, and updates existing groundfish management measure
- Meets with the GMT to discuss NMM list and new proposals
- Considers and recommends, as appropriate,
 - NMM list
 - Proposed NMM for inclusion into list
- May recommend prioritization of NMM items for development

The GAP is a primary liaison to the fishing industry and, as such, is likely to be the advisory body that primarily relays and recommends NMM proposals to the GMT and Council. In regard to proposals, the GAP, and its members, can accept proposals at any time during the calendar year. The GAP can also propose NMM. All NMM proposed to the or by the GAP should be shared with the GMT to ensure both advisory bodies are informed

At the March meeting, the GAP should review the list of existing NMM and recommend revisions, as appropriate. In their report, the GAP should consider recommending the updated list to the Council. The GAP should provide rationale for any items that are revised/removed from the list or any NMM proposed for addition to the list.

The GAP does not undertake a scoping exercise for proposed NMM; however, a joint discussion with the GMT should occur at the March meeting to discuss the existing list and any NMM proposals to assist the GMT with their scoping process.

At the March Council meeting, the GAP and GMT should schedule a joint work session to discuss this agenda item. The GMT and GAP should strive towards a consensus recommendation for items that should be prioritized for development by the Council. The GMT, like the GAP, can recommend any item to be prioritized even in instances where the other advisory body does not.

Council

- Considers proposed GMT/GAP recommendations to the NMM list regarding:
 - Revisions to existing list
 - Inclusion of NMM proposals
 - Considers prioritizing management measures for development
- Adopts the annual NMM list and prioritizes measures, as appropriate
- May direct GMT/GAP to refine measures for later discussion, as appropriate (i.e., detailed scope, preliminary analysis, etc.)

At the March meeting, the Council reviews the GMT/GAP reports and considers their recommendations regarding updates/revisions to the existing proposed management measure list and any proposed NMM. The Council may hear comment from the public regarding this agenda

item. The Council should discuss any proposed revision, including additions of NMM proposals, to the list. The Council should identify priority items for development. After discussion, the Council would need to formally adopt a finalized management measure list and prioritize items, if any. The Council could also direct the GMT to investigate any item in a detailed manner and return at a later date with a report.

In terms of scheduling prioritized items for work, the Council does not make that decision under this agenda item. Instead, any NMM would be scheduled under the Future Workload and Meeting Planning agenda item, taking into account all other Council priorities and workloads. The public, GMT, and GAP may recommend the Council develop prioritized item(s) at this time.

Council Staff

Council staff will work with the GMT during their overwinter meeting and at the March Council meeting on this agenda item to develop new management measures. Staff will coordinate GMT/GAP joint sessions at the March meeting to discuss new management measure items and provide guidance regarding prioritization considerations. Council staff will identify NMM list revisions and items that the Council prioritized for work in the Decision document.

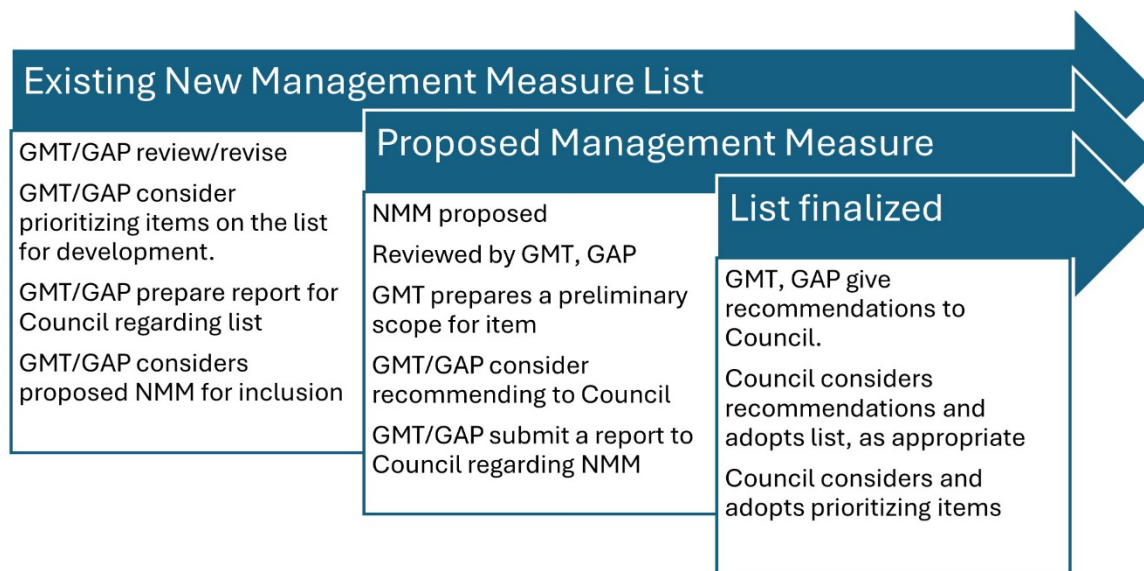


Figure 2. Summarized Groundfish Management Team (GMT), Groundfish Advisory Subpanel (GAP), and Pacific Fishery Management Council new management measure process responsibilities

Prioritized Management Measures

Once an item has been prioritized for development, the Council can schedule it for floor discussion and further development. These items are scheduled in light of groundfish workload. Once an item is scheduled for development, it proceeds through the process. The timeline is variable and is dependent on such factors as analytical burden, staffing, etc. The FMP at §6.2 details the process.