


MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke 
Executive Director

DATE: November 25, 1991

SUBJECT: North Pacific Fisheries Research Plan

ACTION REQUIRED

Receive progress report on further development of Research Plan and provide guidance as necessary.

BACKGROUND

At the September 1991 meeting the Council voted to remand the draft North Pacific Fisheries Research Plan (Plan) back to committee for further development. Specifically, the additions requested by the Council include: (1) spelling out levels of and justifications for observer coverage, (2) methods of data input and transfer, (3) a plan for coordination and compatibility between the groundfish and shellfish portions of the Plan, (4) detailed budgets for the state and federal portions of the Plan, (5) estimates of the funds available under the 1% fee cap, (6) identification of shortfalls and potential methods to cover these shortfalls, and (7) potential methods to cover the up-front funding needed to kick off the program.

The Research Plan Working Group met on October 28-29 in Juneau to coordinate these revisions to the Plan. The primary work product available for Council review at this time is the revised outline for the Research Plan included in your notebook as Item C-5(a). This outline, or framework, incorporates previous Council Agenda documents which were titled 'Key Elements of the Proposed User Fee System' as well as provisions contained in a draft industry document which was circulated at the September 1991 Council meeting. Also included in this revised framework are Council motions from the September meeting before the vote to remand the Plan back to NMFS for further development.

This framework, which includes the provisions requested by the Council, will form the basis for the revised Research Plan which the Council will review at the January 1992 meeting. The revised Research Plan will contain the specific details regarding the provisions in the revised framework. For example, the framework shown here does not yet include the detailed budgets but does include estimates of the total shortfall and potential methods to deal with these shortfalls. The revised Research Plan provided in January 1992 will replace the EA/RIR/IRFA dated March 19, 1991 which was prepared for the proposed Research Plan.

Because the revised framework will form the foundation for the more detailed Plan, the Council needs to review the framework and determine if it includes all of the necessary provisions. The Research Plan Working Group has the following specific areas it wishes to bring to the Council's attention which may require policy guidance:

- (1) Section E.4 on page 7: Does the Council wish to change the language in this section pursuant to their September action? If so, would this change the timing described in Section E.4.b?
- (2) Section F.3 on page 9: The issue of a fisherman's liability in the event of non-payment by a processor is unresolved.
- (3) Section G.1.b on pages 9 and 10: Identifies an estimated shortfall of \$2.5 million and proposes options for dealing with the shortfall. This section also discusses options for start-up funding.
- (4) Section G.3 on page 10: discusses the issue of differential shortfalls between shellfish and groundfish programs and how to apportion funding.
- (5) Section G.5 on page 10: outlines the revised schedule for completion of analysis and implementation of the Plan.
- (6) The Working Group requested clarification as to the specific role of the proposed Oversight Committee. The Working Group expressed concern that the degree of involvement in the management of the program by the Oversight Committee could result in logistical problems in carrying out the program.

Nov. 25, 1991

OUTLINE FOR NORTH PACIFIC FISHERIES RESEARCH PLAN

INTRODUCTION

Section 313 of the Magnuson Fishery Conservation and Management Act authorizes the North Pacific Fishery Management Council (Council) to prepare, in consultation with the Secretary of Commerce (Secretary), a North Pacific Fisheries Research Plan (plan) for all fisheries under the Council's jurisdiction except salmon. The plan requires observers to be stationed on fishing vessels and on fish processors as appropriate to collect data necessary for the conservation, management, and scientific understanding of any fisheries under the Council's jurisdiction, including halibut, but excluding salmon. The plan also establishes a system of fees to pay for the costs of implementing the plan.

The plan is designed to gather reliable data, be fair and equitable to all vessels and processors, be consistent with applicable provisions of the law, and consider the operating requirements of the fisheries and the safety of observers and fishermen. Fees collected under the plan are limited in amount and their use and must be deposited in the North Pacific Fishery Observer Fund.

The plan also may establish a risk sharing pool to provide coverage for vessels and owners against liability from civil suits by observers. This pool, if proven feasible, must be established unless the Secretary determines that alternative comprehensive commercial insurance is available that will provide greater coverage at a lower cost to each participant.

