SCIENTIFIC COMMITTEE
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Proposed purpose, scope, and process for the seabird CMM 2018-03 review

WCPFC-SC19-2023/EB-IP-16

New Zealand

Summary

SC18 recommended a review of the *Conservation and Management Measure to mitigate the impact of fishing for highly migratory fish stocks on seabirds* (CMM 2018-03). This was endorsed by WCPFC19 in 2022. New Zealand offered to lead this review and here proposes the purpose, scope, and process for the review of CMM 2018-03.

New Zealand proposes that the purpose of the review is:

> "*To ensure that effective mitigation methods are required and applied across the Convention Area where there is bycatch risk to vulnerable seabirds from longline fishing.*"

New Zealand proposes key elements of the CMM 2018-03 review to include:

1) the spatial extent of required mitigation methods;
2) the Southern Hemisphere mitigation options and specifications; and
3) the Northern Hemisphere mitigation options and specifications.

At SC19, New Zealand proposes a brief discussion on the purpose and scope of the CMM2018-03 review, with a particular focus on the evaluation of potential mitigation methods and/or specifications that could be improved to reduce seabird bycatch in the Convention Area. New Zealand also proposes the establishment of an informal intersessional working group to evaluate scientific research and input into the draft text of the revised seabird CMM for submission to SC20 and TCC20, and ultimately, WCPFC21 for consideration and adoption.

Background

In August 2022, SC18 recommended that the Commission conduct a review of the *Conservation and Management Measure to mitigate the impact of fishing for highly migratory fish stocks on seabirds* (CMM 2018-03) to evaluate the effectiveness of seabird bycatch mitigation measures. WCPFC19 endorsed this recommendation as noted in the Summary Report (paragraphs 328-329):

- Para 328: WCPFC19 noted a global decline in specific Agreement on the Conservation of Albatrosses and Petrels (ACAP) seabird population trends, which are vulnerable to threats posed by longline fisheries in the WCPO and the importance of seabird bycatch mitigation measures.

- Para 329: WCPFC19 agreed to conduct a review of the current seabird mitigation measure (CMM 2018-03 Conservation and Management Measure to mitigate the impact of fishing for highly migratory fish stocks on seabirds) in 2023 and 2024 whereby new bycatch mitigation studies would be evaluated with respect to bycatch mitigation effectiveness and compared against current ACAP Best Practices[1].

New Zealand stated it is prepared to lead this work in close collaboration with others (paragraph 321 of the Summary Report).

CMM 2018-03 review purpose

New Zealand proposes the following purpose for the CMM 2018-03 review:

> *To ensure that effective mitigation methods are required and applied across the Convention Area where there is bycatch risk to vulnerable seabirds from longline fishing.*

CMM 2018-03 review scope

New Zealand proposes that the review focuses on improving seabird mitigation methods and improving the monitoring of seabird mitigation methods. In reviewing CMM 2018-03 and developing potential amendments to the CMM, an assessment of the impact on small island developing States and territories (SIDS) in the Convention Area will be completed in consultation with SIDS, as required under CMM 2013-06.

The following paragraphs of the CMM 2018-03 will be reviewed against the best available science and current ACAP Best Practice advice:

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[1] ACAP. 2021. ACAP review of mitigation measures and best practice advice for reducing the impact of pelagic longline fisheries on seabirds. 12th Meeting of the Advisory Committee.

1. Spatial extent of required mitigation methods (CMM 2018-03 paragraphs 1-4, 6, 7)

2. Southern Hemisphere mitigation options and specifications (CMM 2018-03 paragraphs 1-5 and Annex 1: paragraphs 1, 4-6)

3. Northern Hemisphere mitigation options and specifications (CMM 2018-03 paragraphs 6 and Annex 1: paragraphs 2-9)

In addition, New Zealand proposes that the review of CMM 2018-03 incorporates specific references to monitoring, control, and surveillance tools to assess the implementation of seabird mitigation methods (CMM 2018-03 paragraph 12).

