

## FISCAL MATTERS

The Council's Budget Committee will meet on Friday, September 11, 2009, at 1:30 P.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 Thursday, September 17.

### **Council Action:**

**Consider the report and recommendations of the Budget Committee.**

### **Reference Materials:**

1. Agenda Item J.1.b, Supplemental Budget Committee Report.

### **Agenda Order:**

- a. Agenda Item Overview
  - b. Budget Committee Report
  - c. Reports and Comments of Management Entities and Advisory Bodies
  - d. Public Comment
  - e. **Council Action:** Consider the Report and Recommendations of the Budget Committee
- John Coon  
Jerry Mallet

PFMC  
08/18/09

## REPORT OF THE BUDGET COMMITTEE

The Budget Committee met on Friday, September 11, 2009 and received the Executive Director's Budget Report. The report included a review of the calendar year (CY) 2008 audit, current status of CY 2009 funding and expenditures under the 2005-2009 Award which includes both the base and trawl rationalization (TR) budgets, expectations for a no cost extension of projects into CY 2010 and expectations for future funding, options for Council member pay for travel-only days, and payment of stipends to eligible persons under the language of the Magnuson-Stevens Act (MSA). The following Budget Committee members were present:

Mr. Jerry Mallet, Chairman  
Mr. Mark Helvey  
Mr. Rod Moore

Mr. Dave Ortmann  
Mr. Dan Wolford

Absent: Mr. Phil Anderson  
Dr. Dave Hanson  
Mr. Frank Lockhart

Others Present: Dr. John Coon, Mr. Don Hansen, Dr. Don McIsaac, Ms. Carolyn Porter

### **CY 2008 Audit Report**

Dr. John Coon provided a brief overview of the audit report for CY 2008. The auditor's findings for the Council's financial affairs were an unqualified approval with no reportable conditions or material weaknesses.

### **Current Status of Approved CY 2009 Budgets and Expenditures**

Dr. McIsaac reviewed the approved CY 2009 budget and expenditures by major category as of July 31, 2009. He reported that expenditures for base operations are proceeding within normal expectations for the first seven months of the year. With regard to the TR program, Dr. McIsaac reported that the travel and contractual categories would likely be overspent somewhat due to the extra meetings and work required this year in trying to finish up the amendment. However, projections for the base budget indicate a likelihood of sufficient funds remaining to cover such an overage.

### **Expectations for a No Cost Extension through 2010 and Future Funding**

Dr. McIsaac reported that 2009 marks the end of our current five-year funding award. However, the Council has reserved funding in recent years to carry-over into the next year for purposes of program continuity under untimely and uncertain levels of funding received from Congress. For that reason and for the purpose of continuing ongoing projects, we need to specifically request a one year no cost extension to expend remaining funds received in the five-year grant. A no cost one-year grant extension is particularly important given the late timing in the receipt of much of our funding (e.g., Ecosystem Fishery Management Plan development) and in view of the uncertainty of future appropriations.

With regard to future funding expectations, under the President's proposed Federal fiscal year (FY) 2010 budget, the Council could expect to receive about \$4 million in dedicated line-item funding and NMFS discretionary allocations. This is about the same as our CY 2009 total operational budget. However, if budget considerations are less favorable and the Council is unable to get the additional soft funding in addition to the Regional Council line item that it has received in recent years, our Council funding might be as little as \$2.6 million. This uncertainty, plus the usual delay in receiving funds makes carrying funding forward into 2010 via a grant extension imperative to prevent disruption of the Councils work and ongoing programs.

Given the uncertainty at this time, Dr. McIsaac asked the Budget Committee to approve dedicating any funds remaining at year end to the no cost extension for 2010. When the CY 2010 appropriation for our Council is known, hopefully no later than late November, staff can review the numbers and determine recommendations for how the 2010 budget should be adjusted. Council staff will make its submission for the 2010-2014 grant by October 1 based on a status quo operational level and projected increases over the next 5 years.

### **Council Member Compensation on Travel-only Days**

Dr. McIsaac outlined the issue regarding the Council's policy on paying Council member compensation on travel-only days (Closed Session Situation Summary page 4 and Closed Session A.1.a, Attachment 8). The MSA allows payment for travel-only days under certain stipulations; however, under our current practices, Council members have generally not requested or received compensation on travel-only days.

Dr. McIsaac suggested three possible options for the Budget Committee to consider with regard to the budget impacts:

- Option I:** the current expected expenditures for Council member compensation which has not included payment for travel-only days.
- Option II:** allows payment for travel-only days when the travel significantly disrupts the daily routine to the extent that income from a private business work day is lost to the member, if such loss is verified in writing by the Council member.
- Option III:** allows payment for all travel-only days.

The options provided budget impact estimates from September to the end of the year and for all of 2009.

### **Payment of Advisory Panel Stipends**

Dr. McIsaac reported that the Council received \$73,375 from NMFS to pay for stipends in 2009 for those parties eligible under the Magnuson-Stevens Act to receive stipends, subject to availability of appropriations (members of the SSC and advisory panels not employed by the federal government or a state marine fishery agency). Staff proposes three primary options for paying stipends to SSC and advisory panel members:

- Option I:** \$250 per day to eligible SSC members only—estimated budget impact of \$18,750.
- Option II:** \$250 per day to eligible SSC and advisory panel members—estimated budget impact of \$220,500.
- Option III:** Stipends based on an equal daily meeting rate to eligible SSC and advisory panel members limited by the total amount specified for stipend payment in the Council’s appropriation—estimated budget impact of \$73,350.

