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Agreement on the Conservation of Albatrosses and Petrels

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REPORT ON THE IMPLEMENTATION OF THE AGREEMENT FOR THE CONSERVATION OF ALBATROSSES AND PETRELS

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NEW ZEALAND

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Advisory Committee 2
5-8 June 2006

Overview - Implementation of ACAP and Action Plan

During the next three years, New Zealand will execute the following actions relating to ACAP and the Action Plan formulated under the Agreement:

- Continue the review and implementation of New Zealand's National Plan of Action – Seabirds, including the associated Research Plan
- Complete and commence implementation of a national strategy prioritising seabird issues and research areas
- Continue fisheries observer programmes to investigate the nature and extent of seabird bycatch in New Zealand fisheries, including bycatch of ACAP species
- Continue population and distributional studies of selected seabird species, with specific reference to the effects of fisheries bycatch
- Commence research investigating subantarctic seabird foraging patterns with a view to using this information in the development of marine protected areas
- Continue predator control operations at priority island sites where albatrosses and petrels breed (see AC2 Inf 3).
- Continue participation in international conventions and agreements and RFMOs relating to albatross and petrel conservation (e.g. CCSBT)
- To implement seabird-related conservation and management measures of RFMOs to which New Zealand belongs
- To implement any interim measures adopted in the context of new RFMOs, prior to their entry into force.

Species Conservation

Exemptions to prohibitions on the taking or harmful interference with albatrosses and petrels

- Although seabirds are protected under the Wildlife Act, sooty shearwaters (*Puffinus griseus*) and grey-faced petrels (*Pterodroma macroptera gouldi*) may be killed subject to conditions set by the Minister of Conservation. Chicks of these two species can be legally harvested at gazetted sites by iwi (indigenous tribal groups) with manawhenua (trusteeship) over these sites.

Use and Trade

- The New Zealand government provides for the cultural use of seabird carcasses obtained through fisheries bycatch. Maori pass government a list of seabird species they have interest in, and feathers, bone or other body parts are made available for cultural use. This process is subject to strict permitting.

Strategies and Action Plans

- The New Zealand Department of Conservation is writing a national seabird strategy that will help identify the priority issues affecting seabird species. The strategy will cover off many of the key elements in the ACAP action plan.

- Research Plans identifying knowledge gaps relevant to conservation, and prioritising seabird research for those species occurring in fisheries bycatch was completed in 2004 by both the Department of Conservation (http://www.doc.govt.nz/Conservation/Marine-and-Coastal/Fishing/010~Conservation-services-programme/pdf/CSP-5-yr-Research-Plan-external.pdf) and the Ministry of Fisheries, and updated in 2005 by the current draft National Plan of Action – Seabirds Research Plan (http://www.doc.govt.nz/Conservation/Marine-and-Coastal/Fishing/010~Conservation-services-programme/pdf/NPOA-Research-Plan-draft.pdf). The implementation of this Plan occurs annually, through Department of Conservation and Ministry of Fisheries, after consideration of newly available information.

Re-establishment schemes

- New Zealand continues to develop and apply techniques to successfully translocate burrow- and surface-nesting seabirds to new sites in order to establish new breeding colonies (see AC2 Inf 4). Such techniques can potentially be used to establish new colonies of ACAP species.
- The most recent transfer was of 86 Hutton's shearwater (*Puffinus huttoni*) chicks to a new site on the Kaikoura Peninsula. Hutton's shearwaters currently breed at only two sites in the Kaikoura mountains. Whether this translocation has been successful will not be know for several years. Hutton's shearwaters spend little time at their breeding colony in their first few years, and breeding usually commences at four to five years of age.

Legal and policy instruments

- All New Zealand seabird taxa are protected by the Wildlife Act 1953 and its subsequent amendments, except for southern black-backed gulls. Seabirds are protected from persecution throughout New Zealand and its Exclusive Economic Zone (EEZ) which extends 200 nautical miles (320 km) offshore.
- Implementation of the National Plan of Action – Seabirds (NPOA) continues (see *Management of Human Activities*).
- Implementation of seabird-related conservation and management measures, e.g. mitigation methods and area closures, in RFMOs to which New Zealand belongs.
- Implementation of any interim measures adopted in the context of new RFMOs, prior to their entry into force.

