

LEGISLATIVE COMMITTEE REPORT

Chairman, Dave Hanson, called the Legislative Committee to order at 10:07 a.m. and the Committee reviewed the following:

- Magnuson-Stevens Fishery Conservation and Management Act Reauthorization (Kerry [S.____] and Gilchrest [HR 4749]).
- Ocean Habitat Protection (S 2593 and HR 4003) – Complementary bills that would ban certain types of bottom trawl gear.
- Capital Construction Fund (S 1962 and HR 3898) – Complementary bills that provide for qualified withdrawals of funds from the CCF.
- Pacific HMS Conservation Act (HR 4618) – Prohibits pelagic longlines in EEZ off WA/OR/CA.
- Untitled Don Young bill (HR 5030) – Redefines EFH, redefines permissible rebuilding periods, and exempts FMPs, FMP amendments, and regulations that comply with M-S from NEPA.

Regarding Magnuson-Stevens Act reauthorization issues, the Committee was advised that it is highly unlikely final Congressional action on a new bill, either the Gilchrest Bill, the Kerry Bill, or a composite compromise, will occur in the 107th Congress. However, the Committee noted the current law includes a provision that the moratorium on ITQ's will sunset October 31, 2002. The Committee discussed the possibility that peripheral legislation might include a provision to renew the moratorium and possibly that such renewal legislation might offer the opportunity for exceptions, such as occurred for the West Coast fixed gear sablefish fishery two years ago and may be proposed this year for portions of the Alaska crab industry.

The Committee recommends the following prioritized preferences as a response to the sunset of the ITQ moratorium:

- (1) no renewal of any moratorium language;
- (2) if renewed moratorium language is proposed,
 - (a) include specific language permitting the Pacific Council to adopt ITQ programs for West Coast groundfish; and
 - (b) utilize the Gilchrest Bill language, absent the referendum provisions.

The Committee was opposed to the Kerry Bill language.

The Committee recommends tasking the Council Executive Director with developing exemptive legislative language expressing option 2(a) above, and communicate that language and the Councils prioritized response to the appropriate congressional bodies when requested.

Regarding S 2593, HR 4003, and HR 4618, the Committee recommends the Council express no support for these bills, under the rationale that such management responses should be left up to the individual Regional Councils. Further, the Committee noted the language defining pelagic longlines in HR 4618 may effectively eliminate "fly gear" used for West Coast groundfish, and perhaps other gear sets.

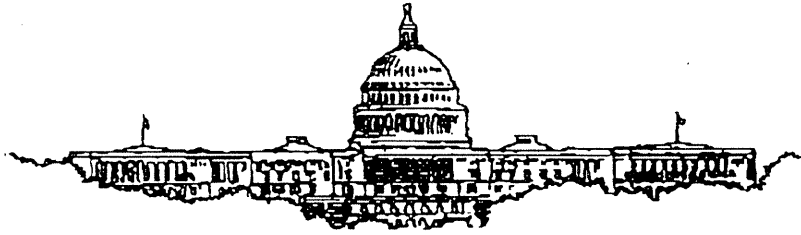
Regarding S 1962 and HR 3898, the Committee recommends the Council express support for these bills.

Regarding HR 5030, the Committee recommends conditional support to the concept of exempting Magnuson-Stevens Act actions from NEPA with the explicit understanding the essential NEPA benefits and requirements are already required by the Magnuson-Stevens Act, but on different timelines from the NEPA. The Committee noted that Magnuson-Stevens Act actions are now exempted from the requirements of the FACA.

Lastly, the Committee recommended the Council Executive Director invite local offices of congressional

members to future Legislative Committee meetings. For example, congressional offices local to San Francisco be invited to the Legislative Committee meeting scheduled at the next Council meeting in Foster City.

PFMC
09/12/02



FAX

503-283-4718

U.S. SENATOR PATTY MURRAY

TO: To: Phil Anderson, Don Mc Isaac
DATE: 9/12/02
FROM: Anna Knudson

Thank you for considering this and providing feedback. Given what a priority the buyback is (for the Council) we want to try to get the right authorizing language through so this can happen.

Also -- there is a chance IFQ standards will move this year, and as you know, what to do about authorizing processor quotas for the West Coast will be one of the most controversial issues.

Thanks!

PAGES SENT (INCLUDING COVER SHEET): 6

PLEASE CONTACT OUR OFFICE IF YOU ARE MISSING PART OF THIS TRANSMISSION.

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S. 973 – Wyden Draft (003)

To expedite the implementation of a capacity reduction program for the Pacific Coast Groundfish fishery.

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Pacific Coast Groundfish Fishery Capacity Reduction Act'.

