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Mr. Archie Soliai
Chair, Western Pacific Fishery Management Council
c/o Kitty Simonds, Executive Director
Executive Director, Western Pacific Fishery Management Council
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By email: info.wpcouncil@noaa.gov

WESPAC

Dear Chair Soliai and Council members:

On behalf of the Hawaii Longline Association (HLA),¹ The Ocean Foundation and The Pew Charitable Trusts, thank you for the opportunity to submit jointly prepared comments on “**Agenda Item 6C: Oceanic Whitetip Shark Working Group Report and Options Document to Address MSE 304(i) Obligations,**” and “**Agenda Item 6D: Wire Leader Regulatory Amendment in Hawaii Longline Fisheries.**”

The depleted status of the Western and Central Pacific Ocean (WCPO) oceanic whitetip shark requires reductions in fishing mortality to recover this population. The coordination among our organizations on this letter reflects our shared concern for the stock, support for HLA’s proactive initiative to transition the Hawaii-based fleet away from wire leaders and focus on crew training, and agreement on key actions needed to improve the status of the stock.

The WCPO oceanic whitetip shark (OCS) stock was assessed at less than 5% of its unfished population and experiencing overfishing at a rate more than double the maximum sustainable yield.² The impact of the U.S. deep-set longline fishery operating in the WCPO is less than 3% of total fishing mortality on this stock.³ At its March meeting, the Council is required under the Magnuson-Stevens Act to adopt recommendations to address the relative impact of U.S. fishing vessels on this stock of oceanic whitetip shark, and recommendations for international actions to end overfishing and rebuild it. Mitigation measures, such as a ban on wire leaders, improved handling and release practices, and increased observer coverage in international fleets were recognized by the Council’s Pelagic Plan Team as potentially significant strategies to reduce fishing mortality and improve monitoring of this stock. Additionally, scientists at the Western and Central Pacific Fisheries Commission (WCPFC) have recommended these strategies be implemented across the WCPO.⁴

Therefore, our three organizations urge the Council to adopt the following recommendations:

Domestic actions

Prohibit the use of wire leader in all western Pacific pelagic longline fisheries through a regulatory amendment. Use of monofilament leader, instead of wire trace, is recognized as reducing the mortality of oceanic whitetip sharks, because it is more likely a shark incidentally hooked on the line can free itself by biting through the gear. Banning wire leaders has been shown to be one of the most effective ways to

¹ Hawaii Longline Association represents the Hawaii-based longline fleet.

² The Western and Central Pacific Fisheries Commission, 2019. “Stock assessment for oceanic whitetip shark in the Western and Central Pacific Ocean,” 98 pages. WCPFC-SC15-2019/SA-WP-06.

³ Western Pacific Regional Fisheries Management Council, 2021. “Oceanic Whitetip Shark Working Group Findings Report: Viable Options to Address MSA 304(i) Requirements.” March 2021.

⁴ The Western and Central Pacific Fisheries Commission, 2019. “Report of the 15th Regular Session of the Scientific Committee,” August 12-20, 2019, Pohnpei, Federated States of Micronesia, paras 291 and 292, Page 70.

reduce shark mortality and has the benefits of ease of implementation and enforcement.⁵ The use of monofilament also allows fishers to use long-handled line cutters to free hooked sharks with as little trailing gear remaining attached to the animal as possible.⁶ Council staff estimate a combination of eliminating use of wire leaders, and success by fishers in removing the trailing gear, would reduce fishing mortality of oceanic whitetip shark between 17% and 36% from current levels in the fishery. Although HLA is taking voluntary actions to remove wire leader use in the fleet, a regulation ensures domestic compliance and facilitates United States-led action within Regional Fishery Management Organizations (RFMOs).

Crew training on shark handling and gear removal among all vessels in the deep-set fishery.

Releasing hooked sharks by cutting the gear as close as possible to the shark improves the probability that the shark will survive. HLA is now committing resources on innovative crew education and training that includes best handling practices to promote post-hooking survival. HLA also seeks to coordinate with the Council and NMFS on best methods to release OCS and developing training efforts.