This plan was developed in 1991 by the Council working closely with industry and the National Marine Fisheries Service (NMFS). It incorporates provisions of the Observer Plan developed for the groundfish fisheries in 1989 and implemented in 1990 and 1991, and revised to comply with Section 313. Provisions of the State of Alaska's observer program for crab are also incorporated into this plan. An observer program for halibut has been deemed unnecessary for safety reasons and because of adequate dockside monitoring.

OBSERVER PROGRAM

On November 1, 1989 the Secretary approved Amendments 13 and 18 to the groundfish fishery management plans for the Bering Sea/Aleutian Islands and the Gulf of Alaska. The implementing regulations were published as a final rule on December 6, 1989 (54 FR 50386). One measure authorized a comprehensive domestic fishery observer program. An Observer Plan to implement the program was prepared by the Secretary in consultation with the Council and implemented by NOAA, effective February 7, 1990 (55 FR 4839, February 12, 1990). In December 1990 the Council recommended changes to the Observer Plan which were approved by the Secretary and published as a final rule on July 8, 1991 (56 FR 30874).

The 1990 and 1991 Observer Plans required specific levels of observer coverage which varied with size of fishing vessel and quantity of fish processed by floating and shoreside processors. These requirements were established because it was recognized that living marine resources could not be effectively managed without the types of information that were either available only or most efficiently through an observer program.

The Observer Plans required that owners and operators of vessels and shoreside processing facilities participating in the groundfish fishery arrange for and pay for the cost of placing observers aboard their

vessels and at their shoreside processing facilities beginning in January, 1990. The Observer Plans imposed responsibilities on NMFS, vessel operators, managers of shoreside processing facilities, and NMFS certified contractors who provide observers to groundfish fishing vessels and shoreside processors. The Observer Plans also prescribed observer conduct, conflict of interest standards for observers and contractors, and reasons for revoking contractor or observer certification. The 1991 Observer Plan changed observer requirements for shoreside processing facilities and for mothership processor vessels, authorized the release of observer-estimated bycatch rates as public information, and extended the certification time for observer contracts.

The North Pacific Fisheries Research Plan will supersede or integrate provisions from the 1991 Observer Plan. The Research Plan will replace the Observer Plan and the Fishery Management Plans (FMPs) will be amended to reference the provisions of the Research Plan concerning observer requirements in the groundfish and crab fisheries. All specific details concerning observer requirements will be incorporated into the final draft of the Research Plan.

Observer Plan Oversight Committee: A committee of nine members to advise the Council and the Regional Director on provisions of the observer and fee programs. Representatives will include three Council members from the three states represented on the Council and six industry representatives from the following groups: factory/trawler, catcher/trawler, shoreside processor, crabber, freezer/longliner, non-freezer longliner. <Council action from September 1991 meeting was to add a representative of crab catcher/processor operations>

DRAFT FRAMEWORK OF THE NORTH PACIFIC FISHERIES RESEARCH PLAN

A. Objectives:

1. To provide a framework for developing an observer program for the Alaska groundfish fishery which has the capability to perform inseason management, accommodate status of stocks assessment and to provide accurate, real-time data of sufficient quality to implement an individual vessel incentive program.
2. To provide a framework for developing an observer program for Bering Sea/Aleutian Islands king and Tanner crab fisheries which accommodate inseason management needs, ensures management compliance, and provides for the collection of biological and management data necessary to achieve the sustained yield of the crab resource without overfishing.
3. To ensure that the groundfish and crab observer programs are efficient and cost effective, that any increased costs are commensurate with the quality and usefulness of the data to be derived from any revisions to the programs, and that such changes are necessary to meet fishery management needs.
4. To provide for cooperation and coordination between the groundfish observer program administered by the NMFS and the crab observer program administered by the Alaska Department of Fish and Game (ADF&G).

B. Elements of the NMFS Groundfish Observer Program:

1. Level of coverage:

- a. Initial level of coverage shall be that of the current industry funded groundfish observer program.

Present levels of coverage are: 100% for vessels 125 feet length overall (LOA) and larger and some shore plants; 30% for vessels 60 to 125 feet LOA and some shore plants. The Research Plan calls for evaluation of current levels of observer coverage to determine if these are the appropriate coverage levels. An analysis of the observer data collected from the 1990 and 1991 observer programs is necessary to ascertain the statistical reliability of these coverage levels. Such an analysis will likely take well into 1992 to complete; therefore, the initial coverage levels under the Research Plan will be the levels of the current observer program. After the analysis of the current data, the levels of coverage can be adjusted if necessary.