Improving Seabird Mitigation Methods

1. ***Spatial extent of required mitigation methods***

   Currently, CMM 2018-03 requires the use of two mitigation methods (weighted branch lines, night setting, or tori lines) or the use of hook-shielding devices in the area south of 30° South; one mitigation method or hook-shielding devices in the area 25-30° South; and two out of a range of mitigation options north of 23° North. CCMs are *encouraged* to use one or more mitigation methods in the area between 25° South to 23° North.

   New Zealand proposes that these spatial delineations need to be reassessed in light of recent research. A species of particular concern is the Antipodean albatross. This species is highly vulnerable to bycatch in pelagic longline fisheries and subject to an ongoing, rapid population decline[2,3].

   Satellite tracking of Antipodean albatross shows that these birds range beyond those areas where at least two mitigation methods are currently required, (north of 30° South)[4]. Furthermore, according to preliminary research, other seabird species such as flesh-footed shearwaters are vulnerable to bycatch in longline fisheries throughout their range across the tropics[5].

   It is proposed that the review of CMM 2018-03 considers whether the spatial extent of the required mitigation methods is sufficient across the region, in view of the evidence of the range of threatened seabirds like the Antipodean

[2] Richard Y. 2022. Antipodean Albatross population assessment. WCPFC-SC18-EB-IP-09.
[3] Bose S & Debski I. 2022. Antipodean Albatross spatial distribution and fisheries overlap. WCPFC-SC18-EB-IP-10.
[4] Bose S, et al. 2023. Update on Antipodean albatross tracking and overlap with pelagic longline fishing effort. WCPFC-SC19-2023-EB-IP-06.
[5] Fischer JH, et al. 2023. Update on flesh-footed shearwater tracking and potential areas of bycatch risk. WCPFC-SC19-2023-EB-IP-13.

albatross and other vulnerable seabird species. This should take into account the special requirements of small island developing States and territories, including ensuring that there is not a disproportionate burden of conservation action for small island developing States and territories.

2. ***Southern Hemisphere mitigation options and specifications***

   New Zealand proposes that the combination of required mitigation options and the specifications of these mitigation methods in the Southern Hemisphere are reviewed against best available scientific information in order to consider the potential to amend seabird bycatch mitigation methods to prevent the bycatch of vulnerable seabirds in the longline fishery. This could include, for example, examining the specifications of branch line weighting[6], tori lines[7,8] and night setting[9].

3. ***Northern Hemisphere mitigation options and specifications***

   New Zealand proposes that the combination of required mitigation methods and the specifications of these mitigation methods in the Northern Hemisphere are reviewed against best available scientific information in order to consider the potential to amend seabird bycatch mitigation methods to prevent the bycatch of vulnerable seabirds in the longline fishery. In addition to the areas covered in the review of Southern Hemisphere mitigation methods and specifications, this could include, for example, examining the effectiveness of the use of streamerless tori lines[7,8], blue-dyed bait[10], line shooters[11], or side setting with a bird curtain compared with other mitigation methods. This review should also consider effective tori line design and specifications for small scale longline vessels less than 24 m, as specified in the current measure.

Improving monitoring of seabird mitigation methods

In order to ensure implementation and enforcement of seabird bycatch mitigation obligations, it will be important to consider ways to improve monitoring, control and

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[6] Barrington JHS, et al. 2016. Categorising branch line weighting for pelagic longline fishing according to sink rates. 7th Meeting of the Seabird Bycatch Working Group. ACAP.

[7] Sato N, et al. 2013. Comparison of the effectiveness of paired and single tori lines for preventing bait attacks by seabirds and their bycatch in pelagic longline fisheries. Fisheries Research 140: 14-19

[8] Melvin, EF et al. 2014. Best practice seabird bycatch mitigation for pelagic longline fisheries targeting tune and related species. Fisheries Research 149: 5-18.

[9] Kroodsma D, et al. 2023. Global prevalence of setting longlines at dawn highlights bycatch risk for threatened albatross. WCPFC-SC19-2023/EB-IP-08.