### **Budget Committee Action and Recommendations**

The Budget Committee discussed its role in making recommendations to the Council regarding the issues of Council member compensation for travel-only days and stipend payments. The consensus was that the primary role of the committee is to assess the issues with regard to the budget impacts and secondarily to provide the committee’s best assessment of what seems the most reasonable or correct action to take.

With the turnover of members, the Budget Committee intends to discuss committee protocol at its November meeting to assure a common understanding of the role and membership of the committee.

The Budget Committee recommends the Council approve:

1. Advancing all remaining funds available at the end of the budget year for expenditure in 2010 via the submission of a one year no cost extension of the 2005-2009 Pacific Council Grant to protect the operational continuity and capacity of the Council in 2010;
2. Option III for Council member compensation payments for travel-only days to begin with this September 2009 meeting—estimated budget impact of \$5,404; and
3. Option III for paying stipends to eligible SSC and advisory panel members for CY 2009 on the basis of the individual’s daily attendance—estimated budget impact of \$73,375.

The Budget Committee believes adequate funds are available in the CY 2009 budget to provide for the impacts of the proposed Council member compensation and stipend payment options without negatively impacting other ongoing Council programs. The recommendation for the payment of stipends is for CY 2009 only. Any future stipend payments are dependent on availability of appropriations specifically for that purpose.

PFMC  
9/17/09

## APPROVAL OF COUNCIL MEETING MINUTES

The draft minutes for the April 2009 Council meeting will be provided as a supplemental attachment for Council Member review and approval.

The full record of each Pacific Fishery Management Council (Council) meeting is maintained at the Council office, and consists of the following:

1. The proposed agenda (available online at <http://www.pcouncil.org/bb/bbarchives.html>).
2. The approved minutes (available online at <http://www.pcouncil.org/minutes/cminutes.html>). The minutes summarize actual meeting proceedings, noting the time each agenda item was addressed and identifying relevant key documents. The agenda item summaries consist of a narrative on noteworthy elements of the gavel to gavel components of the Council meeting and summarize pertinent Council discussion for each Council Guidance, Discussion, or Action item, including detailed descriptions of rationale leading to a decision and discussion between an initial motion and the final vote.
3. Audio recordings of the testimony, presentations, and discussion occurring at the meeting. Recordings are labeled by agenda number and time to facilitate tape or CD-ROM review of a particular agenda item (available from our recorder, Mr. Craig Hess, Martin Enterprises, phone (360) 425-7507).
4. All written documents produced for consideration at the Council meeting, including (1) pre-meeting briefing book materials, (2) pre-meeting supplemental briefing book documents, (3) supplemental documents produced or received at the meeting, validated by a label assigned by the Council Secretariat and distributed to Council Members, and (4) public comments and miscellaneous visual aids or handout materials used in presentations to Council Members during the open session (available online at <http://www.pcouncil.org/bb/bbarchives.html>).
5. A copy of the Council Decision Document. This document is distributed immediately after the meeting and contains very brief descriptions of Council decisions (available online at <http://www.pcouncil.org/decisions/archivedecisions.html>).
6. A copy of Pacific Council News. Refer to the Spring Edition for March and April meetings; the Summer Edition for the June meeting; the Fall Edition for the September meeting; and the Winter Edition for the October-November Council meeting (available online at <http://www.pcouncil.org/newsletters/archivenews.html>).

### **Council Action:**

**Review and approve the draft April 2009 Council meeting minutes.**

Reference Materials:

1. Agenda Item J.2.a, Supplemental Attachment 1: Draft April 2009 Council Meeting Minutes.

Agenda Order:

- a. Council Member Review and Comments
- b. **Council Action:** Approve April 2009 Council Meeting Minutes

Dave Ortmann

PFMC  
08/28/09

## MEMBERSHIP APPOINTMENTS AND COUNCIL OPERATING PROCEDURES

At this meeting, in addition to considering changes in ongoing advisory body membership, the Council will need to initiate the solicitation of nominees for the new 2010-2012 term and initiate consideration of any related COP changes to advisory body composition.

### Council Members and Designees

The Secretary of Commerce has reappointed one member, appointed three new members, and has yet to appoint one member to our Council, for terms effective August 11, 2009 through August 10, 2012. Mr. Dale Myer was reappointed to his second term as an at-large member. The new members are Mr. Buzz Brizendine (at-large), Mr. David Crabbe (California obligatory), and Ms. Dorothy Lowman (Oregon obligatory). The Council is still awaiting final Secretarial action on the tribal representative seat.

RADM Gary Blore relieved RADM John Currier as Commander of the Thirteenth Coast Guard District on July 14, 2009, and will be the new Coast Guard representative on the Council. RADM Blore's first designee will be LCDR Brian Chambers and his second designee will be Mr. Brian Corrigan.

### Council Member Committee Appointments

The recent changes in Council membership and officers require consideration of several Council Member committee appointments.