SECTION 2. CAPACITY REDUCTION IN THE PACIFIC COAST GROUND FISH FISHERY.

(a) **IN GENERAL-** The Secretary of Commerce shall, after notice and an opportunity for public comment, adopt final regulations by August 31, 2003 to implement a fishing capacity reduction plan for the Pacific Coast groundfish fishery consistent with section 312(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a(b)). The fishing capacity reduction plan shall –

- (1) obtain the maximum sustained reduction in fishing capacity at the least cost through a process in which vessels and permits are purchased;
- (2) not expand the size or scope of the commercial fishery failure in that fishery or into other fisheries or other geographic regions;
- (3) permanently revoke all State and Federal fishery licenses, fishery permits, for Pacific Coast groundfish, Pacific pink shrimp, Dungeness crab, and Pacific salmon (troll permits only) issued to a vessel or vessels (or to persons on the basis of their operation or ownership of that vessel or vessels) for which a Pacific Coast groundfish fisheries reduction permit is revoked under section 600.1011(b) of title 50, Code of Federal Regulations except that no vessel harvesting and processing whiting in the catcher/processor sector as defined in section 660.323 (a)(4)(A) of title 50, Code of Federal Regulations shall be eligible to qualify;
- (4) ensure that the Secretary of Transportation is notified of each vessel for which a reduction permit is surrendered and revoked under the program, with a request that such Secretary permanently revoke the fishery endorsement of each such vessel and refuse permission to transfer any such vessel to a foreign flag under subsection (f) of this section;
- (5) ensure that vessels removed from the Pacific Coast groundfish fisheries under the program are made permanently ineligible to participate in any fishery, and that the owners of such vessels contractually agree that such vessels will operate only under the United States flag or be scrapped as a reduction vessel pursuant to section 600.1011(c) of title 50, Code of Federal Regulations;
- (6) ensure that vessels removed from the Pacific Coast groundfish fisheries, the owners of such vessels, and the holders of fishery permits for such vessels forever relinquish any claim associated with such vessel, permits, and any catch history associated with such vessel or permits that could qualify such vessel, vessel owner, or permit holder for any present or future limited access system fishing permits in the United States fisheries based on such vessel, permits, or catch history; and,

(b) FUNDING FOR BUYBACK OF VESSELS AND PERMITS-

- (1) The fishing capacity reduction program required under this subsection is authorized to be financed through a reduction loan of \$50,000,000 under sections 1111 and 1112 of title XI of the Merchant Marine Act, 1936 (46 U.S.C. App. 1279f and 1279g). Notwithstanding section 1111(b) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1279f(b)(4)), establish a repayment period for the reduction loan of not less than 30 years.
- (2) The \$500,000 appropriated in section 212 of P.L. 107-206 shall be for the cost of the \$50,000,000 loan ceiling required under subsection (1) of this section in accordance with the requirements of the Federal Credit Reform Act.

(c) VOLUNTARY PARTICIPATION – Participation in the program shall be voluntary, but the Secretary shall ensure compliance by all that participate.

(d) CONSULTATION – The harvester proponents of the program and the Secretary shall consult, as appropriate, with interested parties during the development and implementation of any program under this subsection.

- (1) ELIGIBILITY – Only persons who hold a federal pacific groundfish limited entry permit under the Pacific Coast Groundfish Management Plan may participate in the fishing capacity reduction program except that no vessel harvesting and processing whiting in the catcher/processor sector as defined in section 660.323 (a)(4)(A) of title 50, Code of Federal Regulations shall be eligible.

(f) INDUSTRY FEES-

- (1) IN GENERAL – In lieu of section 312(d) and (e), the Secretary shall consult with affected industry on the necessary fee system. The Secretary shall—
 - (A) identify, to the extent practicable, and notify all permit or vessel owners who would be affected by the program;
 - (B) make available to such owners information about the industry fee system describing the schedule, procedures, and eligibility requirements for the referendum, the proposed program, and the amount and duration and any other terms and conditions of the proposed fee system; and
 - (C) conduct public workshops with affected parties to assist with the design and development of the system.
- (2) Notwithstanding section 304(d) and after consulting with the affected industry pursuant to paragraph (1), the Secretary is authorized to establish such a system to fund the program and repay debt obligations incurred pursuant to section 1111 of the Merchant Marine Act, 1936. The fees for a program established under this section shall—
 - (A) be determined by the Secretary and adjusted from time to time as the Secretary considers necessary to ensure the availability of sufficient funds to repay such debt obligations;
 - (B) not exceed 5 percent of the ex-vessel value of all fish harvested from the fishery for which the program is established;
 - (C) be deducted by the first ex-vessel fish purchaser from the proceeds otherwise payable to the seller and accounted for and forwarded by

such fish purchasers to the Secretary in such manner as the Secretary may establish; and

(D) be in effect only until such time as the debt obligation has been fully paid.

