

Board/Council Protocol on Local Area Management Plans

In February 1998 the Alaska Board of Fisheries and the North Pacific Fishery Management Council adopted the following protocol to guide the successful development, processing, and implementation of local area fisheries management plans. Though the protocol covers development of local area management plans for all species of interest in a local area, the Council's main purview will be over halibut and those species covered by one of the Council's fishery management plans.

Scope and Content of Proposals

It is the expectation of the Board and Council that any proposals submitted for review will be well thought out and reflect the efforts and a high degree of consensus of representatives of all users of the fish species in the local area covered by the proposed plan. Local commercial, sport, charter and subsistence representatives, and others as appropriate should be involved in the development of proposals, preferably using a local advisory committee or task force approach. When submitting a proposal, users should be identified and their involvement in the process documented. During development, appropriate agency staff (NMFS, ADF&G, Council, Board, IPHC, etc.) should be contacted to provide guidance and legal limitations so that the proposal has a much higher likelihood of not facing difficulties in the review process. Proposals should encompass all shared fish stocks in the local area and should address as appropriate, catch and possession limits, gear types, effort limitation, closed areas, seasons and overall boundaries of the local area plan. Proposers should anticipate that the local plan, if approved, likely will be implemented for no less than three years before there will be another opportunity to revise it. They should also be aware that the schedule below spans over a year from the April deadline for proposals to implementation sometime in the spring or summer of the following year or longer.

Schedule for Proposal Review and Implementation

The following schedule is an example of the procedural steps through which a proposal will go. The schedule of activities after the July mailing of proposals to the ADF&G advisory committees and public will depend on the complexity of the proposal, the scope of the required analysis, availability of data and staff to complete an adequate analysis, and other issues before the Board or Council.

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| November | Board of Fisheries calls for proposals (each area is on a specific three-year cycle). The Board will identify its interests in the call for proposals, including a paragraph on how halibut fisheries are handled, and other legal requirements. (Alternatively, the call for proposals could be statewide, but still on a three-year cycle.) |
| April | Deadline for proposals (e.g. April 10, 1998). Staff would screen proposals to evaluate if they meet the Board's call for proposals. |
| July | In early July, all proposals for a specific area would be grouped together, and along with all other proposals, sent out to the Board's mailing list for comment. ADF&G advisory committees and public would have the opportunity to comment by the prescribed deadline. Their comments would be numbered and made available to the Board for their deliberation. Agency staffs would meet and develop concerns for consideration by the joint Board/Council committee at its July meeting. They would weigh management, enforcement and legal issues and whether the proposal violates any of the provisions of the North Pacific Halibut Act of 1982, the Magnuson-Stevens Act national standards, or other applicable law. |

After July, any local area management plan proposal would go through the following sequence:

1. Agency staffs would work together to develop information needed for the Board to make its decision. This would include economic, biological impact information, as well as legal guidance on the ultimate viability of the proposed course of action. The goal is to have sufficient information available to meet the Board's needs and to allow for timely development of an environmental and regulatory assessment that would meet federal requirements once the halibut portion of the plan is forwarded to Council and NMFS review.
2. Joint Board/Council committee meets to review proposal and supporting information. (Most likely in September)
3. Joint Board/Council committee reports to the Council and the Council develops preliminary comments for November Board meeting. (Most likely at Council's October meeting)
4. At its fall or winter meeting, Board considers proposals, public, agency, and Council comments, and deliberates proposal, possibly using a Board committee to work with interested parties during the meeting to develop a unified plan. If the committee successfully resolves outstanding issues, the Board could take final action. If, however, major issues remain unresolved, the Board has the option of sending the proposed plan out for further public involvement and development, perhaps via a task force or other working group. Final action then would be postponed until rescheduled by the Board.
5. Council would receive the Board's proposal along with available analyses and identification of any legal issues. The Council will then send the proposal out for public review. (Timing of this step would depend on staff availability to perform analysis and other issues on Council's agenda.)
6. Council schedules final action on proposed area plan. Final plan would then be submitted to NMFS for review and approval of the halibut portion.
7. Final local area management plan approved by NMFS and implemented as soon as possible, for a minimum of three years.

(Approved by North Pacific Council on February 4, 1998, and by the Alaska Board of Fisheries on February 8, 1998.)