**Budget Committee**—The following appointments have been made by the Council Chair to ensure operation of the Budget Committee: Mr. Dave Ortmann replacing Mr. Don Hansen and Mr. Rod Moore replacing Mr. Frank Warrens. The change in Council Chairs has left no Budget Committee member from California. Therefore, the Council Chair has also appointed Mr. Dan Wolford as the seventh member of the committee. The total membership is now as follows: Mallet (Chair), Anderson, Hanson, Helvey/Lockhart, Moore, Ortmann, and Wolford (2 ID, 1 WA; 1 OR, 1 CA, 1 PFMC, and 1 National Marine Fisheries Service (NMFS)).

**Legislative Committee**—The Council Chair intends to consider appointments to fill vacancies left by Mr. Don Hansen, Mr. Frank Warrens, and Ms. Kathy Fosmark. The current remaining membership of the committee is now as follows: Hanson (Chair), Moore, and Myer.

**Groundfish Allocation Committee**—As the new Council Chair, Mr. Dave Ortmann will replace Mr. Don Hansen.

## Council Advisory Body Appointments

### *Scientific and Statistical Committee (SSC)*

Dr. Shizhen Wang has resigned his at-large position on the SSC due to a job change. Given that an appointment could not be made until the November Council meeting, the Council may wish to delay filling this vacancy until the solicitation process for new members for the 2010-2012 term. The SSC will provide its recommendations on this vacancy to the Council.

The Oregon Department of Fish and Wildlife (ODFW) have nominated Mr. Tom Jagielo to the ODFW position on the SSC (replacing Dr. Dave Sampson) and have also nominated Mr. Ray Beamesderfer as his alternate (Closed Session A.1.a, Attachment 1). The SSC will provide its recommendations to the Council on this nomination.

### *Management and Technical Teams*

**Coastal Pelagic Species Management Team (CPSMT)**—The Washington Department of Fish and Wildlife (WDFW) has nominated Ms. Lorna Wargo to replace Ms. Lisa Veneroso on the CPSMT (Closed Session A.1.a, Attachment 2). The SSC will provide its recommendations to the Council on this nomination.

**Model Evaluation Workgroup (MEW)**—The NMFS Northwest Region (NWR) has nominated Mr. Larrie LaVoy to fill the NWR position on the MEW (Closed Session A.1.a, Attachment 3). The SSC will provide its recommendations to the Council on this nomination.

**Salmon Technical Team (STT)**--The NMFS Northwest Region (NWR) has nominated Mr. Larrie LaVoy to fill the NWR position on the STT (Closed Session A.1.a, Attachment 3). The SSC will provide its recommendations to the Council on this nomination.

### *Advisory Subpanels*

**Highly Migratory Species Advisory Subpanel (HMSAS)**—There have been two recent resignations from the HMSAS. Ms. Megan Jeans has resigned from the conservation position due to a job change and Mr. Buzz Brizendine has resigned from the southern charter boat position due to being appointed to the Council. Staff suggest the Council Chair consider appointing interim members to these positions if appropriate persons are available for the one remaining HMSAS meeting this year. Formal appointment can be made as part of the process of appointing members for the 2010-2012 Term.

### *Enforcement Consultants (EC)*

The Oregon State Police Fish and Wildlife Division have named LT Jeff Samuels as their representative on the EC (replacing LT Dave Cleary who has retired) (Closed Session A.1.a, Attachment 4).

### *Habitat Committee (HC)*

The Idaho Department of Fish and Game (IDFG) have named Mr. Eric Leitzinger to fill the IDFG position on the Habitat Committee (Closed Session A.1.a, Attachment 5).



## *Other Council Committees*

**Ad hoc HMS Management Committee**—Council Chair will consider filling the vacancy left by the departure of Mr. Don Hansen. The Current membership consists of Anderson, Helvey, and Vojkovich.

**Ad hoc Vessel Monitoring System (VMS) Committee**—In view of the scheduled October 6 meeting of this committee, the Council Chair will consider updating the membership, especially in regard to departing Council members (Hansen and Fosmark), the fixed-gear representative (Crowley), open access representatives, and any other necessary changes.

## *Unfilled Vacancies on Permanent Council Advisory Bodies*

The California Department of Fish and Game (CDFG) position on the MEW is currently vacant with no nominations.

## *Appointments to Other Forums*

None proposed at the time of advance Briefing Book release.

## Changes to Council Operating Procedures (COP)

### *Plan Development Team and Subpanel for Developing an Ecosystem Fishery Management Plan (EFMP)*

The Council has begun to receive funding for developing an EFMP and will initiate planning for this project at the November Council meeting. In anticipation of this effort, the Council should consider formation of the plan development team and advisory subpanel at this meeting and solicit nominees for approval at the November Council meeting. The proposed make-up of the two bodies is as follows:

*Ecosystem Plan Development Team (EPDT):* 10 members as follows—one member from each coastal state; one tribal government member; one each from the NWR, SWR, NWFSC, and SWFSC; and two from NOS.

*Ecosystem Advisory Subpanel(EAS):* 10 members as follows—eight members consisting of two each for the four FMPs; one conservation representative, and 1 coastal community representative.

### *Advisory Body Composition and Solicitation for 2010-2012 Term*

The three-year terms of all advisory subpanel members, and the at-large members of the Scientific and Statistical Committee and Habitat Committee, expire on December 31, 2009. The Council may review the composition of each group, recommend revisions to the COP(s) if appropriate (see Closed Session A.1.a, Attachment 6, which contains COPs 2, 4, and 6), and solicit nominations for the next term. Appointments will be made at the November 2009 meeting. The respective advisors may have comments on their member composition and, if so, will report these to the Council at the September and/or November meetings. Staff is not aware of any pressing issues with regard to necessary changes in the COPs at this time.