- b. Changes to the existing groundfish observer program to improve the accuracy and availability of observer data may be implemented by the Alaska Regional Director (NMFS) upon recommendation by the Council based on one or more of the following:
 - (i) a finding that there has been, or is likely to be, a significant change in fishing methods, times, or areas for a specific fishery or fleet component;
 - (ii) a finding that there has been, or is likely to be, a significant change in catch or bycatch composition for a specific fishery or fleet component;
 - (iii) a finding that modifications to the observer program are warranted to improve data quality and availability necessary to implement an individual vessel incentive program for a specific fishery or fleet component.
 - (iv) a finding that such modifications are necessary to improve data availability or quality in order to meet specific fishery management objectives.
 - (v) a determination that any increased costs are commensurate with the quality and usefulness of the data to be derived from any revised program, and are necessary to meet fishery management needs.

2. Observer employment and contracts:

- a. Observers will be either employees of NMFS, or be under contract to NMFS.
- b. Observer contracts will be subject to a competitive bid process and will comply with federal and/or agency procurement regulations. If in accordance with procurement regulations, and if cost effective, multiple contractors will be used.

[Council action on this point from the September 1991 meeting: to put contracts out in 'lots'; i.e., a competitive bid process ...intent was to make sure that at least 3 observer companies would be involved in supplying observers.]

- c. **Observer deployment shall be determined by NMFS.**
 - d. **Observers must possess the education and specific training necessary to meet the requirements of the groundfish observer program.**
3. **Duties of observers:**
- a. **collect data on catch, effort, bycatch, and discards of finfish and shellfish, including PSCs, and transmit required data to facilitate in-season management.**
 - b. **collect biological samples which may be used to determine species, length, weight, age and sex composition of catch and predator prey interactions;**
 - c. **collect data on incidental take of marine mammals, seabirds, and other species as appropriate;**
 - d. **other duties as described in the NMFS observer manual.**
4. **Data collection, transmission, and input programs shall be implemented according to the following:**
- a. **initial implementation shall be as specified under existing regulations and guidelines;**
 - b. **the Regional Director, NMFS Alaska Region, shall review fishery monitoring programs and report to the Council on methods to improve data collection and sampling techniques, provide for real time data transmission from the fleet including daily reporting, and other measures as appropriate to improve the accuracy and efficiency of fishery monitoring programs.**
5. **NMFS's detailed budget for implementing the groundfish observer program including:**
- (i) **costs for observer training and certification;**
 - (ii) **costs for stationing observers on board fishing vessels and United States fish processors, including travel, salaries, benefits, insurance;**
 - (iii) **costs for data collection, transmission, and input;**
 - (iv) **contract services and general administrative costs.**

C. Elements of the ADF&G Crab Observer Program:

1. Level of Coverage:

- a. **Initial levels of observer coverage under the North Pacific Fisheries Research Plan shall be that of the existing industry funded crab observer program.**
 - i. **Presently 100% of all catcher/processors and floating processors are required to have an onboard observer to engage in the BS/AI crab fisheries.**

ii. ADF&G traditionally collected essential biological and management data at the point of shoreside landing immediately before processing. The rapid evolution to processing by catcher/processor and floating processor vessels in particular shellfish fisheries seriously eroded the department's ability to adequately monitor harvests to ensure sustained yield without overfishing. Onboard observers supply two critical functions, without which offshore processing would not be allowed.

- They are the only practical data gathering mechanism which would not disrupt processing.
- They provide the only effective means to ensure management compliance.

b. Pursuant to the Bering Sea and Aleutian Islands king and Tanner Crab FMP, the State of Alaska crab observer program has been designed by the Alaska Board of Fish and administered by the Alaska Department of Fish and Game. Future modifications to the crab observer program will be made through the board process, under general oversight of the Council, in accordance with the king and Tanner crab FMP.

2. Observer employment and contracts:

- a. Observers will be either employees of NMFS, or be under contract to NMFS.
- b. Observer contracts will be subject to a competitive bid process and will comply with federal and/or agency procurement regulations. If in accordance with procurement regulations, and if cost effective, multiple contractors will be used.

[Council action on this point from September 1991 meeting: to put contracts out in 'lots'; i.e., a competitive bid process... intent was to make sure that at least 3 observer companies would be involved in supplying observers.]

