

FISCAL MATTERS

The Council's Budget Committee will meet on Sunday, November 2, 2008, at 9:00 A.M. to consider budget issues as outlined in Ancillary D, Budget Committee Agenda.

The Budget Committee's report is scheduled for Council review and approval on Friday, November 7.

Council Action:

Consider the report and recommendations of the Budget Committee.

Reference Materials:

1. Agenda Item H.2.b, Supplemental Budget Committee Report.

Agenda Order:

- a. Budget Committee Report
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. **Council Action:** Consider Budget Committee Recommendations

Jerry Mallet

PFMC
10/15/08

REPORT OF THE BUDGET COMMITTEE

The Budget Committee (BC) met on Sunday, November 2, 2008 and received the Executive Director's Budget Report. The report included (1) a summary of expenses through September 30, 2008 with projected year-end balances for both the calendar year (CY) 2008 base operations and CY 2008 groundfish trawl rationalization (TR) program, (2) a provisional CY 2009 operating budget, and (3) a range of possible 2009 funding and budget response scenarios. The following BC members were present:

Mr. Jerry Mallet, Chairman
Mr. Phil Anderson
Mr. Donald K. Hansen

Dr. Dave Hanson
Mr. Frank Lockhart/Mr. Mark Helvey
Mr. Frank Warrens

Absent: None

Others Present: Mr. Mark Cedergreen, Dr. John Coon, Mr. Steve Freese, Dr. Donald McIsaac, Mr. Rod Moore, Mr. Dale Myer, Mr. Dave Ortmann, and Mr. Chuck Tracy

CY 2008 Budget and Expenditures

2008 Base Operations

Dr. McIsaac reported that a review of the CY 2008 base budget (\$3,235,891), expenditures through September 30, and projected expenditures through year's end currently estimate a positive balance of about \$97,000. He recommended that any final realized year-end balance be retained to maintain the current capacity of Council base activities in CY 2009.

2008 Groundfish TR Program

Dr. McIsaac reported that a review of the CY 2008 groundfish TR budget (\$815,119), expenditures through September 30, and an estimate of expected expenditures through year's end, projects a likely positive balance of about \$36,000. He recommended that any final realized year-end balance be added to the approved CY 2009 TR budget of \$539,483 to fund ongoing TR activities in 2009.

Potential Funding Scenarios and CY Provisional Operating Budget for 2009

For Federal fiscal year (FY) 2009, Congress has passed and the President signed a Continuing Resolution that funds Federal operations through March 6, 2009 at the FY 2008 level. It is uncertain as to what action will follow—an additional Continuing Resolution or a new budget. Dr. McIsaac indicated that many knowledgeable individuals tracking FY 2009 budget resolution possibilities feel a repeat of the 2008 funding level is the most likely scenario.

Dr. McIsaac identified a Total Provisional Operating Budget for CY 2009 of about \$3.9 M, including base operations and the TR program. He showed information demonstrating that if

there is replication of the 2008 funding level from base operations sources, a total budget level of about \$3.9 M is achievable. This budget would maintain status quo Council staffing levels and associated operational capacity. However, it is important to note that full Council status quo operational capabilities would not be achievable if state, Federal, and tribal agency contributions to the Council process cannot be maintained.

Lastly, Dr. McIsaac identified priorities for funding scenarios above and below the provisional operating budget level and asked the BC to consider adopting this as guidance for 2009.

Budget Committee Recommendations

The BC stresses that Council activities pursued under the CY 2009 budget must recognize and be contingent upon the ability of state, Federal, and tribal member entities to participate in and contribute to the necessary workload. Currently, state government budgets are facing serious reductions and the National Marine Fisheries Service Regions have not been able to attain target staffing levels under the terms of Continuing Resolutions. With this concern in mind and based on the information provided by Dr. McIsaac in his display of funding scenarios and priorities for CY 2009, the BC recommends the following:

1. Retain any remaining CY 2008 balance for use in the CY 2009 budget.
2. Adopt a Total Provisional Operating Budget of \$3,882,637 for CY 2009, including base operations and the TR program. This budget is provisional, pending final cost-of-living and Federal travel allowance adjustments, and base funding levels as described in A and B below.
3. Implement the following contingencies in the event actual funding received is higher or lower than the provisional operating budget level:
 - A. In the event funding exceeds the Total Provisional Operating Budget, the BC recommends that:
 - 1) Up to a level of \$4.3 M—
 - a) Execute any dedicated funding (e.g., Ecosystem FMP development);
 - b) For undedicated funds, assign to contingency workload items; and
 - 2) Greater than \$4.3 M—
 - a) Execute any dedicated funding (e.g., Ecosystem FMP development);
 - b) For undedicated funds, set priorities and operational budget at the March or April 2009 Council meeting.
 - B. In the event funding falls short of the Total Provisional Operating Budget, the BC recommends that:
 - 1) Down to a level of \$3.7 M—
 - a) Reduce advisory body meetings and Council meeting agenda items;
 - b) Reduce contractor and Council staff-related categories; and
 - 2) Less than \$3.7 M—Set reduction priorities and operational budget at the March or April 2009 Council meeting or at an earlier emergency BC meeting.

PFMC
11/06/08

MEMBERSHIP APPOINTMENTS AND COUNCIL OPERATING PROCEDURES

During this agenda item, the Council will consider changes in advisory body membership, appointments to other forums, and relevant changes in Council Operating Procedures (COP).

Council Advisory Body Appointments

Management and Technical Teams

Salmon Technical Team (STT)

The California Department of Fish and Game (CDFG) has nominated Ms. Melody Palmer-Zwahlen to the CDFG position on the STT to replace Mr. Allen Grover (Closed Session A.1.a, Attachment 1).

The National Marine Fisheries Service Northwest Region (NMFS NWR) has nominated Dr. Thomas Helsler to replace the recently retired Mr. Dell Simmons as the NMFS NWR representative on the STT (Closed Session A.1.a, Attachment 2).