## *Payment of Stipends to SSC and Advisory Panels*

At its June meeting, the Council discussed the issue of stipends for SSC and advisory body members. That discussion included approval of concepts for a draft letter to NMFS with comments on implementing guidance on Council operations, including the issue of which advisory bodies were eligible for stipends. The intent was for the letter to meet the comment period deadline of early July; however, the close of the comment period has been delayed to November 2, 2009. A revised draft comment letter is provided in Closed Session A.1.a, Attachment 7.

The draft comment letter makes a case for paying SSC and advisory panel members who are not already receiving payment by virtue of their employment, and for utilizing Council COPs to establish the criteria for payment, within the intent of the MSA. Staff recommends delaying adoption of any new COP until after NMFS has issued its final rule on these operational guidelines following the close of comments on November 2, 2009. However, the Council may wish to approve payment of stipends for 2009 at this meeting, as no final decision by NMFS will have been made until after the November Council meeting.

### **Council Tasks:**

- 1. Consider appointments and potential COP changes.**
- 2. With regard to appointments to fill vacancies:**
  - a. Confirm and consider Council Member appointments for the Legislative and Groundfish Allocation Committees;**
  - b. For the SSC, consider the vacancy left by the resignation of Dr. Shizhen Wang and the nominations for the ODFW position;**
  - c. For management teams, consider nominations for the WDFW CPSMT position and for the NWR positions on the MEW and STT;**
  - d. For the HMSAS, consider interim appointments to be made by the Council Chair to fill the vacancies in the conservation and southern charter boat positions;**
  - e. Confirm appointment of LT Jeff Samuels to the Oregon State Police position on the EC;**
  - f. Confirm appointment of Mr. Eric Leitzinger to the IDFG position on the HC;**
  - g. Consider a replacement for Mr. Don Hansen on the ad hoc HMS Management Committee;**
  - h. Consider updating appointments to the ad hoc VMS Committee;**
- 3. Consider establishing a plan development team and advisory panel for the development of an EFMP to allow for solicitation and appointment of candidates at the November Council meeting.**
- 4. Consider potential changes in composition of the advisory bodies and their COPs, and direct staff to solicit nominations for the 2010-2012 advisory body term.**
- 5. Provide direction on the payment of stipends to SSC and advisory body members.**

### **Reference Materials:**

1. Closed Session A.1.a, Attachment 1: Nomination of Mr. Tom Jagielo and Mr. Ray Beamesderfer to the SSC.
2. Closed Session A.1.a, Attachment 2: Nomination of Ms. Lorna Wargo to the CPSMT.

3. Closed Session A.1.a, Attachment 3: Nomination of Mr. Larrie LaVoy to the MEW and STT.
4. Closed Session A.1.a, Attachment 4: Nomination of LT Jeff Samuels to the EC.
5. Closed Session A.1.a, Attachment 5: Nomination of Mr. Eric Leitzinger to the HC.
6. Closed Session A.1.a, Attachment 6: Council Operating Procedures 2-Advisory Subpanels; 4-Scientific and Statistical Committee; and 6-Habitat Committee.
7. Closed Session A.1.a, Attachment 7: Proposed Draft Response Letter to NMFS Regarding Council Operations.

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Management Entities and Advisory Bodies
- c. Public Comment
- d. **Council Action:** Appoint New Advisory Body Members, Approve Solicitation for 2010-2012 Advisory Body Appointments, and Consider Changes to COP as Needed

John Coon

PFMC  
09/01/09

HABITAT COMMITTEE REPORT ON MEMBERSHIP APPOINTMENTS AND COUNCIL  
OPERATING PROCEDURES

The Habitat Committee (HC) discussed appointments to the Ecosystem Plan Development Team. Since the ecosystem management plan will serve as an umbrella plan for the other fishery management plans, the HC recommends that the Council ask agencies to nominate potential members with extensive habitat, ecosystem-based management, and socioeconomic expertise.

In addition, there should be explicit coordination and enhanced communication with existing advisory bodies such as the Scientific and Statistical Committee, the HC, the Groundfish Management Team, and other advisory bodies. As the Ecosystem Plan Development Team meets, the Council should invite (and fund) appropriate representatives of these advisory bodies to participate.

PFMC  
09/13/09

SCIENTIFIC AND STATISTICAL COMMITTEE REPORT ON MEMBERSHIP  
APPOINTMENTS AND COUNCIL OPERATING PROCEDURES

The Scientific and Statistical Committee (SSC) discussed the composition of the Ecosystem Fishery Management Plan Development Team (Team). This Team will be responsible for defining, scoping, and producing the Ecosystem Fishery Management Plan (EFMP) for the Pacific Fishery Management Council (Council). As such, members should be familiar with fisheries management institutions and processes, and have a good sense of how to create a plan that can effectively integrate policy considerations with existing FMPs and new National Standards. Because the new EFMP is primarily a policy document, rather than a technical document, Team members should have a broad view of their discipline and a demonstrated ability to integrate science and policy. Assuring breadth of expertise on the Team is as important as assuring regional and agency representation; social science and economics must be represented as well as ecology and fishery science. The SSC recommends the addition of up to two at-large members to meet these needs.

