

action on a preferred alternative to remove requirements for line clippers and bolt cutters, and to clarify the sea turtle handling procedures for longline boats. The Council may take final action on this preferred alternative, and comments from the public will be solicited prior to the Council's decision.

(4) Report on CNMI turtles

(5) Longline setting chute

On June 12, 2001, a final rule was published implementing the terms and conditions of a Biological Opinion issued by the USFWS on November 28, 2000. These measures apply to all Hawaii-based longline vessels and consist of the following requirements: When fishing above 23° N. lat., vessel operators must: completely thaw and dye all bait blue before using it; discharge spent bait and fish parts to distract seabirds while setting or hauling the gear (strategic offal discard); use a line shooter or line setting machine with weighted branch lines to set the gear; follow handling guidelines for seabirds hooked or entangled in fishing gear. On November 18, 2002, the USFWS issued a new Biological Opinion. This new Biological Opinion does not add or delete any measures. However, it does include a conservation recommendation stating that the FWS will consider the use of underwater setting chute as a seabird mitigation measure after the device is used voluntarily and successfully on Hawaii-based longline vessels. The new Biological Opinion also states that the blue dyed bait requirement will be reconsidered if it is shown that it does not provide additional protection to seabirds. Results of recent trials with an underwater setting chute on an Hawaiian longline vessel in 2002 showed that the device is virtually 100 percent effective in eliminating interactions between seabirds and the Hawaii-based longline fishery when used with a line shooter and weighted branch lines. Given the success of this new technology, a range of options is available to the Council to re-address the issue of seabird interactions with this fishery. These include: maintaining all current requirements; adding an option to use underwater setting chutes when fishing north of 23° N. lat. (keeping requirements for blue dyed bait, strategic offal discards and handling guidelines); or adding an option to use underwater setting chutes when fishing north of 23° N. lat. instead of blue dyed bait, and strategic offal discards when setting (keeping handling guidelines and requirements to use strategic offal discards when hauling). The Council may take preliminary action and select a preferred alternative

at this Council meeting. Comments will be solicited from the public prior to the Council's decision.

(6) Litigation

E. International Fishers Forum

F. Public hearing on regulatory changes for line clippers and bolt cutters

12. Bottomfish

A. Report on CNMI fisheries

B. Guam offshore bottomfish management

C. Public hearing on Guam offshore bottomfish management

The Council will consider alternatives and intends to take initial action to manage Guam's offshore bottomfish fishery. The Council considered preliminary considered management options at its 115th Council meeting in October 2002, and will be presented revised options including an alternative to prohibit harvest of bottomfish management unit species (BMUS) on vessels longer than 42 ft (12.8 m) that fish in Federal waters within 50 miles from shore. The Council also intends to consider requiring Federal permits and reports for vessels over 42 ft (12.8 m) in length that harvest bottomfish management unit species (BMUS).

Recent entry of larger vessels into the Guam bottomfish fishery has raised concerns regarding data collection gaps and resource status. These vessels harvest deep-slope species on offshore seamounts (or "banks") in Federal waters, land the bottomfish at Guam's commercial port, and export the bottomfish to Japan. Neither the level of fishing effort nor the amount of bottomfish harvested, which is believed to have started in 2001, is known. Guam's creel survey does not cover fish landed at the commercial port and the exported fish are not sold through any establishments that participate in the voluntary sales ticket monitoring program. Onaga (*Etelis coruscans*) appears to be the primary species that is targeted.

The southern banks have been fished for many years by Guam-based bottomfish fishermen using smaller vessels that engage in a mix of subsistence, recreational, and small-scale commercial fishing, particularly in the summer months, when weather conditions tend to be calmer. Most of the vessels fishing on the southern banks target the shallow-water bottomfish complex, but some target the deep-water complex.

It is unknown at this time whether the new component of the fishery is having significant impacts on marine resources. Initial discussions with fishery managers and Guam's fishing community (through a public scoping

meeting held in Guam August 8, 2002) indicate that the catch of fish by this new component may lead to localized overfishing of the bank area.

The Council will also consider additional options to expand the action to include targeting pelagic management unit species (PMUS). Larger vessels targeting PMUS in the EEZ surrounding Guam must also land fish in the commercial port due to the smaller harbors' inability to accommodate such large vessels. The same issues regarding harbors' collecting data from large bottomfish vessels apply to large vessels targeting and landing other species, such as pelagics.

12. Program planning

A. Legislation

B. NOAA Pacific Island Region

C. Cooperative research

D. Council program

E. Social science research planning

F. Indigenous working group

13. Administrative matters

A. Financial reports

B. Administrative reports

C. Upcoming meetings and workshops

D. Advisory Panel, SSC, Plan Team, NWHI Reserve and Sea Turtle Working Group Appointments

14. Other Business

Although non-emergency issues not contained in this agenda may come before the 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 Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are 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.

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