Scientific and Statistical Committee (SSC)

In response to our request for nominations to fill a vacant at-large position on the SSC, formerly held by Dr. Thomas Helsler, the Council has received nominations for the following individuals (Closed Session A.1.a, Attachments 3 through 5):

Nominee	Nominated by
Dr. Stephen Barrager Affiliate, Stanford Law School San Francisco, CA	Self Mr. Peter Huhtala, Director of Governmental Affairs, Pacific Marine Conservation Council Mr. Peter Leipzig, Executive Director, Fishermen's Marketing Association (FMA) Mr. Rick Starr, Marine Advisor, University of California, Moss Landing
Dr. Louis Botsford Professor, Dept. of Fish & Wildlife University of California, Davis	Self
Dr. Vladlena Gertseva Fishery Resource Analysis and Monitoring Division, NMFS Northwest Fisheries Science Center (NWFSC), Seattle, WA	Dr. Usha Varanasi, Director, NMFS NWFSC

Advisory Subpanels

None

Other Council Committees

Groundfish Allocation Committee (GAC) Non-Voting

In response to our request for nominations to fill the non-voting conservation position on the GAC, formerly held by Mr. Stephen Barrager, the Council received the following nominations (Closed Session A.1.a, Attachments 6 through 8):

Nominee	Nominated by
Ms. Erika Feller Marine Project Director The Nature Conservancy, California Chapter San Francisco, CA	Ms. Margaret Spring, Director The Nature Conservancy California Coastal and Marine Program
Mr. Shems Jud Fisheries Policy Coordinator Environmental Defense Fund West Linn, OR	Self Mr. Peter Leipzig, Executive Director FMA
Ms. Laura Pagano Oceans Attorney Natural Resources Defense Council (NRDC) San Francisco, CA	Karen Garrison, Director West Coast Oceans Program, NRDC

Vacancies on Permanent Council Advisory Bodies

The following advisory body position is vacant with no nominations:

Habitat Committee

Idaho Department of Fish and Game Position

Appointments to Other Forums

None

Changes to Council Operating Procedures

None

Council Action:

1. Confirm or provide guidance on appointments to Council advisory bodies and potential COP changes.
2. Specific actions are required for: the CDFG and NMFS NWR nominations to the STT; three nominations for the SSC at-large vacancy; and three nominations for the GAC non-voting conservation vacancy.

Reference Materials:

1. Closed Session A.1.a, Attachment 1: Nomination—Ms. Melody Palmer-Zwahlen to STT CDFG position.
2. Closed Session A.1.a, Attachment 2: Nomination—Dr. Thomas Helser to STT NMFS NWR position
3. Closed Session A.1.a, Attachment 3: Nomination—Dr. Stephen Barrager to SSC at-large position.
4. Closed Session A.1.a, Attachment 4: Nomination—Dr. Louis Botsford to SSC at-large position
5. Closed Session A.1.a, Attachment 5: Nomination—Dr. Vladlena Gertseva to SSC at-large position.
6. Closed Session A.1.a, Attachment 6: Nomination—Ms. Erika Feller to GAC conservation position.
7. Closed Session A.1.a, Attachment 7: Nomination—Mr. Shems Jud to GAC conservation position.
8. Closed Session A.1.a, Attachment 8: Nomination—Ms. Laura Pagano to GAC conservation position.

Agenda Order:

- a. Agenda Item Overview John Coon
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. **Council Action:** Consider Changes to COP and Appoint New Advisory Body Members as Needed

PFMC
10/16/08

PROPOSED AMENDMENT TO COUNCIL OPERATING PROCEDURE 2
CLARIYING INTERIM APPOINTMENTS

The purpose of this proposed amendment to Council Operating Procedure (COP) 2, Advisory Subpanels, is to clearly identify an interim appointment procedure to avoid a lack of representation in any position while the formal replacement process is proceeding. While it seems reasonable within the purview of the Council Chair to make an interim appointment (similar to the procedure for ad hoc committee appointments), COP 2 is silent in regard to utilizing an interim appointment procedure.

To avoid any ambiguity with regard to interim replacements, Council staff recommends the following amendment to COP 2 which utilizes the basic language found in COP 7 for replacement of nonvoting advisory members on the Groundfish Allocation Committee. The additional language would be placed in a final third paragraph under "Replacement of Members" as follows below.

...

Replacement of Members

...

The Council Chair is authorized to appoint replacement members on an interim basis to avoid a lack of representation for any of the advisory sectors at an advisory body meeting. In so far as possible, the Council Chair will consult with the Council prior to such interim appointments.

...

FUTURE COUNCIL MEETING AGENDA AND WORKLOAD PLANNING

This agenda item is intended to refine general planning for future Council meetings and includes the following:

1. A preliminary three-meeting list of agenda topics for the Council's March, April, and June 2009 Council meetings in Attachment 1.
2. In response to the request for a longer range meeting outlook, an abbreviated display of potential agenda items for a full year is provided in Attachment 2.
3. To help develop a final draft agenda for the March 2009 Council meeting in Seattle, Washington, an initial draft March agenda is provided as Attachment 3.
4. A detailed preliminary agenda for the April 2009 meeting will be provided in a supplemental attachment at the Council meeting.
5. Council staff workload priorities for the period between the November 2008 and April 2009 Council meetings will be provided in a supplemental attachment at the Council meeting.
6. An opportunity to identify priorities for advisory body consideration at the next Council meeting.

The Executive Director will assist the Council in reviewing the items listed above and discuss any other matters relevant to Council meeting agendas and workload. After considering supplemental material provided at the Council meeting, and any reports and comments from advisory bodies and public, the Council will provide guidance for future agenda development, staff workload, and priorities for advisory body consideration at the March 2009 Council meeting.

Council Tasks:

- 1. Review pertinent information and provide guidance on potential agenda topics for future Council meetings.**
- 2. Provide final guidance on a draft agenda for the March Council meeting.**
- 3. Provide guidance on Council staff workload.**
- 4. Identify priorities for advisory body considerations at the next Council meeting.**

Reference Materials:

1. Agenda Item H.4.a, Attachment 1: Draft Preliminary Three-Meeting Outlook for the Pacific Council.
2. Agenda Item H.4.a, Attachment 2: Draft Preliminary "Year at a Glance Summary" of Council Meeting Agenda Topics and Council Floor Time Estimate.
3. Agenda Item H.4.a, Attachment 3: Draft Preliminary Proposed Council Meeting Agenda, March 7-13, 2009, Seattle, Washington.