PFMC  
09/16/09

## FUTURE COUNCIL MEETING AGENDA AND WORKLOAD PLANNING

This agenda item is intended to refine general planning for future Council meetings, especially in regard to the details of the proposed agenda for the November 2009 Council Meeting. The following attachments are intended to help the Council in this process:

1. An abbreviated display of potential agenda items for the next full year (Attachment 1).
2. A Preliminary Proposed November Council Meeting Agenda (Attachment 2).

At the Council meeting, a display of Council staff workload elements between the September and November Council meetings will be provided as an additional supplemental attachment. Additionally at that time, an updated version of Attachment 1 may be provided that reflects potential agenda item changes that come up during the course of the September 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 and workload priorities. The Council may also identify priorities for advisory body consideration at the November 2009 Council meeting.

### **Council Action:**

- 1. Review pertinent information and provide guidance on potential agenda topics for future Council meetings.**
- 2. Provide more detailed guidance on a Proposed Agenda for the November Council meeting.**
- 3. Review workload elements and identify priorities for advisory body considerations at the next Council meeting.**

### **Reference Materials:**

1. Agenda Item J.4.a, Attachment 1: Pacific Council Workload Planning: Preliminary Year at a Glance Summary.
2. Agenda Item J.4.a, Attachment 2: Preliminary Proposed Council Meeting Agenda, October 29 through November 5, 2009, Costa Mesa, California.

### **Agenda Order:**

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

Don McIsaac

PFMC  
08/13/09

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

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

|                            | <u>November 2009</u><br>(Costa Mesa)   | <u>March 2010</u><br>(Sacramento)  | <u>April 2010</u><br>(Portland)   | <u>June 2010</u><br>(Foster City)   | <u>September 2010</u><br>(Boise)  |
|----------------------------|--|--|---|---|---|
| <b>CPS</b>                 | Sardine Asmnt & Mgmt Meas.<br>Sardine Alloc--yes or no<br>if yes, set Schedule<br>ACL Amd.-Initial Drft  | ACL Amd.-Pub Rev Drf   |   | Mackerel HG & Meas.<br><br>ACL Amd.-Adopt Final   |   |
| <b>Groundfish</b>          | NMFS Report<br>Inseason Mgmt (2)<br>Approve Stock Assmnts and<br>Rebuilding Plans<br>2011-12 Biennial Mgmt:<br>Prelim Specs & Measures<br>A-20--Consideration of CFAs<br>A-20--Reg Deeming<br>Final EFPs<br>ACL Amd.-Adopt Final | NMFS Report<br>Inseason Mgmt (2)<br>Stk Assmnt Pln--2013-14<br>& TOR for Pub Rev<br><br>A-20--CFAs<br>A-20 Update on Impl<br>Pacific Whiting Specs | NMFS Report<br>Inseason Mgmt (2)<br><br>2011-12 Biennial Mgmt:<br>1) Final ABCs & OYs<br>2) Mgmt Meas.-Pub Rev<br>A-22--Reg Deeming | NMFS Report<br>Inseason Mgmt (2)<br>Stk Assmnt Pln--2013-14<br>& TOR--Adopt Final<br>2011-12 Biennial Mgmt:<br>Adopt Final<br><br>Prelim EFPs | NMFS Report<br>Inseason Mgmt (2)<br><br><br>A-20--CFAs                                      |
| <b>HMS</b>                 | NMFS Report<br>Albacore Mgmt Issue Paper<br>Input to WCPFC<br>Swordfish Issue Paper<br>ACL Amd.-Initial Draft  |  | NMFS Report<br><br>Internat'l RFMO Matters<br><br>ACL Amd.-Pub Rev Draft  | NMFS Report<br>Changes to Routine Mgmt<br>2011-12<br>Input to WCPFC N. Com<br>ACL Amd.-Adopt Final  | NMFS Report<br>Routine Mgmt Changes<br>for 2011-12 for Pub Rev                              |
| <b>Salmon</b>              | 2010 Preseas'n Mgmt Schd<br>2009 Methodology Rev.--Final<br>Mitchell Act EIS Comments  | 2010 Season Setting (6)<br>Cons. Obj. Report   | 2010 Season Setting (3)<br>2010 Methodology Rev.<br>EFH Review Prog. Rpt<br>ACLs--Adopt for Pub Rev                                 |   | 2011 Preseas'n Mgmt Schd<br>2010 Methodology Rev.<br><br>Amd 16 (ACLs)--Final Action        |
| <b>Other</b>               | Habitat Issues<br>Pacific Halibut (2)<br>OCNMS Mgmt Plan Update<br><br>Ecosystem FMP Planning<br><br>Routine Admin (8)   | Habitat Issues<br>Pacific Halibut (2)<br><br><br>USCG Ann. Rpt.<br>Routine Admin (6)   | Habitat Issues<br>Halibut-Incidntl Regs<br>NMS Process Updates<br><br>Ecosystem FMP Scoping<br><br>Routine Admin (7)                | Habitat Issues<br><br><br><br>Routine Admin (8)   | Habitat Issues<br>Pacific Halibut (2)<br><br><br>State Enforcement Rpt<br>Routine Admin (8) |
| <b>Apx.<br/>Floor Time</b> | <b>6+ days</b>   | <b>4.5 days</b>  | <b>5 days</b>   | <b>4.5 days</b>   | <b>3+ days</b>  |

