

Draft Rulemaking Plan

NMFS implemented the trawl rationalization program (program) in January 2011. There continue to be follow-up rulemakings to further implement regulations for the program, as needed. NMFS may include other Council trailing actions for the program in these rulemakings, as appropriate. NMFS has termed the annual post-implementation rulemaking to make changes to the program the “Program Improvement and Enhancement (PIE)” rule and envisions multiple PIE rules over the next couple of years, as needed. The second PIE rule (aka: PIE 2) is scheduled to be developed over 2012 for implementation in 2013. Below is a tentative schedule of rulemakings related to the program for 2012, a summary of what might be included in those rules, and the affected sectors.

- **Tribal Whiting/Reapportionment**
 1. Timing: Proposed rule – February
Final rule – late April/early May (with whiting final rule)
Effective – late April/early May 2012
 2. Includes: tribal allocation and reinstating previous reapportionment authority from tribal to nontribal whiting fisheries
 3. Sectors affected: limited entry (LE) trawl (IFQ/MS/C/P), tribal
- **Correction**
 1. Timing: Final rule & effective – June 2012
 2. Includes: Items needing more immediate correction, such as observer coverage on vessels processing at sea; observer/offload language; MS/CV processor obligations. Also see Agenda Item F.8.b, NMFS Report 3, March 2012.
 3. Sectors affected: LE trawl (IFQ/MS/C/P), LE fixed gear, open access
- **Cost Recovery**
 1. Timing: Proposed rule – June
Final rule – November
Effective – January 1, 2013
 2. Includes: Cost recovery for the trawl rationalization program
 3. Sectors affected: LE trawl (IFQ/MS/C/P)
- **PIE 2**
 1. Timing: Proposed rule – June
Final rule – November
Effective – January 1, 2013
 2. Includes: Any items ready for rulemaking with a target implementation of January 1, 2013, including any trailing actions such as risk pools/lenders, observer provider certification requirements, etc. Also see Agenda Item F.8.b, NMFS Report 2, March 2012.
 3. Sectors affected: LE trawl (IFQ/MS/C/P), LE fixed gear, open access, tribal
- **Whiting Season/Trawl Gear Changes**
 1. Timing: Proposed rule – Fall
Final rule – Winter
Effective – May 2013
 2. Includes: Consideration of changes to the whiting primary season, changes to chaffing gear requirements, allowing multiple gears on board, and other gear modifications.
 3. Sectors affected: LE trawl (IFQ/MS/C/P), LE fixed gear, open access