International actions

Recommend the U.S. delegations to WCPFC and Inter-American Tropical Tuna Commission (IATTC) immediately promote a ban on wire leader and binding handling guidelines for sharks in those RFMOs. While retention of oceanic whitetip sharks is prohibited within both WCPFC and IATTC, as an IUCN Red List classified critically endangered species, additional mitigation measures are urgently needed to help this species recover.⁷ Foreign fleets account for the vast majority of the fishing mortality on this species (the U.S. deep-set longline fishery accounts for an estimated less than 3% of the catch of oceanic whitetip in the WCPFC). Following the lead of HLA, if use of wire leader is prohibited in the domestic U.S. fishery via regulation, the U.S. should use its leadership on conservation to promote effective actions in the RFMOs. For instance, in the Atlantic, the U.S. has proposed a ban on wire leaders as part of the recovery plan for shortfin mako sharks at the International Commission for the Conservation of Atlantic Tunas. Without international cooperation in the Pacific, the fate of oceanic whitetip shark is dire, and the beneficial actions of vessels in the U.S. fishery would be undermined. Similarly, although RFMOs have adopted shark handling guidelines, they are voluntary and should be made mandatory, including a prohibition on bringing sharks onboard the vessel to remove the fishing gear, which would maximize the safety of the crew and reduce deaths of sharks.⁸

Recommend the U.S. delegations to the WCPFC and IATTC immediately promote measures to increase observer coverage and advance electronic monitoring programs. WCPFC and IATTC require longline vessels to achieve an observer coverage level of only 5%, a rate currently exceeded by U.S. flagged longline vessels. An increase in observer coverage levels across the longline fleets of all nations is needed to improve the usefulness of the data for science, ensure the impacts of all fleets on the

⁵ Swimmer, Y., Zollett, E.A., and Gutierrez, A. 2020. "Bycatch mitigation of protected and threatened species in tuna purse seine and longline fisheries." *Endangered Species Research*. 43: 517–542.

⁶ The report of the Oceanic Whitetip Shark Working Group provides a useful summary of the literature showing the effectiveness of using alternative material to wire leader to reduce shark mortality. It may be useful for the Council to consider that other longline fisheries operate under prohibitions on wire leader, including fisheries in Australia, the Cook Islands, Fiji, the Marshall Islands, Palau, Samoa and South Africa, according to Clarke, S., Sato, M., Small, C., Sullivan, B., Inoue, Y. and Ochi, D. 2014, "Bycatch in longline fisheries for tuna and tuna-like species: a global review of status and mitigation measures." *FAO Fisheries and Aquaculture Technical Paper No. 588*. Rome, FAO.

⁷ Pacoureau, N., Rigby, C.L., Kyne, P.M. et al. 2021. "Half a century of global decline in oceanic sharks and rays." *Nature* 589: 567–571. <https://doi.org/10.1038/s41586-020-03173-9>

⁸ Zollett, E. and Swimmer, Y. 2019. "Safe handling practices to increase post-capture survival of cetaceans, sea turtles, seabirds, sharks and billfish in tuna fisheries." *Endangered Species Research*. 38: 115-125.

fishery are appropriately represented, and improve compliance with existing measures, such as requirements not to retain key shark species. Observer coverage requirements should be increased to 20% as soon as possible and advanced with electronic monitoring programs at the RFMOs.

We thank you for the opportunity to provide comments for consideration in the development of Council's position on addressing MSE 304 (i) Obligations for the oceanic whitetip shark.

Sincerely,

A handwritten signature in black ink, appearing to read 'E.K.K.' followed by a stylized flourish.

Eric Kingma
Executive Director
Hawaii Longline Association

A handwritten signature in black ink, appearing to read 'D.G.' followed by a stylized flourish.

Dave Gershman
Officer, International
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The Ocean Foundation

A handwritten signature in black ink, appearing to read 'R.Hopkins' followed by a stylized flourish.

Rachel Hopkins
Senior Manager
The Pew Charitable Trusts