

12TH MEETING OF THE SPRFMO COMMISSION

Manta, Ecuador, 29 January to 2 February 2024

COMM 12 – Prop 23

PROPOSAL TO:

<input type="checkbox"/> Amend <input checked="" type="checkbox"/> Create	CMM XX-2024 on Exploratory Hapuka Fishery	
Submitted by: The Cook Islands		
<p>Summary of the proposal:</p> <p>This document contains the proposed CMM regulating the Exploratory Dropline and/or Jigging Fishery for <i>Polyprion oxygeneios</i>, Hapuka, Fishery.</p> <p>The proposal contains a TAC as well as a TAC split between seamounts to spread the fishing effort and ensure that it is exploratory in nature. In addition, the proposed CMM included explicit target and limit reference points as well as VME and bycatch avoidance strategies, observer requirements and data collection needs.</p>		
<p>Objective of the proposal:</p> <p>To provide for exploratory dropline and/or jig fishing for <i>Polyprion oxygeneios</i>, hapuka, to be undertaken as an adjunct to the ongoing Cook Islands lobster trap fishing, to allow the evaluation of the long-term fishery potential for this species in the Convention Area. In addition, for the purpose of obtaining scientific data: to evaluate the possible impacts on the target stocks, associated or dependent species, and marine ecosystems; to evaluate the effectiveness of mitigation measures; and to ensure that the dropline and/or jig exploratory fishery for hapuka is developed on a precautionary and gradual basis according to the best available science.</p>		
Has the proposal financial impacts or influence on the Secretariat work?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Ref: COMM12-PROP23	Received on: 07 December 2023	

CMM 15-2024

Conservation and Management Measure for Exploratory Hapuka Fishery in the SPRFMO Convention Area

(responsive to CMM 14b-2024)

The Commission of the South Pacific Regional Fisheries Management Organisation;

RECALLING Article 22 of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean (the Convention) which provides that a fishery that has not been subject to fishing or has not been subject to fishing with a particular gear type or technique for ten years or more shall be opened as a fishery or opened to fishing with such gear type or technique only when the Commission has adopted cautious preliminary Conservation and Management Measures (CMMs) in respect of that fishery and, as appropriate, non-target and associated or dependent species, and appropriate measures to protect the marine ecosystem in which that fishery occurs from adverse impacts of fishing activities;

RECOGNISING Articles 3(1)(a)(i) and (ii) of the Convention, which call on the Commission, in giving effect to the objectives of the Convention, to adopt Conservation and Management Measures that take account of international best practices and protect the marine ecosystem, particularly ecosystems with long recovery times following disturbance;

FURTHER RECOGNISING Articles 3(1)(b) and (2) of the Convention which call on the Commission to apply the precautionary approach and an ecosystem-based approach to fishery resources under the mandate of the Convention;

NOTING the conservation value of relevant SPRFMO CMMs which will apply to activities anticipated to be undertaken pursuant to this measure, including, *inter alia*, CMM 03-2023 (Bottom Fishing) on the Management of Bottom Fishing in the SPRFMO Convention Area and CMM 09-2017 (Seabirds) on Minimising Bycatch of Seabirds in the SPRFMO Convention Area;

AGREEING that new and exploratory fisheries should not be permitted to expand faster than the acquisition of information necessary to ensure that the fishery can and will be developed in accordance with the principles set out in Article 3 of the Convention;

RECOGNISING Article 22(2) of the Convention, which calls on the Commission to adopt preliminary measures that ensure that any new fishery resource is developed on a precautionary and gradual basis until sufficient information is acquired to enable the Commission to adopt appropriately detailed CMMs;

REVISES and ADOPTS the following CMM in accordance with Articles 8, 20 and 22 of the Convention:



Objectives

1. To provide for exploratory dropline and/or jig fishing for *Polyprion oxygeneios*, or hapuka (common name), to be undertaken as an adjunct to the ongoing Cook Islands lobster trap fishing, to allow the evaluation of the long-term fishery potential for this species in the Convention Area. In addition, for the purpose of obtaining scientific data: to evaluate the possible impacts on the target stocks, associated or dependent species, and marine ecosystems; to evaluate the effectiveness of mitigation measures; and to ensure that the dropline and/or jig exploratory fishery for hapuka is developed on a precautionary and gradual basis according to the best available science.

