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**REVISIONS TO CMM 2012-07 CONSERVATION AND MANAGEMENT MEASURE TO
MITIGATE THE IMPACT OF FISHING FOR HIGHLY MIGRATORY FISH STOCKS ON
SEABIRDS**

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Paper submitted by the United States of America

Revisions to CMM 2012-07

Conservation and Management Measure to Mitigate the Impact of Fishing for Highly Migratory Fish Stocks on Seabirds

**Proposal by the United States of America
to the
Eleventh Regular Session of the Western and Central Pacific Fisheries Commission**

October 30, 2014

Explanatory note:

This proposal would set a date, 1 January 2017, by which CCMs would have to ensure that their longline vessels less than 24 meters in length employ seabird mitigation methods when fishing in the Convention Area north of 23° North latitude. This would allow CCMs approximately two years to prepare for implementation of seabird mitigation by their small vessels, or to identify alternative minimum technical specifications for small longline vessels or areas within which seabird mitigation is not needed by small longline vessels because of an absence of seabirds. The proposal includes a process for CCMs to request such modifications and for the Commission to act on CCMs' requests based on the recommendations of the SC and TCC.

Expected impacts of the proposal on SIDSs and PTs:

a. Who is required to implement the proposed revised provisions of the CMM?

All CCMs with longline vessels less than 24 meters in length used for fishing for HMS in the Convention Area north of 23° North latitude.

b. Which CCMs would this proposal impact and in what way(s) and what proportion?

Any CCM as described in response to question (a), would have to take action to ensure that its affected longline vessels employ specific seabird mitigation methods in areas north of 23° North latitude, and bear the associated costs.

c. Are there linkages with other proposals or instruments in other regional fisheries management organizations or international organizations that reduce the burden of implementation?

None known.

d. Does the proposal affect development opportunities for SIDS?

To the extent any SIDS or PT wants to develop a longline fishery involving vessels less than 24 meters in length operating north of 23° North latitude, the proposal could affect that opportunity by potentially bringing greater operational costs to the fishing vessels under the responsibility of such SIDS or PT.

e. Does the proposal affect SIDS domestic access to resources and development aspirations?

The proposal would not affect SIDSs' or PTs' access to resources. For effects on development aspirations, see responses to questions (b) and (d).

f. What resources, including financial and human capacity, are needed by SIDS to implement the proposal?

Any SIDS or PT that develops a longline fishery involving vessels less than 24 meters in length operating north of 23° North latitude would have to ensure that the operators of such vessels employ the required seabird mitigation requirements. This could require financial investments into mitigation equipment and training of vessels operators and crew. Vessel operators would be able to choose among several mitigation methods, as described in paragraph 2 of the CMM, so the financial costs would depend on the methods chosen and whether the affected vessel operators would have invested in the equipment in any case. The equipment options could include bird curtains, reconfiguring the vessel deck to accommodate side-setting, tori lines, weights for branch lines, blue dye, and/or deep-setting line shooters. Two of the mitigation options, night-setting and management of strategic offal discharge, would not require direct investment into equipment but might bring operational costs associated with using the methods. SIDSs and PTs might also have to invest in outreach/training for fishermen to ensure they have the capacity to employ the mitigation methods as required.

g. What mitigation measures are included in the proposal?

The proposal includes a provision that allows any CCM to request that alternative minimum technical specifications for the seabird mitigation methods be considered for technical or practical reasons.

h. What assistance mechanisms and associated timeframe, including training and financial support, are included in the proposal to avoid a disproportionate burden on SIDS?

None.

CONSERVATION AND MANAGEMENT MEASURE TO MITIGATE THE IMPACT OF FISHING FOR HIGHLY MIGRATORY FISH STOCKS ON SEABIRDS

Conservation and Management Measure 2014~~2-xx~~07¹

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean

Concerned that some seabird species, notably albatrosses and petrels, are threatened with global extinction.