**PRELIMINARY PROPOSED COUNCIL MEETING AGENDA, OCTOBER 29-NOVEMBER 5, 2009, COSTA MESA, CALIFORNIA**

| Thu, Oct 29   | Sat, Oct 31   | Sun, Nov 1   | Mon, Nov 2   | Tue, Nov 3  | Wed, Nov 4   | Thu, Nov 5  |
|---|---|--|--|---|--|---|
| <p>1:00 pm HMSAS<br/>1:00 pm HMSMT</p>  | <p><b>CLOSED SESSION 8:00 AM</b></p> <hr/> <p><b>OPEN SESSION 9:30 AM</b><br/>1-4. Opening Remarks &amp; Approve Agenda (30 min)</p> <hr/> <p><b>OPEN COMMENT</b><br/>1. Comments on Non-Agenda Items (45 min)</p> <hr/> <p><b>HIGHLY MIGRATORY</b><br/>1. NMFS Report (1 hr)<br/>2. Review Albacore Mgmt Issue Paper (2 hr)<br/>3. Input to WCPFC (1 hr)<br/>4. Swordfish Issue Paper (Aka A-2) (1 hr)<br/>5. A-2 (ACLs): Review Initial Draft (1 hr 30 min)</p> | <p><b>10 AM START</b></p> <hr/> <p><b>HABITAT</b><br/>1. Current Issues (45 min)</p> <hr/> <p><b>MARINE PROTECTED AREAS</b><br/>1. OCNMS Mgmt Plan Update (1hr 30 min)<br/>2. Council Input to MPA National Registry: Final Action (1 hr 30 min)</p> <hr/> <p><b>ECOSYSTEM MGMT</b><br/>1. Ecosystem Based Fishery Mgmt Plan: Scoping &amp; Planning (2hr 15 min)</p> <hr/> <p><b>SALMON</b><br/>1. Comments on Mitchell Act EIS (1 hr 30 min)</p> | <p><b>SALMON</b><br/>2. Preseason Mgmt Schedule for 2010: Adopt Final (30 min)<br/>3. 2009 Methodology Review: Adopt Final Methodology Changes for 2010 (1 hr 30 min)</p> <hr/> <p><b>PACIFIC HALIBUT</b><br/>1. Proposed Changes to 2010 Regulations: Adopt Final (1 hr)<br/>2. Halibut Bycatch &amp; Catch Sharing Issues (1 hr)</p> <hr/> <p><b>GROUNDFISH</b><br/>1. NMFS Report (1 hr)<br/>2. Stock Assessments for 2011-2012: Final Approval &amp; Adopt Rebuilding Plans (2 hr)<br/>3. Exempted Fishing Permits: Adopt Final (3 hr)</p> | <p><b>GROUNDFISH</b><br/>4. Inseason Adjustments (2 hr)</p> <hr/> <p><b>COASTAL PELAGIC SPECIES</b><br/>1. Sardine Assessment &amp; Mgmt Measures: Adopt Final for 2010 (2 hr 30 min)<br/>2. Sardine Allocation: Determine Need for Reconsideration (1 hr)<br/>3. ACLs: Review Initial Draft (1 hr)</p> <hr/> <p><b>GROUNDFISH</b><br/>5. Management Recommendations for 2011-2012 - Part 1 (2 hr 30 min)</p> | <p><b>GROUNDFISH</b><br/>6. A-23 (ACLs): Adopt Final (2 hr)<br/>7. Amendment 20 (Trawl Rationalization): Consider CFA's (3 hr)<br/>8. Amendment 20 (Trawl Rationalization): Regulatory Deeming &amp; Misc. Implementation Matters (3 hr)</p> | <p><b>GROUNDFISH</b><br/>9. Management Recommendations for 2009-2010 Fisheries - Part II (2 hr)<br/>10. Final Inseason Adjustments (2 hr)</p> <hr/> <p><b>ADMINISTRATIVE</b><br/>1. Fiscal Matters (15 min)<br/>2. Approve Council Minutes (15 min)<br/>3. Membership Appointments (30 min)<br/>4. Legislative Committee (30 min)<br/>5. Future Meeting Agenda &amp; Workload Planning (30 min)</p> |
|   | <b>9 hr 15 min</b>  | <b>7 hr 30 min</b>   | <b>10 hr</b>   | <b>9 hr</b>   | <b>8 hr</b>  | <b>6 hr</b>   |
| <p><b>Fri, Oct 30</b><br/>1:00 pm HMSAS<br/>1:00 pm HMSMT<br/>8:00 am SSC<br/>1:00 pm HC<br/>1:30 pm BC<br/>3:30 pm ChB</p> | <p>8:00 am GAP &amp; GMT<br/>8:00 am HMSAS<br/>8:00 am HMSMT<br/>8:00 am SSC<br/>8:30 am HC<br/>4:30 pm EC</p>  | <p>10:00 am EC<br/>10:00 am GAP &amp; GMT<br/>10:00 am SAS<br/>10:00 am STT<br/>10:00 am SSC</p>   | <p>8:00 am CPSAS<br/>8:00 am CPSMT<br/>8:00 am EC<br/>8:00 am GAP &amp; GMT</p>  | <p>8:00 am EC<br/>8:00 am GAP &amp; GMT</p>   | <p>8:00 am EC<br/>8:00 am GAP &amp; GMT</p>  |   |