Definitions

2. For the purposes of this measure:
 - a) “Hapuka” means *Polyprion oxygeneios*;
 - b) “Dropline and jig fishing” means deployment of droplines and/or jigs in the vicinity of seamounts to a depth or 1,000 metres that are dedicated to capturing *Polyprion oxygeneios* while having minimal adverse impact on the environment as described in the Fisheries Operation Plan noted by the 11th meeting of the Scientific Committee;
 - c) “Fishing year” means a year of 12 months, from 1 July to 30 June;
 - d) “FOP” means the relevant Fisheries Operation Plan;
 - e) “TAC” means Total Allowable Catch;
 - f) “Trip” means any period commencing with the departure of the vessel from port for the purpose of beginning a fishing trip to such time as any or all fish on board the vessel are unloaded from the fishing vessel, either ashore or to a transshipment carrier in port.

Application

3. This measure applies as an adjunct to exploratory fishing for lobster and crab as described in the Fisheries Operation Plan adopted by the SPRFMO Commission (COMM10-Report, Annex 4b).
4. None of the obligations in this measure exempt a Member or CNCP from complying with any Convention obligation or any other CMMs adopted by the Commission.

Details and Specification of Exploratory Fishing Activities

5. Fishing for *Polyprion oxygeneios*, using dropline and/or jigging, may be conducted on seamounts or other features within the exploratory fishing boxed areas identified in Table 1.
6. Notwithstanding paragraph 5, fishing in the Kopernik Valley must avoid all contact with the seabed and bottom weights are not allowed to be used in this area, the coordinates for the Kopernik Valley are given in Table 2.
7. The exploratory fishing conducted pursuant to this CMM shall commence after the Commission meeting in 2024 beginning 1 ~~March~~ July 2024. It is proposed to initially run this exploratory fishery for three fishing years with annual reviews by the SC and Commission meetings.
8. The proposed total allowable catch (TAC) is 500 tons of green weight for *Polyprion oxygeneios* with an additional 100-ton allowance for retained teleost and cephalopod bycatch.



Table 1: The coordinates of the two areas intended for exploratory fishing.

Exploratory area	Latitude	Longitude
Foundation Sea mount chain	31'00 S	100'00 W
	31'00 S	134'00 W
	40'00 S	134'00 W
	40'00 S	100'00 W
Northern seamount	21'00 S	101'00 W
	21'57 S	101'00 W
	23'55 S	94'13 W
	25'06 S	92'50 W
	27'00 S	92'50 W
	27'00 S	84'00 W
	21'00 S	84'00 W

Table 2: Coordinates for fishing in the Kopernik Valley

Longitude	Latitude
-116.025	-35.885
-116.005	-35.885
-116.005	-35.89
-116.01	-35.89
-116.01	-35.9
-116.015	-35.9
-116.015	-35.905
-116.01	-35.905
-116.01	-35.91
-116.005	-35.91
-116.005	-35.915
-116.025	-35.915
-116.025	-35.9
-116.02	-35.9
-116.02	-35.89
-116.025	-35.89
-116.025	-35.885

9. The TAC will not be allowed to be taken from a single seamount and, in order to spread the catch and effort, no more than 25t per fishing year or 15t per trip per seamount will be permitted from any one seamount.
10. Dropline fishing will be restricted to a maximum of 10 lines deployed at any time with a maximum of 100 hooks per line. Jig fishing will be restricted to 12 lines being deployed at any time with a maximum of 30 jigs or hooks per line.
11. The vessel is authorised to test alternative dropline configurations and jig types to evaluate gear selectivity.
12. The Cook Islands shall ensure that any vessel authorised to conduct the exploratory fishing shall provide weekly reports on its fishing activities to the Cook Islands. However, once the 15t trip limit is reached on a seamount, on subsequent trips in that fishing year, catch from that seamount will be reported daily.



13. Any results will be used to develop proposals for the consideration of the Scientific Committee on the design of any subsequent fishing.
14. Catch and effort shall be monitored on a set by set basis and fishing operations shall cease in that year once the catch limit, specified in paragraphs 8, 9 and 10 has been reached. Once the seamount specific seamount limit is reached that seamount will be closed to fishing for the remainder of that fishing year.
 - a) As the stock and stock status is not known, if at any time during the exploratory fishing the stock indicators at a specific seamount show sustainability concerns the Cook Islands shall issue a directive to the authorised fishing vessel for exploratory fishing to cease at that seamount and advise the Commission promptly thereafter.
15. The Cook Islands shall ensure that any fishing vessel authorised to undertake this exploratory fishing shall have experience working within catch limits and use intensive monitoring of all catch.
16. Fishing activity undertaken pursuant to this measure shall not be considered a precedent for future allocation decisions.