Noting advice from the Commission for the Conservation of Antarctic Marine Living Resources that together with illegal, unreported and unregulated fishing, the greatest threat to Southern Ocean seabirds is mortality in longline fisheries in waters adjacent to its Convention Area.

Noting scientific research into mitigation of seabird bycatch in surface longline fisheries has showed that the effectiveness of various measures varies greatly depending on the vessel type, season, and seabird species assemblage present.

Noting the advice of the Scientific Committee that combinations of mitigation measures are essential for effective reduction of seabird bycatch.

Resolves as follows:

1. Commission Members, Cooperating Non-members and participating Territories (CCMs) shall, to the greatest extent practical, implement the International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries (IPOA-Seabirds) if they have not already done so.
2. CCMs shall report to the Commission on their implementation of the IPOA-Seabirds, including, as appropriate, the status of their National Plans of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries.

Adopts, in accordance with Article 5 (e) and 10 (i)(c) of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean the Commission the following measures to address seabird bycatch:

South of 30° South

¹ This conservation and management measure ~~will replace~~ CMM 2012-07-04 ~~and go into effect on 1 July 2014~~; until the ~~new provisions of this CMM go into effect~~, all the provisions of CMM 2012-07-04 will remain in effect.

1. CCMs shall require their longline vessels fishing south of 30°S, to use at least two of these three measures: weighted branch lines, night setting and tori lines. Table 1 does not apply south of 30° South. See Annex 1 for specifications of these measures.

North of 23° North

2. CCMs shall require their longline vessels fishing north of 23°N, to use at least two of the mitigation measures in Table 1, including at least one from Column A. See Annex 1 for specifications of these measures.

Table 1: Mitigation measures

<i>Column A</i>	<i>Column B</i>
<i>Side setting with a bird curtain and weighted branch lines²</i>	<i>Tori line³</i>
<i>Night setting with minimum deck lighting</i>	<i>Blue-dyed bait</i>
<i>Tori line</i>	<i>Deep setting line shooter</i>
<i>Weighted branch lines</i>	<i>Management of offal discharge</i>

Other Areas

3. In other areas (between 30°S and 23°N), where necessary, CCMs are encouraged to have their longline vessels employ one or more of the seabird mitigation measures listed in Table 1.

General Principles

4. For research and reporting purposes, each CCM with longline vessels that fish in the Convention Area south of 30°S or north of 23°N shall submit to the Commission in part 2 of its annual report annually information describing which of the mitigation measures they require their vessels to use, as well as the technical specifications for each of those mitigation measures. Each such CCM shall also include in its annual reports for subsequent years any changes it has made to its required mitigation measures or technical specifications for those measures.

5. CCMs are encouraged to undertake research to further develop and refine measures to mitigate seabird bycatch including mitigation measures for use during the setting and hauling process and should submit to the Secretariat for the use by the SC and the TCC any information derived from such efforts. Research should be undertaken in the fisheries and areas to which the measure will be used.

6. The SC and TCC will annually review any new information on new or existing mitigation measures or on seabird interactions from observer or other monitoring programmes. Where necessary, an updated suite of mitigation measures, specifications for mitigation measures, or recommendations for areas of application will then be provided to the Commission for its consideration and review as appropriate.

² If using side setting with a bird curtain and weighted branch lines from Column A this will be counted as two mitigation measures.

³ If tori line is selected from both Column A and Column B this equates to simultaneously using two (i.e. paired) tori lines.

7. CCMs are encouraged to adopt measures aimed at ensuring that seabirds captured alive during longlining are released alive and in as good condition as possible and that wherever possible hooks are removed without jeopardizing the life of the seabird concerned. Research into the survival of released seabirds is encouraged.

8. The intersessional working group for the regional observer programme (IWG-ROP) will take into account the need to obtain detailed information on seabird interactions to allow analysis of the effects of fisheries on seabirds and evaluation of the effectiveness of bycatch mitigation measures.