**Council-sponsored evening sessions:** Sunday 6 pm - *Chair's Banquet*

**Total Council Floor Time:** 49 hours and 45 min



**COUNCIL MEETING AGENDA WORKSHEET, OCTOBER 29-NOVEMBER 5, 2009, COSTA MESA, CALIFORNIA (CORE AGENDA ITEMS ARE IN BOLD ITALICS)**

| Thu, Oct 29  | Sat, Oct 31  | Sun, Nov 1   | Mon, Nov 2  | Tue, Nov 3   | Wed, Nov 4  | Thu, Nov 5  |
|--|--|--|---|--|---|---|
| 1:00 pm HMSAS<br>1:00 pm HMSMT   | <i>CLOSED SESSION 8:00 AM</i><br><br><b>OPEN SESSION 9:30 AM</b><br><b>1-4. Opening Remarks &amp; Approve Agenda (30 min)</b><br><br><b>OPEN COMMENT</b><br><b>1. Comments on Non-Agenda Items (45 min)</b><br><br><b>HIGHLY MIGRATORY</b><br><b>1. NMFS Report (1 hr)</b><br><b>2. Review Albacore Mgmt Issue Paper (2 hr)</b><br><b>3. Input to WCPFC (1 hr)</b><br><b>4. Swordfish Issue Paper (1 hr)</b><br><b>5. A-2 (ACLs): Review Initial Draft (1 hr 30 min)</b> | <b>10 AM START</b><br><br><b>HABITAT</b><br><b>1. Current Issues (45 min)</b><br><br><b>MARINE PROTECTED AREAS</b><br><b>1. OCNMS Mgmt Plan Update (1hr 30 min)</b><br><b>2. Council Input to MPA National Registry: Final Action (1 hr 30 min)</b><br><br><b>ECOSYSTEM MGMT</b><br><b>1. Ecosystem Based Fishery Mgmt Plan: Scoping &amp; Planning (2hr 15 min)</b><br><br><b>SALMON</b><br><b>1. Comments on Mitchell Act EIS (1 hr 30 min)</b><br><b>2. 2009 Methodology Review: Adopt Final Methodology Changes for 2010 (1 hr 30 min)</b><br><b>3. LCR Tule Analysis Project (1 hr)</b> | <b>PACIFIC HALIBUT</b><br><b>1. Proposed Changes to 2010 Regulations: Adopt Final (1 hr)</b><br><b>2. Halibut Bycatch &amp; Catch Sharing Issues (1 hr)</b><br><br><b>GROUNDFISH</b><br><b>1. NMFS Report (1 hr)</b><br><b>2. Stock Assessments for 2011-2012: Adopt Petrale Sole Reference Points &amp; Overfished Species Rebuilding Plans (4 hr)</b><br><b>3. Exempted Fishing Permits: Adopt Final (3 hr)</b> | <b>GROUNDFISH</b><br><b>4. Inseason Adjustments (2 hr)</b><br><br><b>COASTAL PELAGIC SPECIES</b><br><b>1. Sardine Assessment &amp; Mgmt Measures: Adopt Final for 2010 (2 hr 30 min)</b><br><b>2. Sardine Allocation: Determine Need for Reconsideration (1 hr)</b><br><b>3. ACLs: Review Initial Draft (1 hr)</b><br><br><b>GROUNDFISH</b><br><b>5. Management Recommendations for 2011-2012 - Part 1 (2 hr 30 min)</b> | <b>GROUNDFISH</b><br><b>6. A-23 (ACLs): Adopt Final (3 hr)</b><br><b>7. National Catch Share Task Force Rpt (1 hr)</b><br><b>8. Amendment 20 (Trawl Rationalization): Consider CFA's (3 hr)</b><br><b>9. Amendment 20 (Trawl Rationalization): Regulatory Deeming &amp; Misc. Implementation Matters (4 hr)</b> | <b>GROUNDFISH</b><br><b>10. Management Recommendations for 2009-2010 Fisheries - Part II (2 hr)</b><br><b>11. Final Inseason Adjustments (2 hr)</b><br><br><b>ADMINISTRATIVE</b><br><b>1. Fiscal Matters (15 min)</b><br><b>2. Approve Council Minutes (15 min)</b><br><b>3. Membership Appointments (30 min)</b><br><b>4. Legislative Committee (30 min)</b><br><b>5. Future Meeting Agenda &amp; Workload Planning (30 min)</b> |
| <b>Fri, Oct 30</b>   |  |  |   |  |   |   |
| 1:00 pm HMSAS<br>1:00 pm HMSMT<br>8:00 am SSC<br>1:00 pm HC<br>1:30 pm BC<br>3:30 pm ChB |  |  |   |  |   |   |
| <b>C=Core Items</b>  | <b>Tot=9.25 hr; C=6.25 hr</b>  | <b>Tot=10 hr; C=4.5 hr</b>   | <b>Tot=10 hr; C=9 hr</b>  | <b>Tot=9 hr; C=8 hr</b>  | <b>Tot=11 hr; C=7 hr</b>  | <b>Tot=6 hr; C=5.5 hr</b>   |
|  | 8:00 am GAP & GMT<br>8:00 am HMSAS<br>8:00 am HMSMT<br>8:00 am SSC<br>8:30 am HC<br>4:30 pm EC   | 10:00 am EC<br>10:00 am GAP & GMT<br>10:00 am SAS<br>10:00 am STT<br>10:00 am SSC  | 8:00 am CPSAS<br>8:00 am CPSMT<br>8:00 am EC<br>8:00 am GAP & GMT   | 8:00 am EC<br>8:00 am GAP & GMT  | 8:00 am EC<br>8:00 am GAP & GMT   |   |