Agenda Order:

- a. Agenda Item Overview Don McIsaac
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. Council Discussion and Guidance on Future Council Meeting Agenda and Workload Planning

Draft Preliminary Three-Meeting Outlook for the Pacific Council
(Contingent Items are Shaded and Counted in Time Estimate)

March Seattle, WA--3/7-3/13/09 (Council Starts 3/8) Estimated Hours of Council Floor Time = 41.3	April Millbrae, CA--4/3-4/9/09 (Council Starts 4/4) Estimated Hours of Council Floor Time = 38.5	June Spokane, WA--6/12-17/09 (Council Starts 6/13) Estimated Hours of Council Floor Time = 42.8
<u>Administrative</u> Closed Session; Open Session Call to Order; Min. (3) Legislative Committee Report	<u>Administrative</u> Closed Session; Open Session Call to Order (2) Legislative Committee Report	<u>Administrative</u> Closed Session; Open Session Call to Order; Min. (3) Legislative Committee Report
Interim Appt. to Advisory Bodies	Interim Appointments to Advisory Bodies	Fiscal Matters Interim Appointments to Advisory Bodies and Appointment of Council Chair and Vice Chairs
4 Mtg Outlook, Draft Apr Agenda, Workload (1 session) Open Comment Period--Non-Agenda Items	3 Mtg Outlook, Draft June Agenda, Workload Open Comment Period--Non-Agenda Items	3 Mtg Outlook, Drft Sept Agenda, Workload Open Comment Period--Non-Agenda Items
<u>Coastal Pelagic Species</u> STAR Panel 2009 TOR: Adopt Final	<u>Coastal Pelagic Species</u>	<u>Coastal Pelagic Species</u> Pac. Mackerel Harvest Guideline 2009-2010: Adopt Final Guideline and Mgmt Measures Review Sardine Allocation in FMP Amendment 11: Scope the Need for any Changes
NEPA & ACL FMP Amendments: Initial Planning		NEPA & ACL FMP Amendment: Adopt for Pub Rev
<u>Ecosystem FMP</u>	<u>Ecosystem FMP</u> Ecosystem FMP Planning	<u>Ecosystem FMP</u> Ecosystem FMP Planning
<u>Enforcement Issues</u> US Coast Guard Annual Fishery Enforcement Report	<u>Enforcement Issues</u>	<u>Enforcement Issues</u>
<u>Groundfish</u> NMFS Report 2009 Inseason Mgmt (2 Sessions) A-20--Trawl Rationalization: Status Rpt & Guidance	<u>Groundfish</u> NMFS Report 2009 Inseason Management (2 Sessions) A-20--Trawl Rationalization: Status Rpt &/or Guidance Intersector Allocation: Adopt Final Preferred Alt	<u>Groundfish</u> NMFS Report 2009 Inseason Management (2 Sessions) Trawl Rationalization: Status Report and/or Guidance Proposed Process & Schedule for Developing Biennial Mgmt Spx (2011-2012): EFPs for 2010: Adopt Preliminary Recommendations Stock Assessments for 2011-12: Approve Assessments
FMP Amendment 22 (Open Access): Adopt Final Preferred Alt. Pac. Whiting: Coordinate Final 2009 Spx & Mgmt Meas. with Pac Whiting Treaty Actions?		NEPA & ACL FMP Amendment: Adopt for Pub Rev
NEPA & ACL FMP Amendments: Initial Planning		EFH Changes: Review & Assign Proposals to EFHRC
EFHRC Terms of Reference		
<u>Habitat Issues</u> Habitat Committee Report	<u>Habitat Issues</u> Habitat Committee Report	<u>Habitat Issues</u> Habitat Committee Report

Agenda Item H.4.a
Attachment 1
November 2008

Draft Preliminary Three-Meeting Outlook for the Pacific Council
 (Contingent Items are Shaded and Counted in Time Estimate)

March Seattle, WA--3/7-3/13/09 (Council Starts 3/8) Estimated Hours of Council Floor Time = 41.3	April Millbrae, CA--4/3-4/9/09 (Council Starts 4/4) Estimated Hours of Council Floor Time = 38.5	June Spokane, WA--6/12-17/09 (Council Starts 6/13) Estimated Hours of Council Floor Time = 42.8
<u>Highly Migratory Species</u>	<u>Highly Migratory Species</u> NMFS Rpt NMFS Rpt on Potential Mgmt Options for Albacore Mgmt Recommendations to US Delegation to IATTC High Seas Shallow-set Longline Amendment: Adopt Final Preferred Alternative NEPA & ACL FMP Amendments: Initial Planning	<u>Highly Migratory Species</u> NMFS Rpt Albacore Mgmt WCPFC Northern Committee Actions: Provide Recom. NEPA & ACL FMP Amendment: Adopt for Pub Rev
<u>Marine Protected Areas</u> MPA Issues	<u>Marine Protected Areas</u>	<u>Marine Protected Areas</u> MPA Issues
<u>Pacific Halibut</u> Report on the IPHC Meeting Incidental Catch Regs for 2009: Adopt Options for Public Rev	<u>Pacific Halibut</u> Incidental Catch Regs for 2009: Adopt Final	<u>Pacific Halibut</u>
<u>Salmon</u> Review 2008 Fisheries & 2009 Abundance Estimates 2009 Mgmt Measures: Adopt Options for Public Rev & Appt. Hearings Officers Identify Stocks not Meeting Conserv. Objectives NEPA & ACL FMP Amendments: Initial Planning	<u>Salmon</u> 2009 Mgmt Measures: Adopt Final (4 agenda items) 2009 Methods Review: Process & Prelimin Topics West Coast Salmon Work Group Rpt Mitchell Act EIS: Provide Council Comments	<u>Salmon</u> NEPA & ACL FMP Amendment: Adopt for Pub Rev
<u>Information Reports</u>	<u>Information Reports</u>	<u>Information Reports</u> Salmon Fishery Update
<u>Special Sessions</u> PMCC Presentation: Cape to Cape Mgmt	<u>Special Sessions</u>	<u>Special Sessions</u> None

