

3. Washington - Driftwood Room, Islander Motel, 421 Westhaven Drive, Westport, October 18, 1999, beginning at 1:00 P.M.; and

4. Oregon - Hatfield Marine Science Center, Room 9, Newport, October 19, 1999, beginning at 7:00 P.M.

A summary of a background information document on HMS fisheries off the West Coast and on initial issues to be considered will be presented, as well as potential conservation and management actions that might be included in the FMP. Comments will be solicited from the public on these and any other issues and management alternatives the public cares to offer.

Management measures that may be adopted in the FMP for HMS Fisheries off the West Coast include permit and reporting requirements for commercial and recreational harvest of HMS resources, time and/or area closures to minimize gear conflicts or bycatch, adoption or confirmation of state regulations for HMS fisheries, and allocations of some species to non-commercial use. The FMP is likely to include a framework management process to add future new measures, including the potential for collaborative management efforts with other Regional Fishery Management Councils with interests in HMS resources. It would also include essential fish habitat and habitat areas of particular concern, including fishing and non-fishing threats, as well as other components of FMPs required under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

The proposed FMP, and its associated EIS, would be the Council's fourth FMP for the exclusive economic zone off the West Coast. Development of the FMP is timely, considering the new mandates under the Magnuson-Stevens Act, efforts by the United Nations to promote conservation and management of HMS resources through domestic and international programs, and the increased scope of activity of the Inter-American Tropical Tuna Commission in HMS fisheries in the eastern Pacific Ocean.

Public Information Meetings

The planning process for the FMP will involve many meetings of the Council Plan Team, and these meetings are open to the public. The Council also will frequently discuss progress on the FMP at regular Council meetings. All Plan Team and Council meetings will be advertised in the **Federal Register** and local newspapers.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Larry Six, (see ADDRESSES), 503-326-6352 (voice) or 503-326-6831 (fax), at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: September 27, 1999.

Gary C. Matlock,

*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[I.D. 092499]

Western Pacific Fishery Management Council; Public Hearings

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meeting/public scoping hearing/public hearings.

SUMMARY: The Western Pacific Fishery Council (Council) will hold its 101st meeting in Honolulu, HI. The Council expects to initiate action on shark management and expects to adopt a draft Coral Reef Ecosystem Fishery Management Plan (FMP) at this meeting. The Council may take final action on regulatory amendments for precious corals and incidental catch of seabirds in the Hawaii longline fishery. A public hearing will be held on the management alternatives being considered in the draft Coral Reef Ecosystem FMP of the U.S. Western Pacific Region and being analyzed in associated documents, including a Draft Environmental Impact Statement (DEIS). A public scoping hearing on the intent to prepare an Environmental Impact Statement (EIS) will be held on the Bottomfish and Seamount Groundfish FMP.

DATES: The full Council meeting will be held on October 19-21, 1999. The Council's Standing Committees will meet on October 18, 1999. See **SUPPLEMENTARY INFORMATION** for specific dates and times for these meetings.

ADDRESSES: The Council meeting will be held at the Lanai Ballroom, Sheraton Waikiki Hotel, 2255 Kalakaua Ave., Honolulu, Phone: (808) 922-4422.

Council address: Western Pacific Fishery Management Council, 1164 Bishop St., Suite 1400, Honolulu, HI 96813.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director; telephone 808-522-8220.

SUPPLEMENTARY INFORMATION:

Dates and Times

Enforcement/Vessel Monitoring System (VMS) from 8:00 a.m. to 10:00 a.m., International Fisheries/Pelagics Fisheries from 9:30 a.m. to 11:30 a.m., Bottomfish Fisheries from 10:30 a.m. to 11:30 a.m., Ecosystem & Habitat from 1:00 p.m. to 3:00 p.m., Native and Indigenous Rights from 1:00 p.m. to 3:00 p.m., Precious Corals Fisheries from 3:00 p.m. to 4:00 p.m., Crustaceans Fisheries from 3:00 p.m. to 4:00 p.m., and Executive/Budget & Program from 4:00 p.m. to 6:00 p.m. The full Council will meet on October 19, 20 and 21, 1999, from 8:30 a.m. to 5:00 p.m., each day. Public hearings will be conducted as follows: Draft Coral Reef Ecosystem FMP/DEIS—October 19, 1999; regulatory amendment governing incidental catch of seabirds in Hawaii longline fishery—October 20, 1999; scoping on bottomfish FMP EIS—October 21, 1999; and regulatory amendment for precious corals—October 21, 1999.

Agenda

The agenda during the full Council meeting will include the items below. The order in which agenda items are addressed may change. The Council will meet as late as necessary to complete scheduled business.