(3) ALLOCATION OF FEES- The Secretary may allocate the fees payable under the industry fee system among—

(A) holders of Pacific Coast groundfish permits, except no fees shall be assessed for holders of groundfish permits for vessels that harvest and process whiting in the catcher/processor sector as defined in section 660.323 (a)(4)(A) of title 50, Code of Federal Regulations;

(B) holders of Washington, Oregon, and California pink shrimp fishing permits,

(C) holders of Washington, Oregon, and California salmon trolling permits, and

(D) holders of Washington, Oregon, and California Dungeness crab fishing permits,

so that the percentage of the revenue generated by the fee system from holders of each kind of permit will correspond to the percentage of the total amount paid under the capacity reduction program for that kind of permit.

(g) PROGRAM IMPLEMENTATION-

(2) IN GENERAL – The Secretary shall propose and adopt framework regulations applicable to implementing the program under this section.

(3) NOTICE – The Secretary shall implement each program under this section by proposing in the Federal Register for public comment and subsequently adopting, a notice that establishes each such program and controls its implementation in accordance with the framework regulations.

(4) ROLE OF HARVESTER PROPONENTS – Before the Secretary proposes a notice with respect to a program under paragraph (2), the harvester proponents of the program shall provide a proposed implementation plan to the Secretary that—

(A) proposes the type and number of vessels or permits that are eligible to participate in the program and the manner in which the program shall proceed, taking into account—

(i) the requirements of this section;

(ii) the requirements of the framework regulations;

(iii) the characteristics of the fishery;

(iv) the requirements of the applicable fishery management plan and any amendment that plan may require to support the proposed program;

(v) the general needs and wants of harvesters in the fishery;

(vi) the need to minimize program costs; and

(vii) such other matters, including the manner in which the proponents propose to fund the program, as may be appropriate or necessary for the potential for the general cooperation of, and support from, a substantial number of affected harvesters

in the fishery or the portion thereof for which the program is proposed to be implemented; and

(B) establishes procedures for program participation, including any terms and conditions the harvester proponents deem to be reasonably necessary to meet the program's objectives.

(5) **CONTRACTS** – The Secretary shall execute a contract with each person participating in the program. The contract shall, in addition to any other provisions the Secretary deems appropriate or necessary, incorporate by reference as terms and conditions appropriate provisions of the framework regulations.

(6) **ASSESSMENT OR AUCTION** – Each program not involving fair market assessment shall involve a reduction auction that scores the reduction price of each bid offer by the data relevant to each bidder under an appropriate fisheries productivity factor. If the Secretary accepts bids under such an auction, the Secretary shall accept each bid in the rank order of its bid score, with each bid the reduction price of which is the lowest percentage of the productivity factor being accepted over a bid the reduction price of which is the next lowest percentage of the productivity factor.

(h) **DUTIES OF SECRETARY OF TRANSPORTATION-**

(1) The Secretary of Transportation shall, upon notification and request by the Secretary, for each vessel identified in such notification and request—

(A) permanently revoke any fishery endorsement issued to such vessel under section 12108 of title 46, United States Code; and

(B) refuse to grant the approval required under section 9(c)(2) of the Shipping Act, 1916 (46 U.S.C. App. 808(c)(2)) for the placement of such vessel under foreign registry or the operation of such vessel under the authority of a foreign country.

(2) The Secretary of Transportation shall, after notice and opportunity for public comment, adopt final regulations not later than 6 months after the date of enactment of this Act, to prevent any vessel for which a reduction permit is surrendered and revoked under the fishing capacity reduction program required by this section from engaging in fishing activities on the high seas or under the jurisdiction of any foreign country while operating under the United States flag.

(i) **REGULATORY FLEXIBILITY-** Any requirements of the Paperwork Reduction Act, the Regulatory Flexibility Act, or any Executive order that would, in the opinion of the Secretary, prevent the Secretary from meeting the deadlines set forth in this section shall not apply to the fishing capacity reduction program or the promulgation of regulations to implement such program required by this section.

SECTION 3. COLLECTION OF INDUSTRY FEES.

(a) **IN GENERAL-** The Secretary shall enter into an agreement with the States of California, Oregon, and Washington to collect program fees paid under the system established under section 4(e).