2009 Pacific Council Workload Planning: *Year at a Glance Summary*
 (Number of agenda items if greater than one shown within parentheses, placeholder matters shaded)

	<u>March</u> (Seattle)	<u>April</u> (Millbrae)	<u>June</u> (Spokane)	<u>September</u> (Foster City)	<u>November</u> (Costa Mesa)
Salmon	09 Season Setting (6) Cons. Obj. Report	09 Season Setting (4) 08 Salmon Failure Rpt 09 Methodology Rev. Mitchell Act EIS		09 Methodology Rev.	09 Methodology Rev.
	NEPA/ACL Amd.-Pln Evening--Cape to Cape		NEPA/ACL Amd.-1st Drf	NEPA/ACL Amd.-PubRev	NEPA/ACL Amd.-Final
Groundfish	Inseason Mgmt (2) Pacific Whiting A-22 (Op.Acs.)-Final EFH Rev TOR	Inseason Mgmt (2) A-21 (I-S.Aloc.)-Final	Inseason Mgmt (2) Stock Assmnts Specs Process Plan Initiate EFHRC Process Prelim EFPs	Inseason Mgmt (2) Stock Assmnts	Inseason Mgmt (2) Stock Assmnts Initial Mgmt Specs & Measures Final EFPs NMFS Report
	NMFS Report A-20 Implementation NEPA/ACL Amd.-Pln	NMFS Report A-20 Implementation	NMFS Report A-20 Implementation NEPA/ACL Amd.-1st Drf	NMFS Report Off-Year Science Impr NEPA/ACL Amd.-PubRev	NEPA/ACL Amd.-Final
CPS	2009 STAR ToR		Mackerel HG & Meas. Rev Sardine Allocation		Sardine Asmnt & HG
	NEPA/ACL Amd.-Pln		NEPA/ACL Amd.-1st Drf	NEPA/ACL Amd.-PubRev	NEPA/ACL Amd.-Final
HMS		NMFS Report Rpt on Albacore Mgmt Input to US Del. IATTC FMP A-2: HSSLL	NMFS Report Albacore Mgmt Proposals Input to WCPFC N. Com	NMFS Report Albacore Stk Assmnt?	NMFS Report Input to WCPFC
		NEPA/ACL Amd.-Pln	NEPA/ACL Amd.-1st Drf	NEPA/ACL Amd.-PubRev	NEPA/ACL Amd.-Final
Other	Routine Admin (7) Pacific Halibut (2) Habitat Comm.	Routine Admin (6) Halibut-Incidntl Regs Habitat Comm. Ecosystem FMP	Routine Admin (8) Habitat Comm. Ecosystem FMP	Pacific Halibut (2) Habitat Comm.	Routine Admin (8) Pacific Halibut (2) Habitat Comm. Ecosystem FMP
	USCG Ann. Rpt. MBNMS MPAs			State Enforcement Rpt MBNMS MPAs	
Apx. Council Floor Time	5.5 days	5.5 days	6 days	4.5 days (small increase expected)	4.5 days (likely to increase)

Agenday Item H.4.a
 Attachment 2
 November 2008

DRAFT PRELIMINARY PROPOSED COUNCIL MEETING AGENDA, MARCH 7-13, 2009, SEATTLE, WASHINGTON

Sat, Mar 7	Sun, Mar 8	Mon, Mar 9	Tue, Mar 10	Wed, Mar 11	Thur, Mar 12	Fri, Mar 13
<p><u>ADVISORY BODY MEETINGS ONLY</u></p> <p>1:00 pm SSC</p> <p><u>CPSAS AND CPSMT MAY MEET PRIOR TO THIS WEEK</u></p>	<p style="text-align: center;"><u>CLOSED SESSION</u> 11 AM</p> <p style="text-align: center;"><u>OPEN SESSION</u> 1:30 PM</p> <p>1-4. Open & Approve Agenda (30 min)</p> <p style="text-align: center;"><u>OPEN COMMENT</u></p> <p>1. Comments on Non-Agenda Items (45 min)</p> <p style="text-align: center;"><u>COASTAL PELAGIC SPECIES</u></p> <p>1. STAR Panel 2009 TOR: Adopt Final (1 hr)</p> <p>2. Plan FMP Amendments for NEPA & ACLs (1 hr 15 min)</p>	<p style="text-align: center;"><u>ENFORCEMENT ISSUES</u></p> <p>1. US Coast Guard Annual Fishery Enforcement Rpt. (1 hr)</p> <p style="text-align: center;"><u>SALMON</u></p> <p>1. Review 2008 Fisheries & 2009 Stock Abundance Estimates (1 hr 30 min)</p> <p>2. Identification of Stocks not Meeting Conservation Objectives (1 hr)</p> <p>3. Identification of Management Objectives & Preliminary 2009 Management Options (3 hr 30 min)</p> <p style="text-align: center;"><u>PACIFIC HALIBUT</u></p> <p>1. IPHC Annual Meeting Report (30 min)</p> <p>2. Incidental Catch Regulations in Salmon Troll & Fixed Gear Sablefish Fisheries (30 min)</p>	<p style="text-align: center;"><u>GROUNDFISH</u></p> <p>1. NMFS Report (45 min)</p> <p>2. Pacific Whiting: Coordinate 2009 Harvest & Mgmt Measures with Whiting Commission (2 hr 30 min)</p> <p>3. Consideration of Inseason Adjustments (2 hr)</p> <p style="text-align: center;"><u>SALMON</u></p> <p>4. Recommendations for 2009 Mgmt Option Analysis (2 hr 45 min)</p>	<p style="text-align: center;"><u>SALMON</u></p> <p>5. Further Direction for 2009 Mgmt Options (if needed) (45 min)</p> <p>6. Plan FMP Amendments for NEPA & ACLs (1 hr 30 min)</p> <p style="text-align: center;"><u>GROUNDFISH (CONT)</u></p> <p>4. Plan FMP Amendments for NEPA & ACLs (1 hr 30 min)</p> <p>5. Amendment 20 Trawl Rationalization: Status Rpt & Guidance (3 hr)</p> <p>6. Begin Amendment 22 (Open Access Limitation): Adopt Final [Intro & Initial Presentation] (1 hr)</p>	<p style="text-align: center;"><u>GROUNDFISH (CONT)</u></p> <p>6. Continue Amendment 22 (Open Access Limitation): Adopt Final (3hr)</p> <p>7. Final Inseason Adjustments (2 hr)</p> <p style="text-align: center;"><u>HABITAT</u></p> <p>1. Current Issues (45 min)</p> <p style="text-align: center;"><u>SALMON</u></p> <p>6. Adopt 2009 Management Options for Public Review (2 hr)</p> <p>7. Appoint Hearings Officers (15 min)</p>	<p style="text-align: center;"><u>MARINE PROTECTED AREAS</u></p> <p>1. MPA Issues (2 hr)</p> <p style="text-align: center;"><u>GROUNDFISH (CONT)</u></p> <p>8. EFHRC Terms of Reference (1 hr 30 min)</p> <p style="text-align: center;"><u>ADMINISTRATIVE</u></p> <p>1. Legislative Matters (30 min)</p> <p>2. Membership Appointments (15 min)</p> <p>3. Approve Minutes (15 min)</p> <p>4. Future Mtg Agenda Planning & Workload Priorities (30 min)</p>
	4 hr 30 min	8 hr	8 hr	7 hr 45 min	8 hr	5 hr
	8:00 am GAP 8:00 am GMT 8:00 am SAS 8:00 am STT 8:00 am SSC 8:30 am LC 9:30 am ChB 4:30 pm EC	8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am SAS 8:00 am STT 8:00 am SSC	8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am SAS 8:00 am STT	8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am HC 8:00 am SAS 8:00 am STT	8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am HC 8:00 am SAS 8:00 am STT	8:00 am EC 8:00 am GAP 8:00 am GMT