Habitat Conservation

Measures to implement protection and management of breeding sites including habitat restoration

- Many New Zealand seabirds nest on offshore or outlying islands administered by the Department of Conservation. These have a range of legal protection status under the Reserves Act 1977 or Wildlife Act 1953, e.g. National Reserve, Nature Reserve, Wildlife Refuge, Wildlife Sanctuary, Scenic Reserve, Scientific Reserve. The principles of visitation to these islands are covered by Conservation

Management Strategies prepared by regional Conservancy Offices. Access to Department administered islands will be controlled by the requirements of the reserves or local Conservation Management Strategies. Generally only seabird work that is of conservation benefit and can not be done elsewhere will be approved by the local conservator.

- The Department of Conservation office responsible for the subantarctic islands is currently investigating methods to eradicate pigs from the Auckland Islands (see AC2 Inf 3).

Management and protection of important marine areas

- New Zealand has a whole-of-government *Biodiversity Strategy* to protect marine and terrestrial biodiversity, in line with its commitments under the Convention on Biological Diversity (CBD). To contribute to delivery of the strategy, the New Zealand government has committed to create a network of marine protected areas (including marine reserves and other forms of protection) that represent the full range of New Zealand's ecosystems and habitats, by 2020. New Zealand is committed to protecting 10% of our marine environment (including the EEZ) by 2010. The desired outcome for the marine area as a whole at 2020 is that habitats and ecosystems are in a healthy functioning state, degraded habitats are recovering and harvesting is done in an informed, controlled and ecologically sustainable manner.
- In January 2006, New Zealand's Conservation and Fisheries Ministers released a joint *Marine Protected Areas Policy* and *Implementation Plan*. This Policy outlines how New Zealand will choose sites and methods to protect marine habitats and ecosystems in the future.
- The New Zealand Ministry of Fisheries has developed a *Strategy for Managing the Environmental Effects of Fishing*. The strategy establishes the framework, including principles and processes, for the setting of environmental standards that specify the limits of acceptable environmental effects of fishing on the marine environment. The standards will be set by the government, in consultation with stakeholders. Fisheries must be managed in with a way that meets the standards.
- CCAMLR provides for the designation of marine protected areas for scientific study or conservation on the high seas around Antarctica. New Zealand presented a scientific paper grounding our proposal for a high seas MPA around the Balleny Islands archipelago in the Ross Sea, to the CCAMLR Scientific Committee in October 2005. New Zealand has also succeeded in having a 10nm fishing exclusion zone around the Balleny Islands established annually under CCAMLR.
- In 2000 New Zealand closed 19 seamounts to fishing for the purposes of biodiversity protection. The closures cover an area of 11.5 million hectares and include both fished and unfished features.
- The Department of Conservation and the Ministry of Fisheries are investigating high level marine protection options out to the 12 nautical mile Territorial Sea limit of the Bounty, Antipodes and Campbell Islands. The project was initiated in 2003 as a priority identified in the Department of Conservation's Subantarctic Islands Conservation Management Strategy (1998–2008) which advocates for the further protection of marine ecosystems around the subantarctic islands and in response to calls from the international community to seek further protection following the declaration of these islands as World Heritage Sites in 1998. Protection for the remainder of the wider sea area above the southern plateau (i.e.

the Campbell Plateau and Bounty Platform) will be explored at a later date as part of the Offshore Marine Protected Area planning process.