(b) **WITHHOLDING FEE FROM PURCHASE PRICE-** The fee for each vessel required to pay a program fee under that system shall be deducted by the first ex-vessel fish purchaser from the proceeds otherwise payable to the seller and forwarded to the

appropriate State at the same time and in the same manner as other fees or taxes are forwarded to that State.

- (c) STATE TO COLLECT AND FORWARD FEES- Upon receipt of program fees forwarded by fish purchasers under subsection (b), the State shall forward the fees to the Secretary in the manner provided for in the agreement established under subsection (a).
- (d) FISH-PROCESSING VESSELS TREATED AS PURCHASERS- A vessel which—
 - (1) receives fish from a harvesting vessel and processes that fish on board, shall be considered to be the first ex-vessel fish purchaser with respect to the fish processed on the vessel and shall forward the appropriate fees to the appropriate state at the same time and in the same manner as other fees or taxes are forwarded to that State.

LEGISLATIVE MATTERS

Situation: The Legislative Committee will meet September 9, 2002 to review several pieces of federal legislation currently being considered by Congress. These bills include comprehensive changes to re-authorize and amend the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Other bills focus specifically on modifying certain aspects of the Magnuson-Stevens Act. Two complementary bills (one from the Senate, one from the House of Representatives) would provide for qualified withdrawals from the Capital Construction Fund. Other recent legislative matters include \$500,000 to carry out a West Coast groundfish fishing capacity reduction program, which was included in the fiscal year 2002 Defense and Homeland Security Supplemental Appropriations Act (Public Law 107-206; HR 4775/HRpt 107-593).

The Legislative Committee will provide a summary report to the Council, which might include recommendations for Council actions.

Council Action:

1. Consider Council response to legislative issues.

Reference Materials:

1. Exhibit H.1.b, Supplemental Legislative Committee Report.

Agenda Order:

- a. Agendum Overview
- b. Legislative Committee Report
- c. Reports and Comments of Advisory Bodies
- d. Public Comment
- e. **Council Action:** Consider Council Response to Legislative Issues

Don McIsaac
Dave Hanson

PFMC
08/21/02

Dear Senator Murray:

The PFMC appreciates the opportunity to provide comments on the draft of S-973 as the legislation relates to the removal of state issued permits.

To completely understand this issue it is necessary to describe the efforts to date to conduct a Pacific groundfish buy-back program. Immediately following the passage of the Sustainable Fisheries Act in 1996, industry members requested the PFMC to request the Secretary of Commerce to establish a groundfish buy-back program under the new section 312(b) provisions. The industry developed a business plan that would have purchased groundfish trawl permits.

This program was received poorly by many participants in the state-managed fisheries. The primary concern was that if only the federal trawl permits were to be retired, the buy-back participants would still own their vessel and state fishing permits, and a shift in fishing effort into the state managed fisheries would result. Since these fisheries have their own excess fishing capacity problems, it was feared that the trawl buy-back program would exacerbate existing problems in these other fisheries.

The current proposal before Congress attempted to address the concern of participants in the state fisheries by requiring that the groundfish permit, along with all state permits and the vessel be retired from fishing. This approach has been received well by, not only the participants in the groundfish fishery, but also by those involved in the various state managed fisheries as well.

The drafters of the proposal reasoned that if such a buy-back program is to be funded by a loan to those that remain in the fishing industry, then all persons benefitting from the reduction program should share in the cost of repaying the loan. Since repayment of the loan from the remaining fleet would require fees to be collected from federal groundfish and state fisheries, a system to establish and collect those fees at the state level would need to be created through state legislation.

To date the State of Oregon has established such a mechanism. The state of California has passed legislation indicating the state's intent to establish such a mechanism once the Federal program is clearer. The state of Washington has yet to address this issue, but industry is conducting discussions with legislators about introducing the necessary legislation this coming session.

It is the desire of the PFMC to move forward with a groundfish buy-back program that would also retire the vessel and state permits. However, the inclusion of the state permits in such a program should not become an obstacle to the implementation of a groundfish buy-back program.

Given the uncertainty of California and Washington adopting legislation that would allow permit holders in those states to fully participate in a Federal groundfish buy-back program, the Council believes the program should allow the individuals to sell only their groundfish permit, if supporting state legislation has not been adopted at the time of the buy-back.

The Council would also like to see the program modified to exclude from participation those sectors of the groundfish fishery where an IFQ program has been implemented. We suggest the following change in Section 2 (d)(1) at the end of the paragraph, "... and fisheries managed by an IFQ existing as of the date of the legislation".

Thank you for this opportunity.