1. Introductions
2. Approval of Agenda
3. Approval of 100th Meeting Minutes
4. Island Reports
 - A. American Samoa
 - B. Guam
 - C. Hawaii
 - D. Northern Mariana Islands
5. Reports from Fishery Agencies and Organizations
 - A. Department of Commerce
 - (1) NMFS
 - (a) Southwest Region, Pacific Island Area Office
 - (b) Southwest Fisheries Science Center LaJolla and Honolulu Laboratory
 - (2) NOAA General Counsel, Southwest Region
 - B. Department of the Interior
 - (1) Fish and Wildlife Service
6. Enforcement
 - A. Cooperative enforcement presentation to American Samoa B. U.S. Coast Guard enforcement activities
 - C. NMFS enforcement activities and status of violations

D. Cooperative agreements for Guam
E. Illegal immigration related to the foreign fishing fleet

7. VMS

A. Hawaii VMS report

B. National VMS plans

8. Ecosystems and Habitat

A. Honolulu Lab Essential Fish Habitat (EFH) research

B. Draft coral reef ecosystem FMP/DEIS (Council will take initial action to select preferred management alternatives and may direct staff to finalize the draft FMP/DEIS for distribution for public review)

(1) Introduction to the FMP

(2) Description of the fisheries

(3) Description of threats/management issues

(4) Management objectives, program and impacts

(a) Fishing permits (alternatives include, but are not limited to, exploratory permit and reporting requirements, general permit based on standard eligibility requirements, moratorium to prohibit all harvest of coral reef species, and status quo (no action))

(b) Marine Protected Areas (alternatives include, but are not limited to, candidate areas, such as remote U.S. atolls and the Northwestern Hawaiian Islands (NWHI) shallower than 20 meters, or status quo (no action))

(c) Restrictions of gear and methods (alternatives include, but are not limited to, allow only selective, non-destructive gear and methods, allow no gear or methods, allow use of other gears and/or methods, restrict other methods and practices, or status quo (no action))

(d) Restrict harvest of a particular management unit species (alternatives include, but are not limited to, restrict harvest of corals and live rock, restrict harvest of other selected species, restrict the harvest of all management unit species, or no restrictions (no action))

(e) Framework provisions (alternatives include, but are not limited to, establish a framework regulatory process with specified options for future consideration, or status quo (no action))

(5) Description of resource ecosystem

(6) EFH

(7) Sustainable Fisheries Act determinations

(8) Relationship to existing laws and policies

(9) Future needs

(10) Plan Team recommendations

(11) Advisory Panel recommendations

(12) Science and Statistical

Committee recommendations

(13) Public hearing on draft FMP/DEIS

9. Fishery Rights of Indigenous Peoples

A. Review of marine conservation plans. Council will review the plan submitted by the Governor of Guam and any other plan submitted and may take final action.

B. Status of community development program/demonstration projects

10. Pelagic FMP issues

A. 2nd quarter 1999 Hawaii and American Samoa longline fishery report

B. Shark management

(1) Update on catch trends and NMFS shark studies

(2) Status of study of the cultural-historic significance of sharks to the indigenous peoples of Hawaii, American Samoa, Guam and the Northern Mariana Islands.

(3) Discussion of optimal utilization of sharks in the Western Pacific, including transshipment of shark products. The increase in shark finning has raised concerns about the perceived waste associated with this practice. In addition, there are concerns about the impacts of increased fishing pressure on shark stocks. The Council will discuss various management options to address these issues and expects to initiate action. Management options include, but are not limited to, harvest quotas, size limits, finning restrictions, release conditions and reporting requirements.

(4) Federal-State coordination in shark management in waters around the Hawaiian Islands

C. Incidental catch of seabirds in the Hawaii longline fishery

(1) Update on catch trends and numbers

(2) Final report by Garcia and Associates on evaluation of mitigation measures

(3) Final action on measures to reduce the incidental catch of seabirds in the Hawaii longline fishery. The preferred action initially identified by the Council at the June 16-18, 1999, Council meeting is to require vessels with Hawaii Longline Limited Entry Permits operating with longline gear above 25° N. latitude to adhere to two or more of the following measures to mitigate seabird-longline interactions: (i) Maintain adequate quantities of blue dye on board and use only completely thawed, blue-dyed bait; (ii) use strategic offal discards while setting and hauling the line; (iii) tow a NMFS-approved deterrent (such as a tori line or a buoy) while setting and hauling the line; (iv) deploy line with a shooter, so that the line is set faster than the vessel's speed; (v) ensure that weights greater than 45 grams are attached to branch lines within 1 meter of each hook; and (vi) begin setting at least 1 hour after sunset and complete setting at least 1 hour before sunrise, using minimal vessel

lighting. In addition, vessels would be required to make every reasonable effort to ensure that birds brought onboard alive are released alive and that hooks are removed without jeopardizing the life of the birds, and all vessel captains must complete an annual protected species educational workshop conducted by NMFS. Although these measures were identified as the preferred actions, the other alternatives are still being analyzed and considered. This will be the second meeting under the Council's two-meeting framework process in the pelagics FMP for implementing "new management measures." The Council may take final action on the proposed adjustments to the regulations implementing the FMP.