Management of Human Activities

Measures to reduce or eliminate incidental mortality in fisheries

- New Zealand has worked within the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) and the Western and Central Pacific Fisheries Commission (WCPFC) to establish measures, including mitigation measures and reporting, to address issues associated the incidental mortality of seabirds in fisheries.
- A comprehensive review of mitigation measures aimed at addressing the incidental capture of seabirds in longline, trawl and gillnet fisheries has recently been completed and is currently being published by the Department of Conservation (see AC2 Inf 1).
- The Department of Conservation continues to conduct and support research into effective mitigation measures (e.g. http://www.doc.govt.nz/Conservation/Marine-and-Coastal/Fishing/010~Conservation-services-programme/pdf/CSP-Approved-Annual-Plan-2005-06.pdf) for use at sea in fisheries operations. Government observer programmes investigate the nature and extent of fisheries bycatch, and provide data to investigate patterns and identify issues at sea (see AC2 Inf 2).
- Southern Seabird Solutions, a Government, industry and NGO initiative, recently sent a New Zealand fisherman to Peru to work with local fishermen and NGOs to discuss the types of mitigation measures that will suit the different fleets that interact with seabirds. His trip also helped raise awareness of the impact of fishing on seabird populations.
- Trawl warp-strike mitigation devices are being tested in the New Zealand squid fishery (see AC2 Inf 5). Trawl fisheries account for a significant proportion of seabird captures in New Zealand fisheries. Albatrosses account for approximately half of the estimated captures in these trawl fisheries. The trial aims to compare three devices (streamer lines, bird bafflers, and warp scarers) with a control treatment of no mitigation device, and to quantify the variation in mitigation device efficacy between vessels. The Deepwater Stakeholder's Group in New Zealand has provided resources to enable a standard set of devices to be deployed across all vessels participating in the trial, and for coordination of the trial. Ministry of Fisheries observers are recording the rates of contact between birds and warps, and also between birds and the mitigation devices. These trials were set up following the establishment of regulations in the New Zealand trawl fisheries to require all vessels over 28 metres to deploy warp mitigation devices, as a result of incidents of high seabird captures in the 2005 squid trawl fishery. The devices trialled are those currently permitted under the regulations. The fishing industry has also put measures in place in the squid fishery to reduce discharge of factory waste during fishing. The observations in the warp-trail experiment will allow some quantification of the effectiveness of those measures at reducing seabird mortalities and contacts with trawl warps. Initial results of this study are due to be reported in June 2006, and finalised by September 2006. The work is the result of cooperative efforts between the New Zealand Deepwater Stakeholders' Group, Seafood Industry Council, Ministry of Fisheries, Department of Conservation and WWF-NZ.

- In line with the FAO International Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (IPOA Seabirds), in April 2004 New Zealand published a National Plan of Action to Reduce the Incidental Catch of Seabirds in New Zealand Fisheries (NPOA Seabirds). The NPOA Seabirds sets out a strategic framework for reducing the incidental catch of seabirds in New Zealand's domestic commercial and non-commercial fisheries and in high seas fisheries in which New Zealand flagged vessels participate. The NPOA Seabirds contains a mix of management measures, centered around the development of voluntary Codes of Practice and supported by regulations, where necessary. Whilst the NPOA has been successfully implemented in some fisheries, seabird bycatch has remained high in other fisheries. These initial findings have highlighted the need for the NPOA framework to better deliver robust outcomes for dealing with fishery-seabird interactions. The NPOA Seabirds is therefore currently being reviewed to more clearly specify how it will achieve its goals of reducing bycatch in a manner that is consistent with the Minister of Fisheries' obligations, with stakeholders' expectations and with objectives-based management plans that are being developed for New Zealand's fisheries.
- New Zealand, Australia and Chile are co-sponsors of an initiative which seeks to fill a gap on the management of high seas areas in the South Pacific ocean, as well as to ensure the long-term conservation and sustainable use of fish stocks and to protect biodiversity in the marine environment. The first meeting on the establishment of a new South Pacific regional fisheries management organisation (RFMO) was held in New Zealand from 14-17 February 2006 (see AC2 Inf 6).

Measures to combat IUU fishing

- In July 2005, New Zealand accepted the FAO Compliance Agreement.
- The New Zealand Minister of Fisheries has been an active member of the High Seas Task Force since its establishment in 2003. In March 2006, the Task Force agreed on a range of initiatives aimed at exposing and deterring illegal, unreported, and unregulated (IUU) fishing activities, including initiatives to promote better high seas governance.

Measures to minimise discharge of pollutants and marine debris

- Maritime New Zealand is the Crown entity responsible for pollution prevention, which involves a number of different approaches including: ensuring that ships navigate safely around New Zealand waters and avoid areas of high environmental value; ensuring that New Zealand adopts and enforces the strictest international legal standards to protect the marine environment; and by educating boat owners, and the wider marine community, of ways to avoid pollution. A large part of their environmental protection efforts focus on ensuring that New Zealand is prepared for and able to respond to marine oil spills. Maritime New Zealand also has a responsibility for preventing marine pollution caused by the dumping and disposal of waste in our Exclusive Economic Zone (EEZ).