Sincerely,

Dr. Hans Radtke
Chairman

c: West Coast Senators

Mr. Jim Harp

REPORT OF THE BUDGET COMMITTEE

The Budget Committee received an Executive Director Report by Dr. Donald McIsaac that included the financial audit report for calendar year (CY) 2001; status of CY 2002 budget; and funding for 2003 grant submission.

- **Audit for CY 2001.** John Coon presented the Budget Committee copies of the Financial Audit Report for CY 2001. The audit indicates the Council financial operations for the year ended in conformity with generally accepted accounting principles and compliance with OMB Circular A-133. There were no questioned costs for CY 2001.
- **CY 2002 Budget.** Don McIsaac presented his Executive Director's Report regarding the status of the CY 2002 budget through August 31st. The budget situation was discussed by the committee and staff. The current projections indicate that expenditures, with some close monitoring, will likely be near projections of the original budget. The Budget Committee will receive another update at the November Council meeting. If there is a shortage or surplus of funds projected, the Budget Committee and staff will review the situation and make recommendations to guide remaining expenditures.
- **Funding for 2003.** The Congressional appropriation process has not yet determined the final base amount for regional councils for CY 2003 and a proposed budget and grant application has not been submitted. The Senate appropriations sub-committee recommendation for 2003 has been reduced from \$16 million to \$15 million and the House appropriations committee has not completed any funding amounts yet. The Senate and House conference committee will need to agree upon final amounts for 2003 later this fall, probably not until after the November election and too late for us to know the exact amount prior to submitting our grant application in late November. It is likely we will have to submit our initial budget based on a continuing resolution. While an appropriation of \$15 million for all regional councils would provide an increase of about \$125,000 over the CY 2002 base grant for the Pacific Council, it would not provide enough to maintain our current status quo operations which have also been supported by additional funding beyond the base grant in CY 2002.

PFMC
09/12/02



Hoopa Valley Tribal Council
Natural Resources Division
Fisheries Department

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PFMC

12 September 2002

Dr. Donald O. McIsaac, Executive Director
Pacific Fishery Management Council
2130 SW Fifth Avenue, Suite 224
Portland, OR 97201

Post-It* Fax Note	7671	Date	9/12/02	# of pages	1
To	John Coon	From	M. ORCUTT		
Co./Dept.	PFMC	Co.	HVT		
Phone #		Phone #	530 625-4267		
Fax #	503 283-4118	Fax #			

Dear Dr. McIsaac:

RE: Tribal Representation on PFMC Advisory Committees

I am transmitting this letter to the Pacific Fishery Management Council (PFMC) in order to update the Council on tribal discussions regarding appointments to the Salmon Advisory Sub-panel (SAS). You will recall that PFMC took action to convey to Klamath Basin tribes the need to develop a plan for rotation of the SAS California tribal seat. To date, we have had productive discussions with Yurok tribal representatives and fully expect that an agreeable solution can be worked out. Unfortunately, we do not presently have a mutually acceptable plan worked out, mainly because of the logistic of coordinating with our respective governments. Hence, I am requesting that PFMC defer action the California tribal position on the SAS until its November 2002 meeting. I fully expect that an acceptable solution can be worked following the guidance that PFMC gave in June. Moreover, I have talked with Dave Hillemeier, Yurok Tribal Fisheries Program Manager, and he seems amenable to seeking additional time to resolve this issue. Therefore, please accept this letter as formal request for the PFMC to defer action on the California SAS position until November 2002.

Sincerely,
Mike Orcutt
Mike Orcutt

Cc:
LB Boydston
CDGF, 1416 Ninth Street
Sacramento, CA 95814

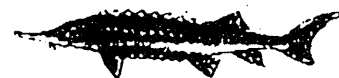
Jim Harp
Northwest Indian Fisheries Commission
PO Box 57
Amanda Park, WA 98526-0057