[10] Gillman E, et al. 2022. Could tori lines replace blue-dyed bait to reduce seabird bycatch risk in the Hawaii deep-set longline fishery? WCPFC-SC18-2022/EB-IP-15.

[11] Robertson G, et al. 2010. Effect of line shooter and mainline tension on the sink rates of pelagic longlines and implications for seabird interactions. Aquatic Conservation 20: 419-427.

surveillance (MCS) of the longline fishery, noting the current low level (~5%) of observer coverage.

It is proposed to build on paragraph 12 of CMM 2018-03 to emphasise the need for relevant MCS tools to incorporate monitoring of the implementation of seabird bycatch mitigation methods.

New Zealand highlights that the Intersessional Working Group on the Regional Observer Programme (IWG-ROP) work programme[12] and TCC's work programme for 2023[13] both include an action to "review and provide advice on improvements to the ROP minimum standard data fields for seabirds to allow for use of ROP data in the compliance case file system". It is anticipated that this work will help to ensure that the observer data collected on seabird bycatch mitigation is fit for purpose for the Monitoring Compliance Scheme processes.

In addition, it is important that monitoring of the implementation of seabird bycatch mitigation methods is a focus of high seas boarding and inspection operations, particularly in the areas of high risk to vulnerable seabirds. During port State inspections, there is also an opportunity to incorporate inspection of seabird bycatch mitigation gear, such as tori lines and weighted branch lines, to ensure they comply with the specifications.

In due course, as a WCPFC electronic monitoring programme is developed, there will be scope to incorporate standards for documentation of the use of seabird bycatch mitigation methods and recording of seabird bycatch events.

It is also proposed to include in the revised seabird CMM an obligation for CCMs to require their longline vessels to record all incidents involving seabirds during fishing operations and report such incidents to the appropriate authorities of the CCM. In turn, this reporting should be provided to the Commission as part of the CCM's annual reporting of Scientific Data. This is a similar provision to that required in the sea turtle CMM (CMM 2018-04) and it is noted that other CMMs also require reporting of interactions between fishing vessels and vulnerable species.

CMM 2018-03 review process

At this stage, New Zealand is not proposing specific amendments to the text of CMM 2018-03, rather we have identified key elements of CMM 2018-03 for review and initial discussion.

[12] WCPFC. 2023. Work Priorities and Method of Communication for the IWG-ROP. WCPFC Circular 2023/53.
[13] TCC. 2022. Updates to the TCC Workplan 2022-2024. WCPFC19-2022-WP-34.

Scientific Committee: New Zealand proposes a brief discussion of the purpose, scope, and process of the review of CMM 2018-03 at SC19 during Agenda Item 6.4.2 on the ecosystem and bycatch theme. New Zealand also encourages examination of science relating to the tracking of vulnerable seabirds and their overlap with longline fishing effort[4,5] and the effectiveness of mitigation methods and specifications to reduce the risk of longline fishing to vulnerable seabirds[14]. CCMs and observers are encouraged to submit any further research and/or information relevant to effective seabird bycatch mitigation for consideration at SC19 or SC20.

New Zealand proposes to lead an **informal intersessional working group** to be established as soon as possible. Interested CCMs are invited to nominate representatives to participate in this group. The proposed aim of the working group is to review scientific research and input into the draft text of the revised seabird CMM intersessionally for submission to SC20 and TCC20 for further consideration.

Technical and Compliance Committee: At TCC19, there is an opportunity to discuss the review of the seabird measure under the relevant agenda item on the review of existing CMMs. This includes considering issues related to the improved monitoring of the longline fishery and the use of relevant MCS tools to incorporate monitoring of the implementation of seabird bycatch mitigation methods. There is likely to be further discussion at TCC20.

WCPFC 21: New Zealand, in collaboration with other CCMs, intends to submit the draft text of the revised seabird CMM to WCPFC21 for consideration and adoption.

[14] Pierre JP. 2023. Mitigation of seabird bycatch in pelagic longline fisheries: best practice measures, evidence and operational considerations. WCPFC-SC19-2023-EB-IP-15.