Research and Monitoring

Ongoing research programmes

New Zealand conducts a variety of research and monitoring of seabirds including ACAP species, as follows:

- Long-term demographic study of southern royal albatrosses (*Diomedea epomophora***)** on Campbell Island**;**
- Population studies of Antipodean (*Diomedea antipodensis*) and Gibson's (*Diomedea gibsoni*) albatrosses;
- Population demography, foraging ecology and breeding biology of black petrels (*Procellaria parkinsoni*) on Great Barrier Island;
- Population trends, demography and breeding biology of Westland petrels (*Procellaria westlandica*) at Punakaiki, West Coast;
- Population demography, breeding biology and monitoring of Buller's albatross (*Thalassarche bulleri*) at Solander and The Snares Islands;
- Demographic and distributional study of white-capped albatross (*Thalasarcche steadi*);
- Population demography and foraging of Chatham Albatross (*Thalassarche eremita*)
- Research into nest-site protection for petrel and albatross species on-going at many sites;

Research projects relating to reducing seabird bycatch include:
- Trials of paired tori lines, bird bafflers and New Zealand warp scarers in trawl fisheries
- Determining efficacy of fish oil in reducing bycatch and interactions between seabirds and fishing vessels, and mechanisms for efficacy;
- Identifying environmental and fisheries operational factors affecting seabird bycatch probability

Observer programmes
- The New Zealand government deploys dedicated fisheries observers who quantify and identify bycaught seabird species, and return the carcasses for necropsy and identification onshore. These observers also provide critical feedback from their work at sea, allowing monitoring of seabird issues and fisheries operations, as well as the identification of new issues in seabird bycatch that need to be addressed.
- For detailed information, see http://www.doc.govt.nz/Conservation/Marine-and-Coastal/Fishing/010~Conservation-services-programme/pdf/CSP-Approved-Annual-Plan-2005-06.pdf for 2005/06. Observer effort allocations are made annually, with the release of 2006/07 allocations imminent.
- New Zealand deploys observers to monitor seabird by catch on its CCAMLR, CCSBT, and WCPFC fishing vessels.

National institutions involved in albatross and petrel conservation
- Department of Conservation
- Lincoln University, Christchurch
- Ministry of Fisheries
- National Institute of Water and Atmospheric research
- Ornithological Society of New Zealand
- Royal Forest and Bird Protection Society
- Southern Seabird Solutions Trust
- University of Otago
- Wild Press
- Wildlife Management International

- Canterbury Museum
- Museum of New Zealand Te Papa Tongarewa (Wellington)
- World Wide Fund for Nature

Education and Public Awareness

Dissemination of information for user audiences

- Department of Conservation runs observer training programmes to teach observers how to identify the seabirds they encounter.
- The Department of Conservation produces reports to stakeholders describing outputs of the Conservation Services Programme (the section of DOC that works on fisheries issues and especially seabird bycatch mitigations). These reports include observer findings, reports on population and mitigation studies done by the Programme and its contract staff.
- New Zealand government departments provide a briefing to vessel masters and crew on New Zealand-flagged CCAMLR vessels, including on seabird mitigation requirements, at the start of each fishing season
- The Ministry of Fisheries ensures that all New Zealand-flagged CCAMLR vessels carry on board relevant seabird publications such as "Fish the sea not the sky".
- Southern Seabird Solutions has a monthly spread in the fishing industry's magazine 'Seafood'. SSS produces educational material on reducing bycatch in both English and Spanish, which is distributed to fishers in NZ and overseas.

Dissemination of information to the general public

- This year, the northern royal albatross (*Diomedea sanfordi*) was the focus of New Zealand's annual Seaweek celebrations.

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Non-Government initiatives

A Seabird Advisory Officer has recently been appointed by industry to:

- Ensure each vessel has an up to date vessel management plan to minimize seabird bycatch by working to reduce release of fisheries waste attractive to seabirds, and deploy mitigation gear
- Audit vessels before and after trips to ensure they have the right equipment on board
- Provide on the spot advice to vessels
- Pass good practice around vessels as it is developed
- Receive weekly seabird counts from each vessel and follow up vessels having problems
- Produce a monthly newsletter
- Act as link between fisherman, company managers and government