PACIFIC LAMPREY



STEELHEAD



GREEN STURGEON

NOMINEES TO FILL ADVISORY BODY VACANCIES

Advisory Body and Position	Nominees	Nominated By
CPSAS - WA Commercial	Rob Zuanich, Anchorage, AK	Purse Seine Vessel Owners Assoc.
GAP - WA Charter	Rhett Weber, Westport, WA Tom Young, Neah Bay, WA	Westport Charterboat Assoc. Ilwaco Charter Assoc. Self John Lofquist, Neah Bay, WA Donalynn Olson, Sekiu, WA Charterboat Assoc. of Puget Sound
HC - Conservation note - request for nominees extended to Sept 30	Michael Osmond	Ocean Conservancy Natural Res. Defense Council
HMSAS - Commercial At-large	Bill Sutton, Ojai, CA	Fed. of Ind. Seafood Harvesters Pete Dupuy, Tarzana, CA Ventura, County Com. Fish. Assoc. John Gibbs Kathy Fosmark, Pebble Beach, CA
HMSAS - Southern Processor	Myra Sutton, Ojai, CA Anthony Nizetich, San Pedro, CA	Same as for Bill Sutton, above Self, San Pedro, CA Harold Smith, Corona, CA August Felando, San Diego, CA
SAS - WA Coastal Tribes	Calvin S. Frank	Quinault Indian Nation
SAS - WA Charter	Butch Smith	Self Westport Charterboat Assoc. Ilwaco Charter Assoc. Gordon Bentler, Neah Bay, WA Washington Trollers Assoc. Oregon Salmon Commission Port of Ilwaco City of Ilwaco Chris Mohr, Sekiu, WA Steve Watrous, Vancouver, WA
SAS - ID Sport Fisher	Dr. Thomas L. Welsh	ID Wildlife Federation, Boise, ID

PFMC
 09/12/02

APPOINTMENTS TO ADVISORY BODIES, STANDING COMMITTEES, AND OTHER FORUMS

Situation: The Council is asked to provide guidance and take action on appointments to advisory bodies as described below.

1. **Tribal Salmon Advisory Subpanel (SAS) Seats** - At its June 2002 meeting, the Council adopted actions to restructure the tribal SAS seats as follows:
 - a. In mutual agreement, the Council and the Columbia River tribes (letter of June 14, 2002 from the Columbia River Inter-tribal Fish Commission) eliminated the Columbia River tribal seat. At a later date, the Council could reestablish the seat if there is a request from the Columbia River tribes to do so.
 - b. The current Washington coastal tribal member was removed and the Council has advertised for a Washington coastal tribal member that is active in the ocean troll fisheries to fill the vacancy. The new member would serve January 1, 2003 through December 31, 2003 (the end of the current three-year term). Nominations for this position are listed in Attachment 1 and nomination letters provided in Closed Session A.1, Attachment 1.
 - c. The Council temporarily postponed eliminating the current SAS California tribal position, but encouraged the Hoopa Valley and Yurok tribes to develop a joint plan by September 2002 to fill the single SAS California tribal seat. If such a joint plan is received prior to the September 2002 Council meeting and approved at that meeting, it would take effect for the remainder of the current term (January through December 2003). If no plan is submitted, the tribal seat will not be filled. As of completion of this briefing book paper, no proposal has been received.
2. **Additional State Groundfish Management Team (GMT) Seats** - The Council has increased funding by 10% to the three coastal state contracts (Washington, Oregon, and California) to help pay for additional assistance to the GMT. The Council should review the Washington and California nominees' Curriculum Vitae (Closed Session A.2, Attachments 1 and 2) and formally appoint the proposed new GMT members.
3. **Appointments to Advisory Body Vacancies for Completion of 2001-2003 Term** - The Council has solicited nominees for several advisory body vacancies which arose primarily after a review of meeting attendance. The vacancies and nominees (Attachment 1) include the Coastal Pelagic Species Advisory Subpanel (CPSAS), Groundfish Advisory Subpanel (GAP), Habitat Committee (HC), Highly Migratory Species Advisory Subpanel (HMSAS), and the Salmon Advisory Subpanel (SAS). Nomination letters are contained in Closed Session A.3, Attachment 2.
4. **Request for Additional Sport Representation on the GAP** - Ms. Janice Green has requested the Council to again consider adding more sport fishery representation on the GAP in light of the impacts the Council management decisions are having on that fishery (Closed Session A.4, Attachment 1).

Council Action:

1. **Appoint nominee to Washington Coastal Tribal SAS seat.**
2. **Respond to California tribal proposal.**
3. **Appoint additional State GMT members.**
4. **Fill vacancies on the CPSAS, GAP, HC, HMSAS (2 positions), and SAS.**

Council Task:

1. **Provide guidance on the request to add additional sport representation on the GAP.**
2. **Provide guidance on other appointment issues as needed.**

Reference Materials:

1. Washington Coastal Tribal Nomination (Closed Session A.1, Attachment 1)
2. GMT Nomination from WDFW (Closed Session A.2, Attachment 1).
3. GMT Nomination from CDFG (Closed Session A.2, Attachment 2).
4. Table of Nominees to Advisory Body Vacancies (Exhibit H.3.a, Attachment 1).
5. Nomination Letters for Advisory Body Vacancies (Closed Session A.3, Attachment 2).
6. Letter from Ms. Janice Green (Closed Session A.4, Attachment 1).
7. News Release from CDFG (Closed Session A.5, Attachment 1).