- c. Observer deployment shall be determined by ADF&G.
- d. Observers will possess the education and specific training necessary to meet the requirements of the crab observer program.

3. Duties of observers:

- a. collect data on catch, effort, bycatch and discards of finfish and shellfish, and transmit required data to facilitate inseason management;
- b. collect biological samples which may be used to determine species, length, weight, age and sex composition of catch;
- c. collect data on marine mammals, seabirds, and other species as appropriate;
- d. other duties as described in the ADF&G observer manual.

4. Data collection, transmission, and input programs shall be implemented according to the following:

- a. initial implementation shall be as specified under existing regulations and guidelines to facilitate inseason management at the Dutch Harbor and Kodiak offices;

- b. ADF&G shall review their fishery monitoring and data transmission programs in conjunction with the NMFS, to help develop coordinated methods to improve data collection and sampling techniques, provide for real time data transmission from the fleet including daily reporting, and other measures as appropriate to improve the accuracy and efficiency of fishery monitoring programs and improve coordination between agencies.
5. ADF&G's detailed budget for implementing the crab observer program including:
- (i) costs for observer training and certification;
 - (ii) costs for stationing observers on board crab catcher/processors, United States crab floating processors, and shoreside observers/debriefers, including travel, salaries, benefits, insurance;
 - (iii) costs for data collection, transmission, and input;
 - (iv) contract services and general administrative costs.

D. Coordination Between the NMFS Groundfish Program and the ADF&G Crab Observer Program:

1. Recognizing the differences in the missions between the ADF&G crab observer program and the NMFS groundfish observer program, but wishing to provide for the maximum efficiency in administration and implementation of the groundfish and crab observer programs, NMFS and ADF&G will form a work group to address the following:
 - a. to the extent possible and practicable, development of consistent, cost effective, and compatible observer training and debriefing procedures.
 - b. development of a consistent data collection, transmission and processing system including a single data base available to both agencies on a real-time basis.
 - c. identification of costs which are appropriate for reimbursement to the State pursuant to the MFCMA.
2. On an annual basis, NMFS and ADF&G will provide to the Council a report detailing steps taken to improve overall coordination between the two observer programs and to improve administrative efficiency.

E. Fee Assessment:

The North Pacific Fisheries Research Plan fee assessment program will be based on the following:

1. Fisheries subject to fee assessment:
 - a. Gulf of Alaska groundfish.
 - b. Bering Sea and Aleutian Islands groundfish
 - c. North Pacific halibut

- d. **Bering Sea and Aleutian Island king and Tanner crab**
2. Fees will be assessed at up to 1% of ex-vessel value of fish and crab harvested in the fisheries identified above, before any processing occurs. Though the potential maximum fee is prescribed by the Magnuson Act, the actual maximum for any given year may be less after determining the cost of the Plan and after deducting funds from other sources, if required (discussed below).
 3. Fees from the program may only be used to pay for: (1) stationing observers including the direct costs of training, placing, maintaining, and debriefing observers; (2) collecting, verifying, and entering collected data (not manipulating data); (3) supporting an insurance risk-sharing pool; and (4) paying the salaries of personnel to perform these tasks. The fees cannot be used to pay administrative overhead or other costs not directly incurred in carrying out the Plan, or to offset amounts authorized under other provisions of law.
 4. Annually the Regional Director, in consultation with the Council, will establish a fee percentage taking into account the ex-vessel value of the plan fisheries, the costs of implementing the Plan, other sources of funds, and limitations on the total amount that can be collected. This will be done concurrent with Council review of observer needs of the fisheries. This annual process will be completed by the time the fisheries commence. The fee will be expressed as a percentage of the exvessel value of the fisheries.

[This section was previously titled 'Annual Setting of the Fee Percentage'. Council action at the September 1991 meeting on this point: Council had adopted a motion to title this section "Annual determination of observer needs and setting of the fee percentage" and would read "Establish an annual process whereby the Council would receive recommendations on modification of observer coverage level at September meeting each year and concurrently determine the anticipated fees for the next year, send out for public review, and take action at the December meeting"]

- a. The Chairman of the Council shall establish the Observer Plan Oversight Committee, identified earlier in this outline, to provide the Council with an independent review of the budget and implementing measures for the observer program and fee assessment system.
- b. The reports and budget documents outlined above shall be provided annually to the Council a month prior to its June meeting. The Oversight Committee shall review the documents under Sections E and G and provide a recommendation to the Council at the June meeting. The Council will review the Committee's recommendation and take final action in September.