(4) Public hearing

D. Turtles-longline fishery interactions

(1) Update on interaction trends and numbers

(2) Update on interaction mitigation studies

(3) Outcome of recent litigation

E. Marine debris

F. International meetings

G. Recreational fisheries data task force

H. Science and Statistical Committee recommendations

11. Bottomfish FMP issues

A. Bottomfish FMP issues

(1) Update on status of activities

(a) Main Hawaiian Islands bottomfish meeting

(b) Need to prepare an EIS for Bottomfish FMP

(2) Public scoping hearing on Bottomfish FMP

B. Science and Statistical Committee recommendations

12. Precious corals FMP issues

A. A final action on adjustments to regulations implementing the FMP regarding harvest quotas, definitions, size limits, gear restrictions, bed classifications and reporting and recordkeeping requirements. Recent research and surveys have provided new information on precious corals in the waters around Hawaii, including information on the size and condition of certain classified precious coral beds, potential increases in fishing pressure on black corals, the presence of a new precious coral bed near French Frigate Shoals and the possible importance of precious coral beds as foraging areas for Hawaiian monk seals. Based on a discussion of these issues at the 100th Council meeting, the Council identified the following preferred actions: Suspend the harvest quota for gold coral at the Makapu'u Bed until additional information is available on the impact of harvesting on subsequent recruitment of

gold coral at the Makapu'u Bed; redefine precious coral as precious coral that has live coral polyps or tissue, and redefine dead precious coral as precious coral that no longer has any live coral polyps or tissue; apply size limits to live coral only; prohibit the harvest of black coral unless it has attained either a minimum stem diameter of 1 inch (254 cm), measured 1 inch (254 cm) from the top of the living holdfast, or a minimum height of 48 inches (cm), measured from the base to the greatest vertical extremity of the colony; only selective gear may be used to harvest precious corals from all permit areas; apply the current size limit for pink coral to all permit areas; revise the boundaries of Brooks Bank, Permit Area C-B-3, to include the area within a radius of 2.5 nautical miles (nm) of a point 23° 58.8' N lat. and 166° 42' W long., and change the harvest quota for pink coral to 200 kg and suspend the harvest quota for gold coral until additional scientific information becomes available on the impact of harvesting gold coral on monk seal foraging habitat; classify the newly-discovered FFS-Gold Pinnacles Bed as a conditional bed, Permit Area C-B-5, which includes the area within a radius of 0.25 nm of a point at 23° 55' N lat. and 165° 23.11' W long., and set the annual harvest quota for all types of precious coral at zero until additional information becomes available on the impact of harvesting gold coral on monk seal foraging habitat; list all managed species of precious corals on the NMFS Daily Precious Coral Harvest Log and Precious Coral Sales Trip Report, and revise reporting and recordkeeping requirements as follows: A permit holder shall, within 72 hours of landing, mail to NMFS Pacific Island Area Office (PIAO) a copy of the NMFS Daily Precious Coral Harvest Log with complete information including:

- (1) Vessel information - (i) Name of vessel; (ii) Call sign of vessel; and (iii) Permit number of vessel.
- (2) Fishing information - (i) Beginning and ending time, and date, of all dives,

including the dives when no harvest is made; (ii) beginning and ending position in degrees latitude and longitude of each dive and distance traveled; (iii) maximum and minimum depth of each dive; (iv) number of live and dead colonies harvested on each dive by species; (v) weight of harvested coral on each dive by species, to the nearest tenth of a kilogram (landed weight air dried for at least 24 hours); (vi) number of live and dead colonies damaged but not harvested on each dive by species; (vii) method of harvest; and (viii) observations that may be made about the habitat (current, bottom type, bottom topography, bottom slope, etc.).

(3) Sale information - (i) Amount of coral sold (by species); (ii) sale price; (iii) date of sale; and (iv) name(s) and address(es) of buyer(s).

(4) Any other information specified in the permit. Any video tapes made during harvest operations shall be made available to the NMFS PIAO upon request. The video recording should continuously display date and time. Although these measures were identified as the preferred actions, the other alternatives are still being analyzed and considered. This will be the second meeting under the Council's two-meeting framework process in the Precious Corals FMP for implementing "new management measures." The Council may take final action on the proposed adjustments to regulations implementing the FMP.

- B. Plan Team recommendations
- C. Science and Statistical Committee recommendations
- D. Public Hearing
13. Crustaceans FMP issues
 - A. Crustaceans FMP issues (NWHI lobster fishery)
 - (1) Status of the fishery
 - (2) Public education project
 - (3) Necker Island refuge boundary
 - (4) Status of state regulations for NWHI import license
 - B. Science and Statistical Committee recommendations
 - C. Public comments

14. Program Planning

- A. Magnuson-Stevens Fishery Conservation Management Act amendments
- B. Carbon monoxide-treated tuna update
- C. Food and Drug Administration Hazard Analysis Critical Control Point requirements aboard vessels
- D. Western Pacific Fisheries Information Network
- E. Educational initiatives and technical reports
- F. Science and Statistical Committee recommendations

15. Administrative Matters

- A. Administrative reports
- B. Meetings and workshops
- C. 102nd Council Meeting

Although non-emergency issues not contained in this agenda may come before this Council for discussion, those issues may not be the subject of formal Council action during this meeting. Council action will be restricted to those issues specifically listed in this document and any issue arising after publication of this document that requires emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

16. Other Business

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, 808-522-8220 (voice) or 808-522-8226 (fax), at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: September 24, 1999.

Gary C. Matlock,

*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

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