Agenda Order:

- a. Appointments to Advisory Bodies
 - i. Tribal Salmon Advisory Subpanel Seats
 - ii. Additional GMT State Seats
 - iii. Other Advisory Body Appointments and Miscellaneous Issues
- b. Reports and Comments of Advisory Bodies
- c. **Council Action:** Consider Membership Revisions and Appoint New Members

John Coon

PFMC
08/26/02

NOMINEES TO FILL ADVISORY BODY VACANCIES

Advisory Body and Position	Nominees	Nominated By
CPSAS - WA Commercial	Rob Zuanich, Anchorage, AK	Purse Seine Vessel Owners Assoc.
GAP - WA Charter	Rhett Weber, Westport, WA Tom Young, Neah Bay, WA	Westport Charterboat Assoc. Ilwaco Charter Assoc. Self John Lofquist, Neah Bay, WA Donalynn Olson, Sekiu, WA Charterboat Assoc. of Puget Sound
HC - Conservation	Michael Osmond	Ocean Conservancy Natural Res. Defense Council
HMSAS - Commercial At-large	Bill Sutton, Ojai, CA	Fed. of Ind. Seafood Harvesters Pete Dupuy, Tarzana, CA Ventura, County Com. Fish. Assoc. John Gibbs Kathy Fosmark, Pebble Beach, CA
HMSAS - Southern Processor	Myra Sutton, Ojai, CA Anthony Nizetich, San Pedro, CA	Same as for Bill Sutton, above Self, San Pedro, CA Harold Smith, Corona, CA August Felando, San Diego, CA
SAS - WA Coastal Tribes	Calvin S. Frank	Quinault Indian Nation
SAS - WA Charter	Butch Smith	Self Westport Charterboat Assoc. Ilwaco Charter Assoc. Gordon Bentler, Neah Bay, WA Washington Trollers Assoc. Oregon Salmon Commission Port of Ilwaco City of Ilwaco Chris Mohr, Sekiu, WA Steve Watrous, Vancouver, WA

PFMC
08/26/02

PROPOSED COUNCIL STAFF WORKLOAD PRIORITIES FOR SEPTEMBER 16 - NOVEMBER 1, 2002
 (Bolded tasks represent a Core Program Responsibility)

	Salmon	Groundfish	CPS	HMS	Other
ACTIVE	Inseason Mgmt	Complete Drft Annual Mgmt Specs EIS Inseason Mgmt	Ann. Mgmt Specs - sardine	FMP - Adopt Final	Admin Necessities (Briefing Book, minutes, etc.)
		Emergency Reg (Jan-Apr 2003) EA			
	SSC methodology review	Amendment 17 - adopt multi-year proc	Pln & Coord. 2003 STAR review		Legislative Com follow-up
		Amendment 16 - proc & stndrds options			
		GF Strategic Pln - 2 yr Review			
		Programmatic EIS			
		Current Litigation Response			
		Amendment 16 - Species Reblgd Plns	Sardine Allocation		Marine Reserve coord
		Darkblotched rockfish			EFH EIS
		Pacific Ocean Perch			Status of Stocks Report
	Cowcod				
	Lingcod				
	Widow Rockfish				
	Bocaccio Rockfish				
	Canary Rockfish				
	Yelloweye Rockfish				
	Whiting				
	Current Litigation response	Amendment - CA nearshore delegation			
CONTINGENT					
DELAYED	Amendments:	SSC bycatch workshop	Update FMP w/ Amendment 9		SSC B ₀ & MSY Wrkshop
	Central Valley Chinook	Trawl permit stacking	Update FMP w/ Amendment 10		Research & Data Needs
	S Falcon coho allocation	Open access			
	OCN matrix	Full retention pilot program			
	Update FMP w/ A-14	Amendment 15 - AFA			