Council-sponsored evening sessions: Chair's Reception on Sunday at 6:00 pm
 Total Council Floor Time = 41.25 hr

Draft Preliminary Three-Meeting Outlook for the Pacific Council
(Contingent Items are Shaded and Counted in Time Estimate)

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<u>Administrative</u> Closed Session; Open Session Call to Order; Min. (3) Legislative Committee Report	<u>Administrative</u> Closed Session; Open Session Call to Order (2) Legislative Committee Report	<u>Administrative</u> Closed Session; Open Session Call to Order; Min. (3) Legislative Committee Report
Interim Appt. to Advisory Bodies	Interim Appointments to Advisory Bodies	Fiscal Matters Interim Appointments to Advisory Bodies and Appointment of Council Chair and Vice Chairs
4 Mtg Outlook, Draft Apr Agenda, Workload (1 session) Open Comment Period--Non-Agenda Items	3 Mtg Outlook, Draft June Agenda, Workload Open Comment Period--Non-Agenda Items	3 Mtg Outlook, Drft Sept Agenda, Workload Open Comment Period--Non-Agenda Items
<u>Coastal Pelagic Species</u> STAR Panel 2009 TOR: Adopt Final	<u>Coastal Pelagic Species</u>	<u>Coastal Pelagic Species</u> Pac. Mackerel Harvest Guideline 2009-2010: Adopt Final Guideline and Mgmt Measures
EFP for Sardine Research: Adopt for Pub Rev		EFP for Sardine Research: Adopt Final
NEPA & ACL FMP Amendments: Initial Planning		Review Sardine Allocation in FMP Amendment 11: Scope the Need for any Changes NEPA & ACL FMP Amendment: Review Initial Draft
<u>Ecosystem FMP</u>	<u>Ecosystem FMP</u> Ecosystem FMP Planning (Contingent on Funding)	<u>Ecosystem FMP</u> Ecosystem FMP Planning (Contingent on Funding)
<u>Enforcement Issues</u> US Coast Guard Annual Fishery Enforcement Report	<u>Enforcement Issues</u>	<u>Enforcement Issues</u>
<u>Groundfish</u> NMFS Report 2009 Inseason Mgmt (2 Sessions)	<u>Groundfish</u> NMFS Report 2009 Inseason Management (2 Sessions)	<u>Groundfish</u> NMFS Report 2009 Inseason Management (2 Sessions)
A-20--Trawl Rationalization: Status Rpt & Guidance	A-20--Trawl Rationalization: Status Rpt &/or Guidance Intersector Allocation: Adopt Final Preferred Alt	Trawl Rationalization: Status Report and/or Guidance Proposed Process & Schedule for Developing Biennial Mgmt Spx (2011-2012): Discussion & Planning EFPs for 2010: Adopt Preliminary Recommendations Stock Assessments for 2011-12: Approve Assessments
FMP Amendment 22 (Open Access): Adopt Final Preferred Alt. Pac. Whiting: Coordinate Final 2009 Spx & Mgmt Meas. with Pac Whiting Treaty Actions?		NEPA & ACL FMP Amendment: Review Initial Draft
NEPA & ACL FMP Amendments: Initial Planning		EFH Changes: Review & Assign Proposals to EFHRC
EFHRC Terms of Reference		
<u>Habitat Issues</u> Habitat Committee Report	<u>Habitat Issues</u> Habitat Committee Report	<u>Habitat Issues</u> Habitat Committee Report

Agenda Item H.4.a
Supplemental Attachment 4
November 2008

Draft Preliminary Three-Meeting Outlook for the Pacific Council
 (Contingent Items are Shaded and Counted in Time Estimate)