Relative to the Council's September action, would the dates change in the paragraph above?

5. All plan fisheries will contribute to the total exvessel value of the fisheries; NMFS, in consultation with the Council, will use the best information available to project the exvessel value of fisheries. The factors that will be taken into account include but are not limited to: average prices for species or species groups, product forms, discards, and other factors during the year preceding the year for which the fee is being established, anticipated changes in the coming year, and projected catch based on expected harvest in plan fisheries. These projected values will be subjected to public review.

A Table showing the current estimated value of fisheries identified under this plan and the resulting 1% fee level:

<u>FISHERY</u>	<u>1990-91 EXVESSEL VALUE (millions)</u>	<u>1% FEE VALUE (millions)</u>
GOA/BSAI Groundfish	\$496.3	\$4.96
GOA/BSAI Halibut	\$ 86.9	\$.869
BSAI king and Tanner Crab	<u>\$364.4</u>	<u>\$3.64</u>
TOTALS	\$947.6	\$9.47

6. NMFS, with the assistance of ADF&G, will provide an estimate of the costs of providing required observer coverage for the groundfish and shellfish programs for the coming year based on anticipated observer coverage and the anticipated costs of the activities listed under Item E.3 above, including any additional costs of utilizing observers.
7. NMFS will provide an estimate of surplus funds in the North Pacific Observer Fund and estimate the amounts of funds that may be available from other sources.
8. The fees shall be set such that the total amount of fees collected are not expected to exceed the limitation prescribed by the Magnuson Act.
9. The user fee percentage for the coming year will be the total amount to be collected divided by the exvessel value of the plan fisheries, multiplied by 100. This fee will be established before the fishing year to which it will apply. It will be subject to Council and public review before being finalized.
10. The Research Plan would initially be implemented without the inclusion of the fee against discards. At such time as a methodology for accurately assessing appropriate discards, amounts of discards, and associated values of discards is devised, the NMFS Regional Director, with the recommendation of the Council will include those discards not required by specific state or federal fishery management regulations, under the fee assessment program.

[This is consistent with Council action from the September 1991 Council meeting.]
11. The State of Alaska will be reimbursed for all of the costs of the crab observer program which are allowable under the MFCMA from fees collected under the North Pacific Fisheries Research Plan, consistent with C.1 above.

F. Fee Collection

Although fees are assessed against all fishing vessels and fish processors, they are collected from fish processors participating in plan fisheries. Fish processors are defined in the Magnuson Act; however, their operating characteristics fall into one of two categories. Processors are in Category A when they purchase unprocessed fish, that is when there is a documented commercial transaction between independent parties. Processors are in Category B when they obtain fish without such a transaction. For purposes of collecting fees, harvesting vessels are considered Category A processors when they sell directly to any entity other than a federally permitted processor under this plan.

1. Estimation of exvessel prices and fee liability
 - a. Category A Processors: It is assumed that these processors weigh or otherwise directly determine the amount of all fish delivered. Their fee liability is the product of the fee

percentage established by NMFS for the fishing year, actual exvessel price paid to the fisherman, and the amount of fish received. In addition, fees will be required on discards as described above. Fee liability will be divided equally between the processor and fisherman.

- b. **Category B Processors:** If these processors weigh or otherwise directly determine the amount of their catch, then those documented amounts will be used to estimate fee liability. Otherwise, product recovery rates published by NMFS will be used to estimate retained catch. Their fee liability is the product of the fee percentage established by NMFS for the fishing year, an exvessel price as estimated and published by NMFS, and the estimated retained catch. The price estimates provided by NMFS will be based on price data from Category A Processors, taking into consideration the species mix, quarter of the year, area, and other appropriate factors. In addition, fees will be required on discards as described above.
2. Fee payments will be made quarterly within 30 days of the end of the quarter to the NOAA Office of the Comptroller to be deposited in the North Pacific Observer Fund within the U.S. Treasury. The fee will be documented in a manner prescribed by NMFS. When new information becomes available to a processor concerning exvessel value of fish it received from plan fisheries during previous quarters, it will recalculate its fee liability for those quarters. It will claim any overpayment as a credit on its next quarterly payment and it will add any underpayment to its next quarterly payment.
 3. All processors as defined under Item F(1) above must have a federal permit to receive fish from plan fisheries. Processors must apply for these permits annually by the deadline prescribed by the Regional Director. Permits will be issued annually on January 1 and renewed semi-annually on July 1 to those processors whose fee payments are current. The NOAA Office of the Comptroller shall assess late charges for underpayment or late payments of fees.