PRELIMINARY DRAFT COUNCIL MEETING AGENDA, OCTOBER 28-NOVEMBER 1, 2002

AG #	TIME	AGENDA TOPICS/COMMENTS	COUNCIL TASK	REVIEW PRIORITY		
				SSC	HC	Other or Not at Mtg ^{1/}
Tuesday, October 29						
1.5		Closed Session: Personnel & Litigation - 8 am	Info/Discussion			
		Tribal SAS Seats				
		Appointments - HC; Composition of GAP				
		Current Litigation Briefing				
A.	0.4	Call to Order: Opening, Roll Call, ED Rpt, Agenda, Minutes - 9:30 am				
		Approve Agenda	Action			
		Approve Minutes -April	Action			
B.		Habitat Issues - 10 am				
1	0.5	Essential Fish Habitat (EFH) Issues - HC Rpt	Action		X	GAP, SAS, HMSAS
		Update on Marine Reserves Processes	Info		X	GAP, SAS, HMSAS
C.		Highly Migratory Species Mgmt - 11 am				
1	0.2	NMFS Rpt	Info			HMSAS, HMSPDT
2	5	Adopt Final HMS FMP	Action			HMSAS, HMSPDT
	0.5	4 pm Public Comment Period	Info			
	8.1					
Wednesday						
D.		CPS - 8 am				
1	0.2	NMFS Rpt	Info			CPSAS, CPSMT
2	1	Pacific Sardine Stock Assessment & Harvest Guideline for 2003	Action	X		CPSAS, CPSMT
3	2	Consider FMP Amendment Issues for Long-term Sardine Harvest Allocation	Action			CPSAS, CPSMT
E.		Groundfish Mgmt - 1 pm				
1	1.5	NMFS Rpt - including implementation of 2003 regs & whiting meeting	Info			GAP, GMT
2	1.5	Status of Fisheries and Inseason Adjustments	Action			EC, GAP, GMT
3	1	Status of VMS	Action			EC, GAP, GMT
4	0.8	Review of 2002 STAR Panel Program & Planning for 2003	Info/Guidance	X		GAP, GMT
	8		Action			EC, GAP, GMT
Thursday						
		Groundfish Mgmt Continued - 8 am				
5	3	Adopt Amendment 17 - Multi-Year Mgmt	Action	X		GAP, GMT
6	1.5	Refinement of Amendment 16 - Process & Standards (Rebuilding Plans)	Action	X		GAP, GMT
7	1.5	Exempted Fishing Permits (EFP) - Update and New Proposals	Action	X		EC, GAP, GMT
8	2.5	Stategic Plan 2-Year Review	Info/Guidance			GAP, GMT
		(Updates: Trawl Permit Stacking & Open Access)				
9	1	Groundfish FMP Environmental Impact Statements - approve alternatives	Action		X	GAP, GMT
	9.5					

Motion 28
Anderson
Alverson

PRELIMINARY DRAFT COUNCIL MEETING AGENDA, OCTOBER 28-NOVEMBER 1, 2002

AG #	TIME	AGENDA TOPICS/COMMENTS	COUNCIL TASK	REVIEW PRIORITY		
				SSC	HC	Other or Not at Mtg ^{1/}
Friday						
F.		Pacific Halibut - 8 am				
1	0.8	Adopt proposed Changes to the Catch Sharing Plan and Ann. Regs for 2003 (Overview, 2002 fishery rpt, state proposals)	Action			EC, GAP, GMT, SAS
G.		Salmon Management - 9 am				
1	0.2	NMFS Report	Info			SAS, STT
2	0.2	Update of Ongoing Fisheries	Info			SAS, STT
3	0.3	Approve Salmon Option Hearing Sites and Mgmt Sched for 2003	Action			SAS, STT
4	0.5	Scientific and Statistical Committee (SSC) Methodology Review	Action	X		SAS, STT
5	0.5	Consideration of FMP Amendment Issues (Central Valley Chinook; OCN coho matrix; S. Falcon coho allocation)	Info			SAS, STT
H.		Administration - 11:30 am				
	0.5	Research & Data Development Needs	Info	X		
1	0.4	Legislative Matters - Rpt of the Legislative Committee	Action			
2	0.4	Financial Matters - Rpt of the Budget Committee	Action			
3	0.5	Appointments Tribal SAS Seats (review Klamath Plan) Other: HC & GAP Composition	Action			
4	0.3	Elect Council Chair & Vice Chair	Action			
5	0.5	Workload Planning	Info			
6	0.5	Draft March Agenda	Action			
	5.6					

1/ Anticipates each advisory subpanel will review agenda items for its particular FMP.

Informational Reports (available in Briefing Book, but no time scheduled on Agenda):

General Information

ANCILLARY MEETINGS AT SEPTEMBER COUNCIL MEETING				
Day	Group	Start Time	Continuing Through	Staffing
Sunday: None				
Monday:				
	SSC (A)	8:00 AM	Tue	DAW
	HC (B)	10:00 AM	Mon.	JG/CAT
	Legislative (C)	10:00 AM	Mon.	DM
	Budget (D)	1:00 PM	Mon.	DM/JC
	Chair's Briefing	2:30 PM	Mon.	DM/JC
Tuesday:				
	GAP (E)	8:00 AM	Wed	JDD
	GMT (F)	8:00 AM	Wed	JDD
	EC (H)	5:30 PM	Thur	JLS
Wednesday:				
	HMSPDT (I)	8:00 AM	Thur	DAW

Cover Memos due to CSP by **noon on 10/11**.