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<u>Highly Migratory Species</u>	<u>Highly Migratory Species</u>	<u>Highly Migratory Species</u>
	NMFS Rpt (including Turtle Rpt)	NMFS Rpt
	NMFS Rpt on Potential Mgmt Options for Albacore Mgmt Recommendations to US Delegation to IATTC High Seas Shallow-set Longline Amendment: Adopt Final Preferred Alternative	Albacore Mgmt
	NEPA & ACL FMP Amendments: Initial Planning	WCPFC Northern Committee Actions: Provide Recom.
		NEPA & ACL FMP Amendment: Review Initial Draft
<u>Marine Protected Areas</u>	<u>Marine Protected Areas</u>	<u>Marine Protected Areas</u>
MBNMS MPA Process Update		
<u>Pacific Halibut</u>	<u>Pacific Halibut</u>	<u>Pacific Halibut</u>
Report on the IPHC Meeting Incidental Catch Regs for 2009: Adopt Options for Public Rev	Incidental Catch Regs for 2009: Adopt Final	Preliminary Bycatch Estimate for GF Setline Fisheries
<u>Salmon</u>	<u>Salmon</u>	<u>Salmon</u>
Review 2008 Fisheries & 2009 Abundance Estimates 2009 Mgmt Measures: Adopt Options for Public Rev (include Res.Needs) & Appt. Hearings Officers Identify Stocks not Meeting Conserv. Objectives	2009 Mgmt Measures: Adopt Final (4 agenda items) 2009 Methods Review: Process & Prelimin Topics West Coast Salmon Work Group Rpt Mitchell Act EIS: Provide Council Comments	
NEPA & ACL FMP Amendments: Initial Planning		NEPA & ACL FMP Amendment: Review Initial Draft
<u>Information Reports</u>	<u>Information Reports</u>	<u>Information Reports</u>
		Salmon Fishery Update
<u>Special Sessions</u>	<u>Special Sessions</u>	<u>Special Sessions</u>
PMCC Presentation: Cape to Cape Mgmt		None

2009 Pacific Council Workload Planning: *Year at a Glance Summary*

(Number of agenda items if greater than one shown within parentheses, placeholder matters shaded)

	<u>March</u> (Seattle)	<u>April</u> (Millbrae)	<u>June</u> (Spokane)	<u>September</u> (Foster City)	<u>November</u> (Costa Mesa)
Salmon	09 Season Setting (6) Cons. Obj. Report NEPA/ACL Amd.-Pln Evening--Cape to Cape	09 Season Setting (4) 08 Salmon Failure Rpt 09 Methodology Rev. Mitchell Act EIS	NEPA/ACL Amd.-1st Drf	09 Methodology Rev. NEPA/ACL Amd.-PubRev	09 Methodology Rev. NEPA/ACL Amd.-Final
Groundfish	Inseason Mgmt (2) Pacific Whiting A-22 (Op.Acs.)-Final EFH Rev TOR NMFS Report A-20 Implementation NEPA/ACL Amd.-Pln	Inseason Mgmt (2) A-21 (I-S.Aloc.)-Final NMFS Report A-20 Implementation	Inseason Mgmt (2) Stock Assmnts Specs Process Plan Initiate EFHRC Process Prelim EFPs NMFS Report A-20 Implementation NEPA/ACL Amd.-1st Drf	Inseason Mgmt (2) Stock Assmnts NMFS Report Off-Year Science Imprv NEPA/ACL Amd.-PubRev	Inseason Mgmt (2) Stock Assmnts Initial Mgmt Specs & Measures Final EFPs NMFS Report NEPA/ACL Amd.-Final
CPS	2009 STAR TOR EFP for Sardine Res. NEPA/ACL Amd.-Pln		Mackerel HG & Meas. Rev Sardine Allocation EFP for Sardine Res. NEPA/ACL Amd.-1st Drf	NEPA/ACL Amd.-PubRev	Sardine Asmnt & HG NEPA/ACL Amd.-Final
HMS		NMFS Report Rpt on Albacore Mgmt Input to US Del. IATTC FMP A-2: HSSLL NEPA/ACL Amd.-Pln	NMFS Report Albacore Mgmt Proposals Input to WCPFC N. Com NEPA/ACL Amd.-1st Drf	NMFS Report Albacore Stk Assmnt? NEPA/ACL Amd.-PubRev	NMFS Report Input to WCPFC NEPA/ACL Amd.-Final
Other	Routine Admin (7) Pacific Halibut (2) Habitat Comm. USCG Ann. Rpt. MBNMS MPA Update	Routine Admin (6) Halibut-Incidntl Regs Habitat Comm. Ecosystem FMP	Routine Admin (8) Halibut-Setline Bycatch Habitat Comm. Ecosystem FMP	Pacific Halibut (3) Habitat Comm. State Enforcement Rpt MBNMS MPA Doc Rev	Routine Admin (8) Pacific Halibut (2) Habitat Comm. Ecosystem FMP
Apx. Council Floor Time	5.5 days	5.5 days	6 days	4.5 days (small increase expected)	4.5 days (likely to increase)