Authorised vessels

17. Any Cook Islands vessel authorised to undertake fishing shall do so pursuant to this measure. In the event that the authorised vessel becomes unavailable, an alternate fishing vessel of similar capability and capacity may be authorised to undertake fishing pursuant to this measure only after the replacement fishing vessel has been notified by Cook Islands to the Executive Secretary who will notify all Members and CNCs.
18. In determining the suitability of an alternate fishing vessel, the Cook Islands shall consider, *inter alia*:
 - a) the vessel's ability to conduct the exploratory fishing set out in the approved Fisheries Operation Plan;
 - b) the master and crew's history and experience in comparable research or exploratory fishing;
 - c) the ability of the fishing vessel to provide suitable accommodation, facilities, and operating support for a Cook Islands Government observer;
 - d) the ability of the fishing vessel to maintain rigorous monitoring of the potential for Significant Adverse Impacts on Vulnerable Marine Ecosystems (VMEs).
 - e) any history of Illegal, Unreported or Unregulated (IUU) fishing by the vessel. A vessel on the SPRFMO IUU list or the IUU list of another competent regional fisheries management organisation shall not be accepted as an alternate vessel.

Management measures

19. Fishing pursuant to this measure shall take place in accordance with this measure or any amendment to the measure adopted by the regular meeting of the Commission.
20. Target and limit reference points will be developed in future based on the outcomes of the research efforts associated with this fishery. An interim target reference point of 50%B₀ and an interim limit reference point of 30%B₀ as initial reference points unless that data analysis undertaken as part of this exploratory fishery suggests alternative reference points may be more appropriate.
21. Initially, standardized CPUE analysis will be used and a percent change in CPUE (change from CPUE init¹ which will equate with B₀) as the initial means to monitor changes in biomass, and as the data becomes more informative other metrics may be more appropriate.

¹ As the fishers will need some time to learn the fishery, CPUE init will be calculated as the mean CPUE t1-t2 determined by the Scientific Committee as a stable period of the CPUE series.



Data collection

22. In undertaking fishing pursuant to this measure, any authorised fishing vessel shall collect all the data required by current CMMs and as set out in the Fisheries Operation Plan reviewed by the SPRFMO Commission (COMM10-Report, Annex 4b), and to the extent possible any further data requested by the Scientific Committee (SC) for its annual evaluation and assessment.
23. The vessel shall be fully capable of complying with SPRFMO data standards and reporting.

Marine Mammals, Seabirds, Turtles, and other Species of Concern

24. A vessel fishing pursuant to this measure shall use the following mitigation methods:
- there shall be no dumping of offal while lines are being set or hauled;
 - any offal or discards shall be macerated by machine prior to discarding;
 - discarding shall take place only at the end of a dropline retrieval or while steaming; and no biological material shall be discarded for at least 30 minutes before the start of any dropline set or during any set;
 - discarding may only take place from the opposite side of the vessel from the hauling position.
25. The following information shall be collected by observers for marine mammals, seabirds, turtles, and other species of concern:
- standardised seabird and marine mammal abundance counts shall be made at the rear of the vessel at the start, middle, end of each event (from set to haul);
 - the observer shall have a target of observing 10% of droplines or jig lines hauled for marine mammal, seabird and turtle captures, and for comparison with a sample of recorded video observations;
 - all marine mammals, seabirds, turtles, and other species of concern captured shall be identified, and photographs will be taken of as many seabird interactions as possible and all birds released alive;
 - all dead birds must be retained for formal identification and necropsy;
 - opportunistic observations, photography and identification of marine mammals may be undertaken in collaboration with the crew.
26. All information specified in CMM 03-2023 (Bottom Fishing) and all data necessary to assess encounters with VMEs shall be collected to enable assessment and monitoring of the distribution of vulnerable marine ecosystems in the areas fished.

Monitoring & Data Collection

27. A vessel undertaking fishing pursuant to this measure shall carry at least one, and preferably two, observers appointed by the Cook Islands. Observer data shall be collected in accordance with the SPRFMO Observer data standard and shall include gear deployment and retrieval data, catch and effort information, biological data collection, and information on marine mammals, seabirds, reptiles and other species of concern.
28. In addition to carrying an observer, a vessel undertaking fishing pursuant to this measure shall be equipped with a video monitoring and recording system to be located over the hauling position to ensure that all hauled droplines are observed or recorded on video. All recorded footage must be provided to the Cook Islands at the end of the voyage for analysis and storage.
29. The vessel shall also be equipped with tamper proof Automatic Location Communicators that meet SPRFMO standards for VMS reporting (every hour) and can respond to polling at any rate if required consistent with requirements under CMM 06-2023 (Commission VMS).



Review

30. The 13th regular session of the Commission shall, take into account the advice of the 12th Scientific Committee or inter-sessional Scientific Committee advice, determine whether any amendments to this CMM are required.
31. The preliminary biomass modelling approaches should be reviewed by the SC in 2025 or 2026.
32. This CMM shall expire on 30 September 2027.