9. CCMs shall annually provide to the Commission, in Part 1 of their annual reports, all available information on interactions with seabirds reported or collected by observers, including mitigation used, observed and reported species specific seabird bycatch rates and numbers, to enable the Scientific Committee to estimate seabird mortality in all fisheries to which the WCPFC Convention applies. See Annex 2 for Part 1 reporting template guideline. Alternatively, statistically rigorous estimates of species-specific seabird interaction rates (for longline, interactions per 1,000 hooks) and total numbers should be reported.

10. This Conservation and Management Measure shall be implemented by CCMs in the following manner:

- In areas south of 30 degrees South, no later than 1 July 2014.
- In areas north of 23 degrees North:
 - ~~_____, and in relation to~~For large-scale longline vessels of 24 meters or more in overall length, no later than 1 July 2014.
 - For longline vessels less than 24 meters in overall length, no later than 1 January 2017.

~~11. For areas north of 23 degrees North, any CCM may request at any time, for longline vessels less than 24 meters in length, that alternative minimum technical specifications be considered for technical or practical reasons, or that certain areas be excluded from the mitigation requirements because of a lack of seabirds. The Commission will consider such requests based on the recommendations of the SC and TCC. In 2013 the SC will assess to the extent possible the implications of the North Pacific small vessel exemption on seabird interaction rates and make any appropriate recommendations, the TCC will evaluate the constraints and opportunities for small vessels to employ seabird mitigation measures in the North Pacific, and the Commission will consider appropriate seabird mitigation requirements for vessels less than 24m in length in the North Pacific.~~

12. This Conservation and Management measure replaces CMM_2012-07-04, which is hereby repealed.

Annex 1. Specifications

1. Tori lines (South of 30° South)

1a) For vessels ≥ 35 m total length

- i. Deploy at least 1 tori line. Where practical, vessels are encouraged to use a second tori line at times of high bird abundance or activity; both tori lines shall be deployed simultaneously, one on each side of the line being set. If two tori lines are used baited hooks shall be deployed within the area bounded by the two tori lines.
- ii. A tori line using long and short streamers shall be used. Streamers shall be: brightly coloured, a mix of long and short streamers.
 - a. Long streamers shall be placed at intervals of no more than 5 m, and long streamers must be attached to the line with swivels that prevent streamers from wrapping around the line. Long streamers of sufficient length to reach the sea surface in calm conditions must be used.
 - b. Short streamers (greater than 1m in length) shall be placed no more than 1m apart.
- iii. Vessels shall deploy the tori line to achieve a desired aerial extent greater than or equal to 100 m. To achieve this aerial extent the tori line shall have a minimum length of 200m, and shall be attached to a tori pole >7 m above the sea surface located as close to the stern as practical.
- iv. If vessels use only one tori line, the tori line shall be deployed windward of sinking baits.

1b) For vessels < 35 m total length

- i. A single tori line using either long and short streamers, or short streamers only shall be used.
- ii. Streamers shall be: brightly coloured long and/or short (but greater than 1m in length) streamers must be used and placed at intervals as follows:
 - a. Long streamers placed at intervals of no more than 5m for the first 55 m of tori line.
 - b. Short streamers placed at intervals of no more than 1m.
- iii. Long streamers shall be attached to the line with swivels that prevent streamers from wrapping around the line. All long streamers shall reach the sea-surface in calm conditions.
- iv. Vessels shall deploy the tori line to achieve a desired aerial extent of 75 m. To achieve this aerial extent the tori line shall have a minimum length of 100m, and shall be attached to a tori pole >6 m above the sea surface located as close to the stern as practical. If the tori line is less than 150 m in length, it must have a towed object attached to the end so that the aerial extent is maintained over the sinking baited hooks.
- v. If two tori lines are used, the two lines must be deployed on opposing sides of the main line.

2. Tori lines (North of 23° North)

2a) Long Streamer

- i. Minimum length: 100 m
- ii. Must be attached to the vessel such that it is suspended from a point a minimum of 5 m above the water at the stern on the windward side of the point where the hookline enters the water.
- iii. Must be attached so that the aerial extent is maintained over the sinking baited hooks.
- iv. Streamers must be less than 5m apart, be using swivels and long enough so that they are as close to the water as possible.
- v. If two (i.e. paired) tori lines are used, the two lines must be deployed on opposing sides of the main line.