Agenday Item H.4.a
 Supplemental Attachment 5
 November 2008

DRAFT PRELIMINARY PROPOSED COUNCIL MEETING AGENDA, MARCH 7-13, 2009, SEATTLE, WASHINGTON

Sat, Mar 7	Sun, Mar 8	Mon, Mar 9	Tue, Mar 10	Wed, Mar 11	Thur, Mar 12	Fri, Mar 13
<p>ADVISORY BODY MEETINGS ONLY</p> <p>1:00 pm SSC 3:30 pm LC</p> <p>CPSAS AND CPSMT MAY MEET PRIOR TO THIS WEEK</p>	<p>CLOSED SESSION 10 AM</p> <p>OPEN SESSION 11:00 PM</p> <p>1-4. Open & Approve Agenda (30 min)</p> <p>OPEN COMMENT</p> <p>1. Comments on Non-Agenda Items (45 min)</p> <p>COASTAL PELAGIC SPECIES</p> <p>1. STAR Panel 2009 TOR: Adopt Final (1 hr)</p> <p>2. EFP for Sardine Research: Adopt for Pub Rev (1 hr 30 min)</p> <p>3. Plan FMP Amendments for NEPA & ACLs Initial Scoping (1 hr 15 min)</p>	<p>ENFORCEMENT ISSUES</p> <p>1. US Coast Guard Annual Fishery Enforcement Rpt. (1 hr)</p> <p>SALMON</p> <p>1. Review 2008 Fisheries & 2009 Stock Abundance Estimates (1 hr 30 min)</p> <p>2. Identification of Stocks not Meeting Conservation Objectives (1 hr)</p> <p>3. Identification of Management Objectives & Preliminary 2009 Management Options (3 hr 30 min)</p> <p>PACIFIC HALIBUT</p> <p>1. IPHC Annual Meeting Report (30 min)</p> <p>2. Incidental Catch Regulations in Salmon Troll & Fixed Gear Sablefish Fisheries (30 min)</p>	<p>GROUNDFISH</p> <p>1. NMFS Report (45 min)</p> <p>2. Pacific Whiting: Adopt 2009 Harvest Spx & Mgmt Measures--Coord with Whiting Commission (2 hr 30 min)</p> <p>3. Consideration of Inseason Adjustments (2 hr)</p> <p>SALMON</p> <p>4. Recommendations for 2009 Mgmt Option Analysis (2 hr 45 min)</p>	<p>SALMON</p> <p>5. Further Direction for 2009 Mgmt Options (if needed) (45 min)</p> <p>6. Plan FMP Amendments for NEPA & ACLs (1 hr 30 min)</p> <p>GROUNDFISH (CONT)</p> <p>4. Plan FMP Amendments for NEPA & ACLs (1 hr 30 min)</p> <p>5. Amendment 20 Trawl Rationalization: Status Rpt & Guidance (3 hr)</p> <p>6. Begin Amendment 22 (Open Access Limitation): Adopt Final [Intro & Initial Presentation] (1 hr)</p>	<p>GROUNDFISH (CONT)</p> <p>6. Continue Amendment 22 (Open Access Limitation): Adopt Final (3hr)</p> <p>7. Final Inseason Adjustments (2 hr)</p> <p>HABITAT</p> <p>1. Current Issues (45 min)</p> <p>SALMON</p> <p>6. Adopt 2009 Management Options for Public Review (2 hr)</p> <p>7. Appoint Hearings Officers (15 min)</p>	<p>MARINE PROTECTED AREAS</p> <p>1. MBNMS MPA Process Update (2 hr)</p> <p>GROUNDFISH (CONT)</p> <p>8. EFHRC Terms of Reference (1 hr 30 min)</p> <p>ADMINISTRATIVE</p> <p>1. Legislative Matters (30 min)</p> <p>2. Membership Appointments (15 min)</p> <p>3. Approve Minutes (15 min)</p> <p>4. Future Mtg Agenda Planning & Workload Priorities (30 min)</p>
	6 hr	8 hr	8 hr	7 hr 45 min	8 hr	5 hr
	8:00 am GAP 8:00 am GMT 8:00 am SAS 8:00 am STT 8:00 am SSC 8:00 am ChB 4:30 pm EC	8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am SAS 8:00 am STT 8:00 am SSC	8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am SAS 8:00 am STT	8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am HC 8:00 am SAS 8:00 am STT	8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am HC 8:00 am SAS 8:00 am STT	8:00 am EC 8:00 am GAP 8:00 am GMT

Council-sponsored evening sessions: Chair's Reception on Sunday at 6:00 pm
 PMCC Presentation: Cape to Cape Management of Groundfish on Tuesday at 7 pm

Total Council Floor Time = 42.75 hr
 11/7/2008 10:30 AM

DRAFT PRELIMINARY PROPOSED COUNCIL MEETING AGENDA, APRIL 3-9, 2009, MILLBRAE, CALIFORNIA

Fri, Apr 3	Sat, Apr 4	Sun, Apr 5	Mon, Apr 6	Tue, Apr 7	Wed, Apr 8	Thu, Apr 9
<p><u>ADVISORY BODY MEETINGS ONLY</u></p> <p>8:00 am HMSAS 8:00 am HMSMT</p>	<p><u>CLOSED SESSION</u> 1 PM</p> <p><u>OPEN SESSION</u> 2 PM</p> <p>1-4. Opening Remarks & Approve Agenda (30 min)</p> <p><u>OPEN COMMENT</u></p> <p>1. Comments on Non-Agenda Items (45 min)</p> <p><u>HIGHLY MIGRATORY</u></p> <p>1. NMFS Report (including Turtle Update) (1 hr) 2. NMFS Rpt on Potential Mgmt Options for Albacore (1 hr 30 min)</p>	<p><u>HIGHLY MIGRATORY (CONT)</u></p> <p>3. Amendment 2 (High Seas SS long line): Adopt Final (4 hr)</p> <p>4. Mgmt Recommendations to US Delegation to IATTC (1 hr)</p> <p>5. NEPA & ACL FMP Amendments: Initial Planning (2 hr)</p>	<p><u>HABITAT</u></p> <p>1. Current Issues (45 min)</p> <p><u>SALMON</u></p> <p>1. Work Group Report on Causes of 2008 Salmon Failure (2 hr)</p> <p>2. 2009 Mgmt Measures: Tentative Adoption for Analysis (3 hr)</p> <p><u>PACIFIC HALIBUT</u></p> <p>1. Incidental 2009 Catch Regulations in Salmon Troll & Fixed Gear Sablefish Fisheries (30 min)</p> <p><u>ECOSYSTEM FMP</u></p> <p>1. Ecosystem Based FMP (contingent on funding) Preliminary Planning (2 hr)</p>	<p><u>SALMON</u></p> <p>3. Mitchell Act EIS: Provide Council Comments (3 hr)</p> <p>4. Clarify Mgmt Measures for Analysis if Necessary (1 hr)</p> <p><u>GROUNDFISH</u></p> <p>1. NMFS Report (45 min)</p> <p>2. Consideration of Inseason Adjustments (2 hr)</p> <p>3. Amendment 21 (Intersector Allocation): Adopt Final (1 hr 15 min)</p>	<p><u>GROUNDFISH (CONT)</u></p> <p>3. Continue Amendment 21 (Intersector Allocation): Adopt Final (3 hr)</p> <p>5. Amendment 20 Trawl Rationalization: Status Rpt. (3 hr)</p> <p>4. Final Inseason Adjustments (1 hr)</p> <p><u>SALMON</u></p> <p>5. 2009 Methodolgy Review: Set Process & Select Methods to Review (1 hr)</p>	<p><u>SALMON</u></p> <p>6. Adopt Final 2009 Management Measures (2 hr 30 min)</p> <p><u>ADMINISTRATIVE</u></p> <p>1. Legislative Matters (30 min)</p> <p>2. Membership Appointments (15 min)</p> <p>3. Future Meeting Agenda & Workload Planning (30 min)</p>
	4 hr 45 min	7 hr	8 hr 15 min	8 hr	8 hr	3 hr 45 min
	<p>8:00 am HMSAS 8:00 am HMSMT 8:00 am SSC 9:00 am LC 10:30 am ChB 4:30 pm EC</p>	<p>8:00 am EC 8:00 am GAP 8:00 am GMT 8:30 am HC 8:00 am HMSAS 8:00 am HMSMT 8:00 am SAS 8:00 am SSC 8:00 am STT</p>	<p>8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am SAS 8:00 am STT</p>	<p>8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am SAS 8:00 am STT</p>	<p>8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am SAS 8:00 am STT</p>	<p>8:00 am SAS 8:00 am STT</p>