Still need to address the issue of a fisherman's liability in the event he has paid the processor his share of the fee and yet the processor defaults.....

G. North Pacific Fisheries Research Plan Implementation Analysis:

1. NMFS and ADF&G will provide to the Council a report which:
 - a. As required under Section E.4, details the costs of the groundfish and crab observer programs and the funds expected to be available under the 1% fee assessment program. This will include an estimate of the costs of providing required observer coverage for the coming year based on anticipated observer coverage and the anticipated costs of the activities listed under Item E.3 above, including any additional costs of utilizing contractors. The report will assume full funding of the existing ADF&G crab observer program as well as full funding of the existing groundfish observer program, and will identify the total amount of any shortfall of funds;
 - b. describes options for maintaining current levels of observer coverage in the event of a funding shortfall, including options for utilizing elements of the existing industry funded programs in a fair and equitable manner, and a discussion of time needed to capitalize fund or need for start-up funds to implement programs. The most current estimates of shortfalls indicate a shortage of approximately \$2.5 million (fees collected minus costs of the program with current levels of observer coverage). Under the current fee percentage cap of 1%, the Research Plan Working Group is developing two options for dealing with

the projected shortfall. Those options are: (1) decreasing the required levels of observer coverage in the groundfish observer program (this is not an option for the shellfish program), and (2) maintaining the current levels of required observer coverage by implementing a supplementary observer program whereby the unfunded portion of the program would be paid for by industry directly to observer contractors. An increase in the maximum level of the allowable fee from the current 1% cap is not an option being considered, since this can only be done by Congress.

The Working Group is considering two options for obtaining the start-up funds needed to implement the program. Those two options are: (1) maintaining the existing groundfish and shellfish programs while collecting fees from those segments of the fisheries covered by the Research Plan who are not now required to pay for and carry observers, and (2) pre-payment from all fisheries for the six months (two quarters) prior to actual implementation of the programs. Under Option 2, the existing programs would still be in effect during this period, thus requiring some segments of the industry to 'double pay' during the initial start-up period. The option of a one-time federal appropriation is not being considered, since this can only be done by Congress.

2. For 1991, the NMFS and ADF&G will have the reports required under Sections D, E, and G available to the Council in time for review and action at the January 1992 meeting.
3. One of the issues raised in public comment on the proposed Research Plan at the Council's September 1991 meeting was the question of what percentage of the fees collected from the crab fishery, in excess of those needed for the shellfish program, should be used to support the groundfish program. It is possible that the reverse situation could also occur with the groundfish fishery supporting the shellfish program at some point in time due to the fluctuating nature of harvest levels, prices, and other factors. The Working Group would like the Council to provide guidance on this issue. Should the Plan guarantee funding support of current levels of coverage for the shellfish program or, should all fees collected be pooled for the overall groundfish and shellfish program and then disbursed proportionally?
4. The NMFS and ADF&G will develop a report for the Council regarding implementing the North Pacific Research Plan, including a schedule for fee collection and conversion from the present industry funded programs.
5. Schedule for completion of redraft of research plan, review and consideration by Council, and implementation of approved program.

December 1991

Council reviews redraft of Research Plan Outline. This will include preliminary budgets, if available, outlining anticipated costs of program, anticipated fees collected, and identification of potential shortfalls in funding. Options for covering shortfalls and for program start-up cost will be identified. Coordination between groundfish and crab programs will be outlined. Receive any further Council guidance.

January 1992

Council reviews (and releases for public review) new redraft of Research Plan which includes instructions from September 1991 meeting and December 1991 meeting.

April 1992

Council takes final action on Research Plan.

May 30, 1992

Submit Plan to Secretary; develop proposed regulations (has 60 days)

July 30, 1992

Proposed rule published for 60 day comment period and 3 public hearings.

September 30, 1992

Comment period ends; begin 45 day response period and consultation with Council.

November 15, 1992

Publish final rulemaking.

January 1, 1993

Implement program.

Note: Contracting process has started; Draft Statement of Work and Solicitation Notice will be available for Council and public review (likely in January) prior to release in spring of 1992.