2b) Short Streamer

- i. Must be attached to the vessel such that it is suspended from a point a minimum of 5 m above the water at the stern on the windward side of a point where the hookline enters the water.
- ii. Must be attached so that the aerial extent is maintained over the sinking baited hooks.
- iii. Streamers must be less than 1m apart and be 30 cm minimum length.
- iv. If two (i.e. paired) tori lines are used, the two lines must be deployed on opposing sides of the main line.

3. Side setting with bird curtain and weighted branch lines

- i. Mainline deployed from port or starboard side as far from stern as practicable (at least 1m), and if mainline shooter is used, must be mounted at least 1m forward of the stern.
- ii. When seabirds are present the gear must ensure mainline is deployed slack so that baited hooks remain submerged.
- iii. Bird curtain must be employed:
 - Pole aft of line shooter at least 3 m long;
 - Minimum of 3 main streamers attached to upper 2 m of pole;
 - Main streamer diameter minimum 20 mm;
 - Branch streamers attached to end of each main streamer long enough to drag on water (no wind) – minimum diameter 10 mm.

4. Night setting

- i. No setting between nautical dawn and before nautical dusk.
- ii. Nautical dusk and nautical dawn are defined as set out in the Nautical Almanac tables for relevant latitude, local time and date.
- iii. Deck lighting to be kept to a minimum. Minimum deck lighting should not breach minimum standards for safety and navigation.

5. Weighted branch lines

- i. Following minimum weight specifications are required:
 - one weight greater than or equal to 40g within 50cm of the hook; or
 - greater than or equal to a total of 45g attached to within 1 m of the hook; or
 - greater than or equal to a total of 60 g attached to within 3.5 m of the hook; or
 - greater than or equal to a total of 98 g weight attached to within 4 m of the hook.

6. Management of offal discharge

- i. Either no offal discharge during setting or hauling;
- ii. Or strategic offal discharge from the opposite side of the boat to setting/hauling to actively encourage birds away from baited hooks.

7. Blue-dyed bait

- i. If using blue-dyed bait it must be fully thawed when dyed.
- ii. The Commission Secretariat shall distribute a standardized colour placard.
- iii. All bait must be dyed to the shade shown in the placard.

8. Deep setting line shooter

- i. Line shooters must be deployed in a manner such that the hooks are set substantially deeper than they would be lacking the use of the line shooter, and such that the majority of hooks reach depths of at least 100 m.

Annex 2. Guidelines for reporting templates for Part 1 report

The following tables should be included in the Part 1 country reports, summarising the most recent five years.

Table x: Effort, observed and estimated seabird captures by fishing year for [CCM] [South of 30°S; North of 23°N; or 23°N - 30°S¹]. For each year, the table gives the total number of hooks; the number of observed hooks; observer coverage (the percentage of hooks that were observed); the number of observed captures (both dead and alive); the capture rate (captures per thousand hooks) and mitigation types used by the fleet.

Year	Fishing effort				Observed seabird captures	
	Number of vessels	Number of hooks	Observed hooks	% hooks observed	Number	Rate ²
2006						
2007						
2008						
2009						
2010						
2011						
2012						

¹ State North of 23°N, South of 30°S or 23°N - 30°S, for CCMs fishing in all areas provide separate tables for each; ² Provide as captures per one thousand hooks.

Table y: Number of observed seabird captures in [CCM] longline fisheries, 2012, by species and area.

Species	South of 30°S	North of 23°N	23°N - 30°S	Total
E.g. Antipodean albatross				
E.g. Gibson's albatross				
E.g. Unidentified albatross				
E.g. Flesh footed shearwater				
E.g. Great winged petrel				
E.g. White chinned petrel				
E.g. Unidentified				
Total				