Council-sponsored evening sessions: Sunday 6 pm - Annual Banquet

Council Floor Time (Maximum Target of 43 hr): Total Hours = 55.25 hr Core Agenda Items = 40.25 hr Noncore Agenda Items = 15 hr

Agenda Item J.4.b  
Supplemental NMFS Agenda Request  
September 2009

----- Original Message -----

Subject: REQUEST: Agenda time for Catch Shares Policy Discussion  
Date: Wed, 09 Sep 2009 15:45:15 -0400  
From: Mark Holliday <Mark.Holliday@noaa.gov>  
To: \_NMFS FMC Exec Directors <NMFS.RFMC@noaa.gov>, John Pappalardo <johnp@ccchfa.org>, Rick Robins <yellowfin@mindspring.com>, Duane Harris <seageorg@bellsouth.net>, Eric Olson <eolson@gci.net>, Sean Martin <sean@pop-hawaii.com>, Eugenio Piñero <gpsfish@yahoo.com>, Robert Shipp <rshipp@jaguar1.usouthal.edu>, David Ortmann <cdadavid@aol.com>  
CC: NMFS Catch Share Task Force <NMFS.CSTF@noaa.gov>, \_NMFS All - RDs SDs ODs Deputies Secretaries <NMFS.All.DirectorsDeputiesSec@noaa.gov>, Monica Medina <Monica.Medina@noaa.gov>

Dear Regional Council Chairs and Executive Directors:

In May, NOAA Administrator Dr. Jane Lubchenco announced the creation of a Catch Shares Task Force (CSTF) to help NOAA facilitate the consideration and adoption of catch shares where appropriate as a management strategy in Regional Council and Secretarial fisheries management plans. The work of the Task Force is nearly complete, and a draft-interim NOAA catch share policy will be released in late September for public review and comment for a period of at least 90 days.

As we discussed with the eight Council participants on the Task Force at our last CSTF conference call, we are seeking to schedule time (1 hour) on the agenda of an upcoming Council meeting for Monica Medina (Senior Advisor to Dr. Lubchenco and CSTF Chairperson) or another NOAA Task Force member to present and discuss this draft policy with you. The meetings we are seeking to attend are as follows:

NPFMC - December 7-13  
PFMC - October 31-Nov 5  
WPFMC - October 20-23  
NEFMC - October 20-21 or November 17-19  
MAFMC - October 13-15 or December 8-10  
SAFMC - December 7-11  
GMFMC - October 19-22  
CFMC - Next scheduled meeting

As experience has proven, Monica's schedule is very dynamic but I hope we can book her time in advance to as many Council meetings as possible. Please reply to me with the meeting date and time that would work best for you and I'll work with her scheduler to lock-in the dates as best as possible, and schedule a back-up CSTF presenter just in case.

Thanks very much in advance for your support and assistance with this effort. We look forward to discussing the draft policy with you in the coming months, and working together on implementing the policy once it is finalized. Please contact me if you have any questions.

- Mark

--  
Mark Holliday, Ph.D.  
Director, Office of Policy  
NOAA Fisheries Office  
of the Assistant Administrator - F  
SSMC3 Room 14451  
1315 East West Hwy  
Silver Spring, MD 20910

(301) 713-2239 ext. 120

### WDFW Motion

I move that the Council announce its' intent to consider an amendment to the Amendment 20 motion previously adopted at the June Council meeting relative to the Adaptive Management Program (AMP) at the November Council meeting. The motion to amend would be limited to considering the following:

Starting in year 1 of the trawl rationalization program (TRP), implement a non-pass through Adaptive Management Program (AMP) option for canary rockfish as follows: for the first two years of the TRP, distribute the AMP quota pounds of canary rockfish in a manner that ensures that each initial recipient of shoreside non-whiting quota share receives a minimum of 50 pounds of canary rockfish. (Note: Only AMP quota pounds would be deposited into vessel accounts; AMP quota shares would remain held in reserve by the National Marine Fisheries Service.) The remaining AMP quota pounds for canary, if any, would be distributed to the rest of the fleet, pro rata to the amount of canary they receive through the initial allocation. After the first two years of the TRP, the distribution of canary rockfish AMP quota pounds would be evaluated by the Council and considered along with the other proposals for usage of the AMP quota pounds.

Implementation criteria:

- Initial recipients of non-whiting quota share that receive less than 50 pounds of canary rockfish through the Council-adopted initial allocation methodology for overfished species would receive only the additional quota pounds needed to meet the 50 pound minimum.
- If there are insufficient AMP quota pounds of canary rockfish to bring each recipient of non-whiting initial quota share up to 50 pounds, the minimum poundage will be reduced to an amount that correlates with the AMP poundage available.
- Quota share holders should not assume that the distribution of AMP canary pounds will continue in this manner beyond the first two years of the TRP.