

10th May 2019

Mr D Vallieres
Highly Migratory Species Team
Fisheries Management
Fisheries New Zealand
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Attention: Highly Migratory Species Team

Dear Dominic

RESPONSE TO THE PROPOSED CHANGES TO THE FISHERIES (SEABIRD MITIGATION MEASURES – SURFACE LONGLINES) CIRCULAR 2018)

Introduction

1. FNZ has issued consultation documents on proposed changes to the Fisheries (Seabird Mitigation Measures – Surface Longline) Circular 2018 and invited responses on the proposals that were released for consultation on 23 April 2019. This response is presented on behalf of Fisheries Inshore New Zealand's Highly Migratory Species (HMS) Committee.
2. We note that companies and other quota-holders may also make their own submissions on the proposals and make specific reference to their preferred option as they consider appropriate.

Process comments

1. New Zealand delegates at international meetings represent all New Zealanders and it is important that the appropriate level of engagement and consultation on any papers presented on behalf of New Zealand and especially Western Central Pacific Fisheries Committee (WCPFC) Conservation and management Measures (CMM) changes is undertaken.
2. Whilst we are in principle supportive of New Zealand proposing CMM measures that reflect our operations and seek to improve WCPFC management it is imperative that the process to achieve this is reviewed and improved where possible. The wider process by which industry were engaged with and able to provide feedback on the CMM changes continues to be limited to meeting briefings as opposed to meaningful engagement on the wording of proposed CMM changes.

Proposed changes

3. We note that the proposed changes to the amended Fisheries (Seabird Mitigation Measures-Surface Longline) Circular 2019 are to align the current Circular with the new WCPFC Conservation and Management Measure 2018-03.
4. The review of CMM 2017-06 as outlined in WCPFC15-2018-DP16_rev2 was tabled at WCPFC by New Zealand to primarily address the risk posed by high seas fishing fleets on Antipodean Albatross. As an industry we support measures to further understand and reduce the high seas risk to Antipodean Albatross (Edwards et al., 2017).¹ Edwards et al. (2017) states "fishing induced mortalities within New Zealand waters is likely to be having a negligible impact" which emphasises the importance of understanding and minimising high seas risks, as promoted by New Zealand at WCPFC.
5. Aligned with the primary focus of the review was the proposed inclusion of hook shielding devices as a stand-alone measure to mitigate seabird bycatch. We recognise that this proposal is enabling legislation that allows the industry, should it so wish, to use hook shielding devices as a stand-alone measure.

1 Edwards, C.T.T., Roberts, J.O., Walker, K & Elliott, G (2017) Quantitative modelling of Antipodean wandering albatross. New Zealand Aquatic Environment and Biodiversity No.180

6. From the documents provided we do not have any major concerns with this alignment and indeed it ensures that New Zealand is meeting its international obligations.

Hookpods

7. With regards to the proposed inclusion of hook-shielding devices we are supportive of the fact that this change provides for a wider range of standalone measures that fishers can choose between using when setting surface longlines in New Zealand fisheries
8. We propose the following specific text changes to the proposed Circular:
 - a. The text for the interpretation of a hook-shielding device should be 'hook-shielding device means an approved device that meets the WCPFC performance characteristics as per Schedule 1.' Currently the interpretation states, 'hook shielding device' and Schedule 1 states 'Approved Hook-shielding devices'.
 - b. The wording in 4(3) needs to be amended in line with the previous point. We propose explicitly referencing Schedule 1 of the Circular to make sure that only approved hook-shielding devices as approved for use by WCPFC are used.

These points are raised to ensure Circular wording is appropriate.

9. Recognising the need for WCPFC to ensure consistency between member States using hook shielding devices we note that it means a process of approving hook-shielding devices.
10. We are cognisant of the fact that both the proposed domestic regulations and the internationally agreed CMM may well stifle potential innovation given the process for another device to develop and seek approval via WCPFC.
11. To our knowledge there is currently only one provider (Hookpod Ltd.), with whom we are working with on an operational trial and are in ongoing discussions with them with regards to this work.
12. We seek assurances from FNZ that the strategic management approach remains one of enabling voluntary use of and innovation in the use of such devices rather than the precursor to mandatory use of such devices, particularly in the absence of alternative suppliers for such devices. Such a development would be tantamount to statutory approval of a monopoly that would be detrimental to promoting competition in markets for the long-term benefit of innovation to enable to continue to minimise our impacts on seabirds.

Tori lines

13. We support endeavours to clarify aspects of the Circular regarding tori lines whilst ensuring consistency with WCPFC CMM 2018-03.



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(on behalf of the FINZ HMS Committee)