Council-sponsored evening sessions: Chair's Reception on Sunday at 6:00 pm
Total Council Floor Time = 39.75 hr

COUNCIL WORK LOAD PRIORITIES NOVEMBER 10, 2008 THROUGH APRIL 10, 2009

(**Bolded** tasks represent a core program responsibility; lead responsibility for shaded tasks is outside Council staff)

	Salmon	Groundfish	CPS	HMS	Other	
ACTIVE	SAFE Documents Annual Review Preseason Rpts Annual Specifications Pub. Hearings on Opts.	Inseason Mgmt Final Adoption of Whiting Specs Intersector Allocation EIS (A-21) for Apr Council Action Trawl IQ Program (A-20): Finalize Open Access Limitations (A-22)--Analyze Preferred Alt. for EA for Mar Council Action EFH Review Process TOR	STAR Panel Terms of Reference for 2009 Sardine Aerial Survey Res EFP	Amendment 2: Mgmt Regime for HSS Longline Fishery WCPFC & IATTC involvement	Admin Necessities (Briefing Book, minutes, Newsletter, Website, E-Filing, Fiscal Matters, etc. MSRA Implementation Pacific Halibut Mgmt Implement CSP Changes & Incidental Catch Regs IPHC Annual Mtg & Catch Apportionment Process MPA coordination	
	Mtgs: SAS--at Mar & Apr CM STT--Jan, Feb, Mar, Apr MEW--Mar or Apr	Mtgs: GMT--Jan & at Mar & Apr CMs GAP--at Mar & Apr CMs GAC--Jan--Intersector Alloc (A-21) & Open Access (A-22) EFHRC--Dec	Mtgs: CPSAS--Jan CPSMT--Jan	Mtgs: HMSAS--at Apr CM HMSMT--Jan & at Apr CM	Mtgs: IPHC Mtgs--Nov & Jan EC Mtg--Mar, Apr HC--Mar, Apr SSC--Mar, Apr	
	<hr style="border-top: 1px dashed black;"/>					
	CONTINGENT	Mitchell Act EIS Review Update FMP Historical Data Doc		International Mgmt	International HMS Forum involvement WPFMC-PFMC Coord	Ecosystem-Based FMP PacFIN/EFIN issues Leg. Com--Mar &/or Apr if Nec BC--Mar or Apr if Nec Halibut Workgroup--
		ACL/NEPA FMP Amendments	ACL/NEPA FMP Amendments	ACL/NEPA FMP Amendments	ACL/NEPA FMP Amendments	
	DELAYED	Amendments: OCN Coho Matrix SOF Coho Allocation	GF Strategic Plan Formal Review SSC Bycatch Workshop II	Harvest Control Rule Review International Mgmt	Planning for Joint WPFMC-PFMC Mtg	Communication Plan Economic Data Collection Program
		Cons. Objectives: Puget S./WA Coastal Chin. & Coho OR Coastal Chinook				

CALIFORNIA LEGISLATURE

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Jared Huffman
ASSEMBLYMEMBER, 6TH DISTRICT

CHAIR, Environmental Safety &
Toxic Materials Committee

COMMITTEES
Appropriations
Utilities and Commerce
Water Parks and Wildlife

November 4, 2008

Don Hansen
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97229-1384

Dear Chairman Hansen:

I am writing on behalf of Andrew Kleinberg, Josh Churchman, and Jeremy Dierks, the only deeper near shore rock fishermen operating out of the Port of Bolinas. They request the following topic be placed on the March 2009 Pacific Fishery Management Council agenda: Consideration of an exemption from the Vessel Monitoring System (VMS) requirement for the Port of Bolinas.

While it is important to prevent over-fishing and maintain a good supply of rockfish, these fishermen operate small fishing businesses using rod and reel off 20 foot boats, and they are caught in the middle of permit restrictions designed for bigger fishing businesses.

Kleinberg, Churchman, and Dierks must cross federal waters in order to reach allowable fishing in state waters near the Farollone Islands. When they travel back to Bolinas, they cross federal waters with fish on board and must have a VMS. Further complicating matters, the boats are moored off-shore in Bolinas Lagoon which is a protected marine sanctuary where there is no access to any shore power source. The VMS unit will draw down any battery in a week. The cost to replace batteries coupled with monthly fees and associated costs to maintain the VMS for the several hundred pounds of fish that they are permitted to catch does not make financial sense. These small fisherman are simply going extinct.

Up until the VMS law came into effect, Bolinas supplied the local community with rockfish for the last hundred years. Consideration of an exemption, on a case by case basis, for small boats under 25 feet in length that are moored in areas where there is no power source and which must cross federal water to fish in allowable state water seems reasonable. I hope you will pay close attention to their request.

Sincerely,

A handwritten signature in black ink, appearing to read "Jared Huffman".

JARED HUFFMAN
Assemblyman, 6th District